

Minutes of the Boggabri – Tarrawonga – Maules Creek Community Consultative Committee

Meeting Held: 19th November 2014, 12:30pm

Venue: Boggabri RSL Club

1.0 Present and Apologies

Present: John Turner (JT), Independent Chairman
Chase Dingle (CD) – Environmental Superintendent – Boggabri Coal
Hamish Russell (HR) – Environmental Representative – Boggabri Coal
Expansion Project
Ray Balks (RB) – General Manager Operations – Boggabri Coal
Jill Johnson (JJ) - Group Environment Manager – Whitehaven
Tony Dwyer (TD) – Environmental Superintendent - Whitehaven
Lachy Johnson (LJ) – Environmental Officer - Tarrawonga
Brian Cole (BC) – EGM Projects Delivery – Maules Creek
Peter Wilkinson (PW) – General Manager – Maules Creek
Craig Simmons (CS) – Area Manager Services – Maules Creek
Julie Heiler (JH) - Community Representative
Jim Picton (JP) - Community Representative
Richard Gillham (RG) - Community Representative
Libby Guest (LG) – Community Representative
Carolyn Nancarrow (NK) - Community Representative
John Bastardo (JB) - Community Representative
Alistair Todd (AT) – Maules Creek Community Council representative
to Boggabri Coal CCC
Toni Comber (TC) – Red Chief Local Aboriginal Land Council
representative to Maules Creek Coal CCC
Clr Catherine Collyer (CC), Narrabri Shire Council representative for
Tarrawonga and Boggabri Coal CCC
Lloyd Finlay (LF), Narrabri Shire Council representative for Maules
Creek Coal

Apologies: Clr Hans Allgayer (HA) - Gunnedah Shire Council
Peter Watson (PWa) - Community Representative
Anthony Margetts (AM) – Operations Manager - Tarrawonga
Mike Mackintosh (MM) - Project Manager Expansion Project –
Boggabri Coal
Tim Muldoon (TM), Group Manager Community Relations and
Property – Whitehaven

2.0 Declaration of Pecuniary or Non-Pecuniary Interests

JH leases “Velyama” from Whitehaven and is in the ‘Zone of Affectation’ for acquisition for Boggabri Coal.

RG – Property falls into the ‘Zone of Affectation’ for acquisition by Boggabri Coal Mine (BCM).

CC – Leases country owned by BCM

JB – “Olivedene” – Leases property from WHC - Maules Creek Coal

JT – receives a fee for the CCC Chair role

3.0 General Business

3.1 General status update from each Project

3.1.1 CS presented the Maules Creek overview (presentation attached)

RG asked how thick the coal seams are. CS said the Braymont seam (the first seam) is 6-7m thick.

JP asked what percentage of coal will be washed. PW said about 10% initially and then the percentage will depend on marketing. More will be washed if required for metallurgical markets (long term might be around 50% washed).

RG asked about the procedure for recruiting cleanskins. PW said Maules Creek has a strong training team, with a number of cleanskins being trained at the moment. The site is also employing experienced operators as there needs to be a balance between cleanskins and experienced operators.

RG said lots of locals are working for contractors but will be out of a job when construction finishes. PW said some of the construction workers will be brought across from construction and that people who have worked on construction equipment generally train up quite quickly on mining equipment. There are currently nine indigenous workers who have transferred from construction to operations. PW said there are currently 73 operators which will go up to about 175 operators as the site ramps up so there will be plenty more opportunities for jobs.

RG asked how people can apply for cleanskin roles. PW said Maules Creek are using Prospect and people can apply online.

CC mentioned that Whitehaven is indicating they want people to move to the area and live locally but there are already locals here that could be given jobs. RG said no-one in Boggabri should be unemployed with the amount of jobs available. JH said not all people have the skills to perform the roles.

PW noted that Whitehaven is also not promoting the MAC camp as long term accommodation. The accommodation fees are currently subsidised but the subsidies will reduce at 3 monthly intervals. This assists people to transition into the community. PW said there are very few employees staying at the camp (estimated to be less than 10%). RG said the initiative is a good idea.

LG left at 1:05pm

3.1.2 CD and HR presented the Boggabri Coal overview (presentation attached)

LF said Goonbri Road is substandard and asked what the mine is doing about it and what the progression with NSC. HR said a contractor had

been engaged to repair some sections and to resurface some areas within the next 12 months.

CC asked if access will change. CS said Maules Creek are approved to use that road during construction. Once construction is complete, the new mine access road will be used. CC asked when that would occur. CS said approximately 2nd quarter 2015. BC said Boggabri Coal needs to cease use of the coal haulage trucks prior to this occurring.

CC raised concern about use of Braymont Road by mine workers and contractors. CS said the new access road will result in Braymont Road being a longer way to the site so the use of it should naturally cease. HR said use of the road is actively discouraged by Boggabri Coal.

JH asked why NSC wouldn't upgrade Therribri Road earlier than planned if Maules Creek want to use it by 2nd quarter 2015. CS confirmed that Therribri Road is the approved traffic access in the site's Traffic Management Plan (TMP). RG asked if the site would prefer to use a gravel road over bitumen. CS said it is what's approved in the TMP which is why the VPA money was provided. CS said subject to access being provided off the Kamilaroi Highway, Maules Creek will need to undertake negotiations and seek approvals in order to use the access.

AT asked about the progress of Harparary Bridge. LF said at yesterday's NSC meeting it was passed that the bridge would be single lane that could be used by b-doubles and that residents would be consulted on where to spend the rest of the money.

3.1.3 LJ presented the Tarrawonga overview (presentation attached)

TC asked who was involved in the salvage of the scarred tree and other salvage. LJ said the RAPs we involved in two separate days of salvage, one in February 2014 and the other in June 2014.

TC asked how the tree is being stored. LJ said it's in temporary storage at site.

JH asked if the gauges on discharge points had been installed. LJ said not yet.

3.2 Cumulative impact strategy update

BC provided a presentation regarding progress of the Aboriginal Cultural Heritage Strategy and Biodiversity Management Strategy (attached).

JH asked what happens to the artefacts. BC said Maules Creek is progressing with a keeping place in a building on one of the properties Whitehaven owns. JH asked if it would be available to the community. BC said input had been sought from the community and a steering committee (made up of 4-5 Aboriginal representatives) has been formed to assist in determining how the keeping place would work. The idea is it will be available to the Aboriginal community as well as other members of the community and could be used as an educational tool. CC said that would be good for the wider community. TC said there are gender specific artefacts and it wouldn't be appropriate for the wider community.

TC said there had only been one meeting for consultation where there was general disagreement of the proposal. BC said there has been 3-4 meetings (he doesn't personally attend). BC said Whitehaven has employed an Aboriginal Community Liaison Officer who is leading the exercise. BC said it is difficult to get agreement on these things as people have different opinions.

JH asked if the mines were willing to have a joint keeping place. BC said the offer had been made to Boggabri Coal but they have elected to go their own way. CD said Boggabri Coal had undertaken consultation in the past but that consultation hasn't recommenced so they can't commit to anything yet.

TC asked BC for a copy of the minutes for each of the steering committee meetings and said she wanted it noted in the minutes that she had asked. BC said TC is asking a question she knows the answer to and advised that the participants in the steering committee have specifically requested that Whitehaven doesn't release the minutes.

JT suggested to TC that the issue should be taken to the Department rather than the CCC.

TC said Red Chief LALC had been excluded from the meetings and has a statutory role.

CS provided an overview of the remaining cumulative strategies (see summary table attached).

In reference to the proposed regional air quality monitoring network, CC said she'd been leaving it in the hands of EPA and others and now it won't happen. JT clarified that the EPA didn't say it won't happen, it's just unclear on what the network would consist of and when it would be implemented.

CC suggested the EPA be invited to the next cumulative CCC meeting. JT said the issue will come up before then. JT said Council is represented on the Working Group for Minerals and Energy and at the last meeting EPA said they wouldn't match the Hunter Valley model (because this region is different) despite Council pushing for it.

3.3 Environmental Trust Fund

A sub-committee has been formed that will meet after the CCC meeting concludes.

4.0 New Business

- 4.1 TC read a statement to the Committee on behalf of the Gomeri Traditional Custodians (GTC) calling for an urgent meeting with the three Community Consultative Committees to outline concerns and complaints to the committees. TC said she does not represent GTC and is simply reading the statement on their behalf. TC said she's aware the joint CCC meeting only occurs once a year but that doesn't preclude an urgent meeting.

JT asked what period of time the complaint relates to. TC said 18 months.

JT provided some background, advising the Committee that GTC had previously sent him an undated letter received by him 6 August 2014. The letter had also been sent to the Minister for Planning and Minister for the Environment and many others. The letter sought 'to table to the CCC committee a number of concerns' about the Maules Creek Coal (MCC) project. He said that letter was tabled and discussed at a previous MCC CCC meeting (6/8/2014) and it was agreed, that because the information was beyond JT's capacity as chair of the CCC to provide, that MCC would provide the information in the form of a letter. That letter was provided and sent to GTC under a covering letter from JT dated 25/8/2014. During the period between the MCC CCC meeting and dispatching the letter, a copy of a letter sent to GTC by the Department Planning and Environment had been received which also addressed the concerns raised by the GTC. That correspondence was tabled and discussed at the MCC CCC meeting yesterday (18/11/2014).

JT read relevant sections of the CCC guidelines in relation to the powers of the Committee and asked if this is a complaint about handling of complaints (which the Committee can address) or whether it's a regulatory issue.

JT said he doesn't have a position at this time on the issue but the statement specifically requested an urgent meeting. On the issue of urgency he said given it's now 3 months since the letter was issued to GTC and a response had not been received it could hardly be classed as an urgent matter.

He said the CCCs are consultative, not advisory and their role is around information dissemination.

JT opened the floor to discussion.

JH said her understanding of the CCC role is for the community to be heard and to provide information back to the community. She said if Aboriginal members of the community have an issue they should refer it to the CCC members, of which it appears they haven't done.

JB said he doesn't think it's within the CCCs scope to try to alleviate the injustices, or whatever they are being called. He said the CCC members' role is to provide information to the community and they shouldn't be expected to do any more.

CC said she sees the CCC members' role as a dual role – to bring forward issues from the community and provide information from the mines back to the community. She said it's difficult to make a decision on the claims in the statement without the background and GTC can't provide a statement at a meeting without notice and expect people to make judgement on it. She said she's happy for the statement to be provided to her to review in due course. She said she understands the letter says the matter is urgent but everyone has different perceptions on these things.

JB said the CCC doesn't do policy.

JT said the CCC needs to look at whether the complaint mechanism is being met. If it's a complaint about handling of complaints, the CCC can address it. In that regard he believed that the correspondence of 25/8/2014 addressed the original complaint. Getting involved in the context of the complaint is not the CCC's role and is a matter for either the mines or regulators.

AT said he thinks there's a responsibility of the CCC to bump the issue to the Director General given TC said the issues have been ongoing for 18 months.

JT said he had the power to determine whether this was an urgent matter that warranted an extraordinary meeting. In deciding if this was an urgent matter he

said he doesn't think it's an urgent issue given a comprehensive letter was given to the GTC nearly three months ago and no response had been received to date. Also, it's the first time he's heard about concern in relation to Boggabri Coal and Tarrawonga Coal.

JT said he will forward the statement TC read, correspondence from Whitehaven, the Department and himself, and minutes from this meeting to the Department to ask for advice if the complaint handling process has been handled correctly.

TC said the complaint is directed more at Maules Creek. She said issues with Boggabri Coal have been dealt with and she doesn't know about issues with Tarrawonga.

TC said Maules Creek, and in particular BC, is aware of the issues and it was only the last CCC meeting that the correspondence had been tabled. JT said, he instructed BC, in accordance with normal meeting practise, to table the correspondence to GTC and the letter from the Department at the next meeting.

4.2 JH raised concern about the feral pig issue around Boggabri Coal and Maules Creek. She acknowledged that landholders have their own responsibilities but they've never seen pigs like this unless it's really dry. JB said it is really dry. She said a strategy needs to be developed between the mines and landholders. The pigs are used to the noise from the mines. She would prefer they weren't poisoned because of the risk to birds. CS and CD referred to the aerial shoot to the east of the mines. CD said Boggabri Coal has a Pest Management Strategy and as part of that they will consult with the landholders.

4.3 RG said he's concerned about the use of Braymont Road. The dust is phenomenal and the mine workers drive so close to each other that it's dangerous. KN said you can't stop them because it's a public road. AT asked if this is a breakdown in the function of the CCC as it has been talked about at every meeting. CD said it's not approved to be used by any mine. RG said it is used and he's seen Downer and UGL vehicles. The committee members agreed that the mines should be adequately implementing their Traffic Management Plans.

BC said the majority of construction at Maules Creek will conclude in January. He said the issue has already been raised with some contractors and he will raise it with Downer at a meeting to be held this week. CC asked if it would help to identify the company and number plate. CD said Boggabri Coal is very clear on the position for company vehicles and any details should be provided to allow action to be taken.

JH asked why some of the \$1.4 million VPA money from Tarrawonga couldn't be used to upgrade the road. CC said \$0.4 million had already been used on Blair Athol Lane.

5.0 Next Meeting

Date and time for next individual CCC meetings to be advised.

Meeting closed at 2:35pm.

John Turner - Chair