

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

Meeting Held: 19th May 2016, 2:00pm

Venue: Boggabri Golf Club

1.0 Welcome

2.0 Present and Apologies

Present: John Turner (JT), Independent Chairman
Jill Johnson (JJ) - Group Manager – Environment - Whitehaven
Lachy Johnson (LJ) – Environmental Officer - Tarrawonga
Julie Heiler (JH) - Community Representative
Richard Gillham (RG) - Community Representative
Carolyn Nancarrow (NK) - Community Representative
Alistair Todd (AT) – Maules Creek Community Council representative
to Boggabri Coal CCC
Clr Catherine Collyer (CC) - Narrabri Shire Council representative
Kerri Clarke (KC) – Maules Creek environmental representative
Kirsten Gollongly (KG) – GM HSEC – Whitehaven
Lexie Frankham (LF) – Group Superintendent – Environment
(Operations) – Whitehaven
Tony Dwyer (TD) - Group Superintendent – Environment (Compliance)
– Whitehaven
Lynne Mackellar (LM) – Administration Assistant – Boggabri Coal
Dan Martin (DM) – Environmental Superintendent – Boggabri Coal
Dan Yates (DY) - Group Manager Health, Safety and Environment –
Boggabri Coal
Ray Balks (RB) - General Manager Operations – Boggabri Coal
Scott Mitchell (SM) – Environmental Superintendent – Maules Creek
Peter Wilkinson (PW) – General Manager – Maules Creek
Anthony Margetts (AM) – Operations Manager – Tarrawonga (arrived
2:10pm)
Rebecca Ryan (RR) – Gunnedah Shire Council representative (arrived
2:15pm)
Steve O’Donoghue (SO) – Department of Planning and Environment

Apologies: Jim Picton (JP) – Community Representative
John Bastardo (JB) - Community Representative
Mitchum Neave? - Community Representative

Commented [LF1]: Mitchum? Though didn't catch this clearly.

3.0 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

JT – receives a fee for the CCC Chair role

4.0 Acceptance of Previous Minutes

Request from KC to include discussion on pavement failure of new access road causing traffic to continue to access site via Iron Bridge. All agreed.

Moved by JH and CC.

5.0 Business Arising

N/A

6.0 Correspondence

JT advised Environmental Trust correspondence will be discussed under agenda item 10.

7.0 Company Reports

7.1 General status update from each Project

7.1.1 DM presented the Boggabri Coal overview

CC asked Maules Creek and Tarrawonga to request that any staff using the Civeo camp are respectful when driving over the railway line and towards the house near the camp.

KC asked if there is anything the mine could have done to prevent the dust issue when the inversion layer/low wind was present. DM said the site has a Trigger Action Response Plan (TARP) for dust management which includes changing operations.

RG noted that the dust issue from unsealed public roads will start to return with the onset of winter and that mining personnel continue to use the unsealed road for the Boston St bridge rather than travelling on the sealed road. DM said the access road for Boggabri Coal is over the Iron Bridge and on the sealed road to site but the Company can't stop people using other roads when travelling in private vehicles. RB said the site regularly issues letters to their staff and contractors advising their responsibilities in relation to transport to and from the site and the site will take actions on people doing the wrong thing in work vehicles. CN said she will record vehicle details and report them to Boggabri Coal. PW requested clarification on the route being discussed.

7.1.2 LJ presented the Tarrawonga overview

CC noted the site had just reached 2 million tonnes production in the 2015/2016 financial year and asked what the target was for the full financial year. LJ advised the target was 2.3 million tonnes.

KC asked how much rehabilitation had occurred in total at the site. LJ said he couldn't recall a specific number but provided an estimate of 50 hectares (noting this number shouldn't be relied on).

KC asked what the aerial seeding comprised. LJ said pasture species. KC asked if the area of aerial seeding would remain as pasture. LJ advised the area is on the overburden emplacement and the aerial seeding is for temporary stabilisation for dust control.

KC asked if the BTM CCC could visit Tarrawonga and Boggabri Coal to inspect the rehabilitation areas. JT said he will consider the request.

RG advised that members of the community, on behalf of the Lions Club, used to collect firewood for elderly Boggabri residents but can't access the areas now because of mining. He asked if there was any timber available in mine owned areas. RB said Boggabri Coal has some available and would discuss with RG after the meeting. AM said Tarrawonga would like to provide firewood but would need to check provision of the firewood won't contravene the site's approvals.

7.1.3 PW presented the Maules Creek overview

AT asked how many noise and dust complaints the site has received. SM said approximately 15 complaints have been made directly to the mine in the calendar year and there was approximately 50 air quality complaints in 2015 (confirmation following meeting approximately 70). PW said complaints are also made to the EPA but Maules Creek doesn't see all of those complaints.

7.2 Cumulative impact strategy update

TD provided an update on the cumulative strategies.

- Air Quality Strategy – submitted to DP&E late 2015 and comments provided by DP&E. Strategy will be resubmitted for approval once a figure is received from a consultant.
- Noise Strategy – submitted to DP&E late 2015 and awaiting comment.
- Water Strategy – not a lot of progression.
- Cultural Heritage Strategy – comments from DP&E received and sites have worked through comments. Close to re-submission.
- Biodiversity – update provided by SO.

AT asked how these Strategies tie into the Regional Air Quality Monitoring Network. SO said he's not with the EPA and can't speak on their behalf. CC said indications are the Network will be of a poor standard with few monitors.

CC asked for due dates on strategies. SO said 4 – 6 weeks for Stage 2 of the Biodiversity Strategy. TD said AQS would be next couple of weeks.

AT asked if the strategies will be published on the company's websites. TD said they will be once approved by DP&E.

CC asked if the CCC will be provided the strategies for comment. SO and TD advised consultation has already occurred.

CC asked why there can't be a single strategy to cover the three sites and all aspects. TD, SO and JJ advised that the strategies cover the cumulative impacts of the three mines but there is a strategy for each

environmental aspect as it would be very difficult to have one strategy that covers multiple environmental aspects and multiple sites.

8.0 Regional Biodiversity Strategy

- 8.1 SO provided an update on the status of the Regional Biodiversity Strategy. SO is a Senior Planner for DP&E and is based in Armidale but works with the Sydney team. He is involved in assessment and post approvals matters. Compliance is managed by the Singleton office.

There is a condition in each of the three mines approvals requiring a regional strategy for biodiversity. The intention was to bring a final draft to this meeting but timing hasn't worked. The process is complex as it involves DP&E, OEH and the three mine sites. The strategy needs to be endorsed by OEH and approved by DP&E. DP&E will consider CCC comments.

Background on the strategy – was a requirement of the Planning Assessment Committee (PAC). Part of the assessment by the PAC was the need for a strategy across the three mines but also at a regional scale.

There are specific conditions in the Boggabri Coal and Maules Creek approvals about implementing the strategy in three stages:

- Scope
- Development
- Review

There are also a couple of other things to consider including the native vegetation reforms that OEH is looking at. The information is available at this stage so will need to be incorporated in a couple of years.

The PAC requirements provide for monitoring, management and security as well as to identify other opportunities for offsets in the region.

Both companies (Boggabri and Maules Creek) have revised their offsets. Maules Creek's has been approved and Boggabri Coal is currently going through the process with OEH and others. The Boggabri Coal CCC has been consulted on this.

CC sought clarification on when the Maules Creek revised offset was approved. SO said October 2015. He said there are conditions in both approvals to secure additional offset areas.

There have been working group meetings involving OEH, NSC, Boggabri Coal, Whitehaven, DRE, NWLLS, Forestry and DP&E. The Commonwealth (DoE) was involved in the scoping stage but advised they will now only be observing.

Structure of the Strategy:

- Statutory context
- Management and monitoring framework
- Providing information on security framework (mechanisms for security)
- Spatial framework – context of region and broadly looking at options for context in the future

The preliminary draft report was tabled at the last working group meeting and DP&E is currently obtaining comments from the mining companies.

KC asked about timing of the strategy. SO said the intention is the next 4 – 6 weeks.

KC asked how the mines communicate with the community on establishing offsets. It's difficult to get the information out as there's only a few people on the CCC and there are offsets proposed on land that is privately owned. The owners of this land aren't being kept informed. SO said the requirement for the offsets came from the original approvals. The properties are within the zone of acquisition so if they were successfully acquired there would be an option for parts of those properties to formally come into the offsets. The approvals recognised that this may not occur (more so for Maules Creek, except for the Crown land areas for Boggabri) and provided the ability to replace these areas with other land.

KC asked how come the areas are still showing as offset in the latest revision of the Biodiversity Management Plan. SO said they're not in the State management plan anymore however the Commonwealth signed off on the same package of offset land so there is still an additional requirement for the Commonwealth. KC said it would be good to let the owners know as they're confused about what's happening. PW confirmed the areas are no longer showing for the State approved offset but agreement still needs to be finalised with the Commonwealth.

CC asked what caused the review of the offsets. SO said it was a condition of the Project Approval. AT asked who came up with it. SO said it was an obligation of the Company.

KC said the Biodiversity Management Plan is still showing the areas on private land as being included. PW said not for the State.

KC said Wollandilly was purchased for offset but she'd heard there would be exploration occurring. PW said only specific areas are for offsets and exploration is permitted to occur on the other areas of the property.

9.0 Environmental Trust Fund Report

JT advised the Trust has now been incorporated – Leard Forest Precinct Environmental Trust Incorporated.

Requests for applications was issued for projects within a 25km radius of the mines. Four applications were received and considered with guidance from NSC. The sub-committee approved one in part, has sought further clarification from another and the remaining two were not successful as they didn't meet the selection criteria. Successful applicant(s) will be disclosed at a later date. Applicants will be informed on the 29th May.

Intention was to advertise once a year but given lack of interest this round, another round will be advertised in November with determination of successful applicants in January.

10.0 General Business

KC raised concern about the security teams for Maules Creek and Boggabri Coal. She advised the Maules Creek security people have been harassing locals.

KC tabled flagging tape that she advised was found across a road in the forest by Anna Christie on her reconnaissance for the upcoming bird watching program. . KC said she's not saying it was the mines that put it there but she had been informed that the Maules Creek security team made Anna Christie aware that they knew it

was there. KC said the flagging tape was first noted by people in the forest in February. PW categorically denied that Maules Creek installed the flagging tape. KC requested that the mines take down anything like this if they see it.

KC said the security team seem to be roaming a long way from the mine, taking photos and harassing and intimidating local residents, including at the end of Black Mountain Creek Road. JT said, as he had said at the CCC meeting the day before, that in fairness to the mines, the complainants need to provide details of which security firm is involved.

RG said he is a local landholder and his experience with the security people is the opposite of what KC is describing. He said he stops all the time to talk to them and couldn't be happier with what they're doing. AT said he is a resident and he doesn't like security driving up the road due to the additional dust impacts created by the vehicles.

KC tabled photos of the vehicles in question and the flagging tape in the forest.

CC said she has an issue with the terminology regularly used by anti-mining people about 'locals' or 'local community'. She is happy for actual landholders to raise issues but strongly disagrees with the generalisation of locals because not all locals have the issues discussed. KC confirmed that she was not referring to all locals. CC reiterated that that needs to be disclosed at all times.

PW questioned why those concerned about the flagging tape had not taken it down when it was first identified in February. He said if they thought it was a serious matter they should have done something earlier rather than leaving it three months. KC said they thought it might have been Forestry that put it there. PW said he thought it was strange it would be left three months if it was such a concern to them.

JH asked about results of the bore census. DM said the results aren't available yet.

11.0 Date for Next Meeting

May 2017

Meeting closed at 3:00pm

John Turner - Chair