

Community Consultative Committee

Meeting Held: 16 May 2019 from 2:00pm

Venue: Boggabri Golf Club

1.0 Welcome

DR welcomed everyone to the Joint CCC and advised that Kerri Clarke and Anna Christie have both resigned. David Paull from Sustainable Living Armidale has joined the Maules Creek and Boggabri Coal CCCs in Kerri's place.

2.0 Present and Apologies

Present:

Anthony Margetts (AM) – Boggabri Coal	Catherine Collyer (CC) – BTM CCCs
Daniel Martin (DM) – Boggabri Coal	Darren Swain (DS) – MCCM
David Ross (DR) – Independent Chair	Debbie Corlet (DC) – Independent Secretary
Emma Bulkeley (EB) – MCCM	John Hamson (JHa) – Tarrawonga Coal
Jack Warnock (JW) – Maules Creek	Julie Heiler (JH) – Tarrawonga CCC
Libby Laird (LL) – Maules Creek	Mitchum Neave (MN) – Boggabri Coal CCC
Peter Forbes (PF) – Boggabri Coal	Ray Balks (RB) – Boggabri Coal
Richard Gillham (RGI) – Boggabri Coal CCC	Robert Kneale (RK) – Narrabri Shire Council
Ross Wilson (RW) – MCCM	Roz Druce (RD) – Boggabri Coal CCC
Sebastien Moreno (SB) – Tarrawonga Coal	Steve Eather (SE) – Maules Creek CCC
Tim McDermott (TM) – Boggabri Coal CCC	

Apologies:

David Paull (DP) – Maules Creek and Boggabri Coal CCCs	Nigel Wood (NW) – MCCM
Colleen Fuller (CF) – Gunnedah Shire Council	Geoff Eather (GE) – Boggabri Coal CCC
Rebecca Ryan - Tarrawonga CCC	Cameron Staines - Narrabri Shire Council
Simone Moodie (SMo) – Maules Creek CCC	

Guests: Lindsay Fulloon (LF) and Jacinta Hanemann (JH) – EPA. Nick Godfrey-Smith and Stuart Ross – ARTC

3.0 Declaration of Pecuniary or Non-Pecuniary Interests

SE – Has son who works for Boggabri Coal. MN – Has a daughter who works for WHC.

JH, RD, RGI & RG - Have properties that fall into the 'Zone of Affectation' for acquisition.

DR gets paid for chairing these meetings as does DC for typing the minutes.

4.0 Acceptance of Previous Minutes

November 2018 Joint CCC meeting – accepted by all.

5.0 Business Arising from Previous Minutes

All actions from previous meeting have been completed.

PF noted that the water models for the mines do indeed factor in climate variability.

DR – noted that no modifications have gone on exhibition since last Joint CCC.

DR sought input from members on his chairing and how he could improve it.

MN – We would like to see from the Departments – how they see the CCC community members and how they are functioning. Do they take from the CCCs any information for future projects and how to handle them? Re Dept of Planning – we don't know what they think and if we are doing a good job.

DR – To invite Steve O'Donoghue to talk about CCCs at the next meeting.

RD – Questions to the CCC prior to the meetings – should be an ongoing thing and more than 2 questions. Then have the questions addressed at the meeting.

Proposals were put forward by RD to have alternates and observers present at the Joint CCC meetings.

These were put to a vote. Majority of members agreed to having alternates attend. There was no clear majority with respect to having observers attend.

DR – Mixed response now – so will leave as is for the moment.

6.0 ARTC Presentation

ARTC Enviroline - enviroline@artc.com.au - 1300 550 402

ARTC gave a presentation on their network and environmental management, discussing issues such as dust and noise.

Volumes of traffic and where it goes to (pathways)?

In relation to Boggabri, all trains are heading to the port and back again. Total coal train movements – 6 is the total – could be coal – could be passenger.

Nick – To clarify that number.

Stuart noted that the rail corridor has a typical width of 30m. Don't have any specific buffer zones.

Air Quality – information is drawn from the EPA website. Why don't we cover wagons – evidence doesn't support that. Freight train and a coal train – the dust emissions are the same. Coal dust and diesel emissions – not a significant effect on particulate concentrations.

Dust increases when a train does go by – dust as the car or train goes by.

JH – There are a few people who live close when the trains are idling in the middle of the night. One of the trains idled for 24-hours, especially at night – it is loud.

Stuart – use that Enviroline Hotline and include things like the time of day/ night and direction the train is travelling and that will give us something to work with – we can discuss with the operator.

RD – The actual noise from the track – squeaking or rattling.

Stuart – sometimes there are track defects and the community are the best people to tell us. It is a defect that may just need a little bit of maintenance.

DR – Emphasised the community using the Enviroline.

Nick – It goes to the Corporate Affairs area and goes into a database which is there permanently. That would go to a local team to go and inspect. It's not a 24/7 life real-time. If a train is parked for 24 hours – who do, they get immediate response. We've got a Control Centre in Broadmeadow and they have visibility of the whole track.

CC – Can the loop be moved?

Nick – I've seen those come through – it's like shifting a road. We're aware of that and some discussion and requests to move the loop. Very long lead time and very expensive.

CC – The squealing of the brakes – so we can lodge those as well.

Stuart – profiles on the wagon may need to be looked at but always log it. With regards to ensuring that people can get the newsletter in the future, contact us on enviroline@artc.com.au and we can add people to the system.

MN – Complaints re the dust coming from the trains – can you not put in a dust monitor?

Nick – community wanting it in. I'm happy to give you my details and what you are thinking.

MN – The noise from the trains when they honk their horns – sometimes it goes for a very long time.

Stuart – It is for safety in the network rules, but drivers do have discretion for time they honk for. It could be a few seconds to a few minutes. That warrants a request.

Nick – Some drivers more considerate. There are a lot of issues at crossings. They are on guard. There is a town horn and a country horn. Country is more of a foghorn type. It is up to the driver, but they must sound the horn.

JH – Rules are rules.

DS – Is the newsletter electronic?

Nick – Will have to check if we can do newsletter electronically.

CC – Not covering the carriages. Doesn't that make dust a problem?

Jacinta – regulated and required by my team. Experts required to do the work – there wasn't much difference between loaded or unloaded – coal or freight – diesel – dust deposited over time from the network.

LF – To provide the link to dust studies.

JH – Rail corridor are you responsible for spraying for weeds. Called out for a fire – we had a few last year. Is there are a regular spraying?

Nick – yes. Gunnedah looks after this section up to Tarrawonga. A lot of calls are around weeds and vegetation. If any concerns, please call it through.

7.0 Company Updates on Strategies

Presentation by Boggabri Coal

Daniel presented on Boggabri Coal's main activities since the last Joint CCC.

Community Questions

JW – Maules Creek CCC – plantings in offset areas. East of the River – have you done a flood study and impact.

DM – No we haven't done. Space in between those trees is quite vast.

LL – At the Maules Creek meeting – Maules Creek will be using Boggabri to access water – does that require an application. Our community is not certain on that.

DM – It's part of our conditions. Documentation of BTM with Dept of Planning – no problem sharing water between the 3 mines.

LL – Can we have the wording of the condition?

DM - I will take on notice which condition number it is and the wording.

DM – Re the BTM water management strategy, it will be released as soon as it has been approved. Number of stakeholders provided input – questions have all been answered. Back with the Department of Planning this week.

LL – So water sharing not under the current one?

DM – Considered as an approval provisions and then placed into a document. In Schedule 3.

DM – Why are you concerned about the impacts?

LL – It might require a modification.

DM – Maules Creek is transferring across to us. Gap, we use on site and what we can go to.

LL – What is the gap?

DM – Will take on notice re gap. ACTION

JH – When does the transfer start?

DM – It hasn't been approved by the Dept yet.

JH – Is it a 2-metre drawdown – who is responsible?

DM – As it is ours – it is our responsibility.

LL – Is it metred?

DM – Yes, it is 100%.

Presentation by Maules Creek Coal

Darren presented on Maules Creek Coal's main activities since the last Joint CCC.

Community Questions

RD – How much water do you have on site?

DS – Both dams are full. There is water in East pit.

RD – Which buildings are you going to remove on your properties?

DS – Teston House has been removed as it had asbestos in it. I don't know about the others. Biodiversity areas. Olivedene House – will remain – Elderslie has a tenant in.

RD – How many houses?

DS – I don't know but I can get you the answers.

RGi – The Dust-A-Side – what sort of chemicals are used in it?

JHa – Dustaside is a molasses-based product – environmentally friendly? You can eat it, if you wanted to.

Jacinta introduced the work that her area of the EPA does. Metro Infrastructure Centre – regulation of projects within the metro such as the light rail. Regulate the rail network across the state. Key things – regulations – environmental licence – ARTC licence – they talked about the tracks – we also licence the track operators – the locomotives – we don't have a direct relationship with those operators who run them.

Coal dust emissions from coal trains – through Hunter Valley – applicable to areas across the NSW network. Also, noise. We have noise limits – it must meet specific criteria. Monitor the rail squeals – where there are issues – data goes back to the operators. Transport NSW – big program with freight operators and where they might squeal and will be replaced after 10 years.

If you're still having issues and not getting traction with ARTC, then advise us about that. 131 500 and provide an email address as well.

JH – Can we put you on the Green Flyer.

Jacinta – yes definitely.

Tarrawonga Presentation

Sebastian presented on Tarrawonga Coal's main activities since the last Joint CCC.

RGi – Joint request – there was another accident on Braymont Road – all roads east of the mine should be tarred. There are only 2 farm workers, so they aren't creating the dust. The driver moved over in the dust and collected a tree. No one about – so no one hurt.

Someone was killed on ANZAC Day near that spot.

LL – Dust A Side – can you put this on the road?

RK – I'm not aware of Dust A Side and I think something was trailed a few years ago and it was too slippery.

SM noted that the mine is expecting to place a modification on exhibition in Q3 of calendar year.

ACTION - DR to notify Joint CCC members of modifications (ongoing).

8.0 Other Business

LL – Re Project approval water, that should be for all of the mines.

BTM mines to identify project approval conditions and the wording re sharing of water.

DR – Thanked Lindsay and Jacinta.

Meeting closed at 4:28pm.

Action List

Page No	Action No	Action to be completed	Action Owner
2	1	Steve O'Donoghue to be invited to the next meeting to talk about the CCCs.	David Ross
2	2	Follow up on the number of trains	Nick Godfrey-Smith
3	3	To check if we can do newsletters electronically.	Nick Godfrey-Smith
4	4	To provide the link to the dust studies	Lindsay Fulloon
4	5	DM – to identify which condition number relates to BTM sharing water. DM – Will take on notice re gap	Daniel Martin
5	6	DS – to report back on the number of houses that will be removed.	Darren Swain
5	7	Notify Joint CCC members of any forthcoming modifications.	David Ross
5	8	Project approval water – to go to all mines – ACTION – project approval conditions and the wording.	All Mines

Minutes for the Leards Forest Environmental Trust Inc. Meeting

Meeting Held: 31 October 2019 at 12:00pm

Venue: Boggabri Golf Club

Present: Cath Collyer (CC), Cr Robert Kneale (RK), Darren Swain (DS), Hamish Russell, John Hamson (JH), Julie Heiler (JH), Cr Lloyd Finlay (LF), Peter Forbes, Ros Druce (RD), Sebastian Moreno (SM),

Independent Chair: David Ross (DR) **Independent Secretary:** Debbie Corlet (DC)

Apologies: Jane Linehan

1. Welcome & apologies

DR welcomed everyone to the meeting. New Community Development person, Jane Linehan, to replace Ros Solomon.

2. Declaration of pecuniary or non-pecuniary interests

DR asked the members if they were okay to bring up any pecuniary interests if there was an issue with respect to the funding applications. Members accepted this.

3. Business Arising and Previous Minutes

The minutes from May 2019 Trust meeting were endorsed by members and seconded by CC.

-) The Fact Sheet that Ros S was working on as an action, has intentionally remained open due to lack of clarity regarding the Trust's future structure.
-) Constitution has been completed by DR.
-) Section 356 Action regarding Impact – can now be closed.

4. Review and consideration of applications

Requirements for quotes - 1 quote = if under \$10,000, 2 quotes = if under \$50,000 and 3 quotes = if over \$50,000.

-) **Boggabri Church** – Wish to install solar panels at the church. They have seeking \$11,550.00 and 2 quotes have been provided. They propose to provide a small contribution of \$1,050, themselves, for a usage monitor and surge protection. The application was well received by the Trust with unanimous support by the Trust for funding to be provided. DR to write a letter to the church and a letter to Council to get funds released as quickly as possible.

5. Future of the Trust

DR asked everyone to come today prepared with thoughts about the Trust's future structure and how to ensure it remains sustainable.

DR has spoken to many of the Trust members, including the mines, about exploring the option of the funds being transferred from an account administered by NSC to one administered by the Trust, itself.

It would need written approval from the Department of Planning, Industry and Environment. Furthermore, if the 3 mines are supportive of this option (as Council is), then the Department would support this change.

Before the Trust discusses that option, DR wanted the Trust to know of a development that, he, himself, had only been made aware of. Namely, there was a conversation which took place at the Ordinary

Moved: Cr Lloyd Finlay **Seconded:** Cr Robert Kneale

1. That Council note Cr Finlay's Delegates Report from the Leards' Forest Environmental Trust Inc. Committee Meeting held on Thursday 16 May 2019.
2. That Council write to the Leards' Forest Environmental Trust to clarify the requirements to release funds under s356 of the Local Government Act 1993, noting that the Council decision is for the release of funds, not a decision on the application merits of all projects received.
3. That Council offer to release the funding under its various VPA's relating to the Leards' Forest Environmental Trust, only after agreement from the Trust to accept the funds.

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder and Cameron Staines.

Against: Nil

DR – So in summary, this motion has recently been ratified by the Council.

Ros – So it can't be changed down the track?

LF – No, if they want to change it again, it needs to go back to the 3 mines and the process has to start again. All Council members were in favour.

DR – With that in mind, are we comfortable then as staying as is.

Unanimous endorsement was made by Trust members to stay as we are. DR thanked LF and RK for all that they did to facilitate this significant development, after 18 months of trying to negotiate the situation with NSC.

General Business

DR – Now that we have direction again, there are things like the Constitution, which is finalised, but I need to check if I have to formally submit it to NSW Fair Trading. We also haven't really promoted this Trust and we've only had 1 or 2 applicants each 6 months. PF asked the other day about how much funding the Trust still had available. To let everyone, know, we have approximately \$260,000 remaining in the Trust at the end of the 18/19 financial year. We have provided funding, ballpark, to the tune of \$30,000 since then (will have this confirmed once NSC's independent auditor provides a financial statement for the recent financial year). So, there is still ample funding available. How can we increase awareness of the Trust? Do you think we should ask Roz Solomon and bring her back into the picture?

After a general discussion, it was agreed for DR to approach Amanda Wales, NSC's Grants Officer, re the Fact Sheets. Action on DR.

It was noted that CCC members had previously observed that the community needs better understanding of the Trust and what it does so we can promote the Trust and grants available to people including the indigenous community.

DS – Do we need to report back to the BTM Committee. DR to take care of (the following day when the Joint CCC was to be held).

PF – Dan Martin no longer with us. Suggestion from Trust members resulted for a letter from the Trust to be drafted to thank him for what he's done. Action on DR.

General discussion about the opportunities for the indigenous community.

DR – Gentle reminder that since we are acting as a conduit, and now have clarity about the Trust's future, we now have the opportunity to collectively and individually get the information out to the community.

DR – Remember we have received approval from DPIE that the Trust's funding can cover natural, social and built environmental improvement projects.

DR – Do we need more representation here on the Trust?

CC – BTM each have an industry representative, a community representative and the Independent Chair and Secretary.

DR – We are down 1 community member since Caz resigned. Has to come from a CCC through an application. DR to approach Lyndal Crowley. Action on DR.

With respect to instigating an AGM as required under our legal obligations – DR noted that Council has informed him that the Independent Auditor will not be coming until November which means we cannot hold our AGM today without the Financial Statements and I cannot table the Annual Report. Once finalised, I will organise the meeting with everyone as soon as possible. Once Council confirm – I'll organise within 2 weeks. Action on DR.

RD – I'm just worried about not lodging with the Fair Trading.

DR – Advised that there is six (6) months after the end of the financial year. Action on DR to look into this.

In preparation for our AGM, it was observed that elections would need to take place with 4 positions available – President (DR), Vice President (CC), Treasurer (DR) and Secretary (DC).

Unanimous agreement for the new positions to be President (DR), Vice President (RD), Treasurer (DR) and Secretary (DC).

PF – Advised that because the mines contribute financial funds, they are unable to be on the Committee.

Everyone provided gold coin fees for annual membership, which was donated to the Boggabri Golf Club.

DR closed the meeting at 1:01pm.

Date for next Meeting

Next meeting to be held on Thursday 14 May 2020.

Action List

Action Owner	Action to be completed
DR	\$26,000 hadn't been spent. DR to get in touch with Clare.
DR	Boggabri Church - DR to write a letter to Nicholas at the church and a letter to Council to get funds released as quickly as possible.
DR	To talk to Roz, Jane and Amanda about the Fact Sheet and Council Grants.
DR	Dan Martin no longer with us. A letter from the Trust to thank him for what he's done.
DR	Community member down since Caz resigned. DR to approach Lyndal Crowley.
DR	AGM – once Council confirm – DR to organise within AGM meeting 2 weeks.
DR	Advised that there is six (6) months after the end of the financial year. Action on DR to look into this.