

Community Consultative Committee

Meeting Held: 14 May 2020 from 2:00pm

Venue: Via videoconferencing (Microsoft Teams)

1.0 Welcome

DR welcomed everyone to the Joint CCC meeting and notified of the apologies received.

2.0 Present and Apologies

Present: Anthony Margetts (AM) – Boggabri Coal, Colleen Fuller (CF) – Gunnedah Shire Council, Darren Swain (DS) – MCCM, Emma Bulkeley (EB) – MCCM, Geoff Eather (GE) – Boggabri Coal CCC, Hamish Russell (HR) – BCOPL, Jack Warnock (JW) – Maules Creek, Cr Lloyd Finlay (LF), Libby Laird (LL) – Maules Creek, John Hamson (JHa) – Tarrawonga Coal, Peter Forbes (PF) – Boggabri Coal, Richard Gillham (RGI) – Boggabri Coal CCC, Robert Kneale (RK) – Narrabri Shire Council, Roselyn Druce (RD) – Boggabri Coal CCC, Sebastien Moreno (SB) – Tarrawonga Coal, Rebecca Ryan - Tarrawonga CCC (RR), Ross Wilson (RW) – MCCM, Steve Eather (SE) – Maules Creek CCC, Tim McDermott (TM) – Boggabri Coal CCC

Apologies: Andrew Johns (AJ) – Gunnedah Shire, Catherine Collyer (CC) – BTM CCCs, Cameron Staines - Narrabri Shire Council, Julie Heiler (JH) – Tarrawonga CCC, Mitchum Neave (MN) – Boggabri Coal CCC, Simone Moodie (SMo) – Maules Creek CCC

Independent Chair: David Ross (DR)

Independent Secretary: Debbie Corlet (DC)

Guests: Steve O’Donaghue and Rose-Anne Hawkeswood - DPIE

3.0 Declaration of Pecuniary or Non-Pecuniary Interests

JH, RD, & RGI - Have properties that have been acquired or 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 and Business Arising

October 2019 Joint CCC meeting – the minutes were accepted by all present as an appropriate reflection on what was discussed.

5.0 Business Arising from Previous Minutes

DR talked to the few actions arising from the last meeting.

There were some actions on ARTC; however, their Environmental Manager had resigned. DR discussed these actions – whether the ARTC newsletter could in an electronic format and how many train movements were coming through Boggabri a day – with Leah Cook who is now the Principal Advisor, Environment and Community. Leah noted that ARTC are currently looking into having the newsletters in an electronic format.

DR will invite all BTM CCC members to notify him as to whether they want to be on ARTC's subscription list. Leah also noted that there were approximately 20 coal trains passing through Boggabri in a 24-hour period.

There had also been an action on DR to seek advice from DPIE as to whether the Vickery CCC could become a part of the BTM CCC complex. The Department noted that, as the Vickery proposal hasn't been assessed yet, it is too early to be considering an expansion of the Joint CCC.

6.0 Company Reports

BCOPL Report by Hamish

COVID-19

HR commenced by describing the COVID-19 mitigation measures that Boggabri Coal have implemented. These include, but are not restricted to: risk assessment process in place; social distancing; temperature checking of all personnel upon entry to site; staggered shift start times; limiting number of people in rooms, vehicles / trucks and buses; and working from home.

Tree Clearing and Boggabri Child Care Centre

83 hectares cleared in a recent tree clearing program. HR noted that Greg Bartlett Construction of Tamworth will build Boggabri's first childcare centre. Work is expected to start in May.

Query from previous Joint CCC Meeting re Drawdown and modelling

There had been an action on HR and PF to provide information on why there is recharge and the associated modelling. 'Recharge' was in reference to the effect on standing water levels in monitoring bores located in the alluvium, as a result of the operation of Boggabri's Coals bore field. MOD 5's drawdown impact assessment modelled negligible impact to standing water levels.

HR proceeded to discuss groundwater monitoring; recharge of alluvium monitoring bores; recharge of bores in the alluvium between BCO and the river; and water storage on site, which is at peak capacity.

- **Groundwater monitoring** - Leards Forest – boundary by red. Blue in the foreground in the alluvium – we've got those monitoring bores.
- **Recharge of alluvium monitoring bores** – 2 years' worth of rainwater data. Red line and black line – drop by a few hundred cms – recovering at the end of the reporting period.
- **Recharge of bores** - 2 years' worth of monitoring data – these bores are located on privately owned properties. Those fluctuations – light blue line – when the bore was being used there was a significant change. Then it returns when not in use. The recharge has occurred and gone to normal?
- **Water storage on site** – Lot of historical data from 2013 – we've never had so much water on 1.2 gigalitres on site. Measures in place to maximum in storage and minimise the other sources.

RD question – Where is the modelling and the reasons why there was a recharge?

HR – Need access to the modelling in our Mod 5 on our website and the Dept of Planning website. You will find the drawdown assessment in there.

Maules Creek Mine Report by Darren

Health and Safety – COVID-19 Considerations

DS described the COVID-19 mitigation measures that Maules Creek Coal Mine have implemented. These include, but are not restricted to: temperature screening prior to boarding buses in town or at Security Gate; approval application process for all Visitors to site; social distancing; a designated First-Aid transport bus with a Perspex seal separating driver compartment from the seating area; prominently displayed posters outlining hygiene, social distancing and COVID precautions. Foot pedal hand washing stations. All the workers and bus passengers where surgical masks.

Employment

Continued focus on local, indigenous, and female employment with ongoing training programs undertaken. There have been 26 new trainees employed from January to April 2020. 3 Apprentices were employed – all from the local area. Over 600 people employed on site.

Air Quality Monitoring

DS presented on the annual rolling average for TEOM1, which is 28.1 ug/m³ at 31 March 2020 (criteria 30ug/m³). There were numerous regional air quality events stemming from dust storms and fires from September 2019 to February 2020. Ongoing dust suppressant application across the operation. Progressive overburden emplacement and bulk shaping on the northern dump, with some topsoil spreading.

Water

WHC is taking steps at all their mines to conserve water and support water security. The primary water source for Maules Creek is a High Security Water Licence drawing upon the Namoi River, however this water source has been severely impacted by the drought. Recent rains have seen the river flow again.

Biodiversity Management

With respect to MCCM's management of biodiversity. DS noted that:

- During the most recent routine Whitehaven Offset Area Feral Animal Control program (March 2020) the results included: 6 out of total 59 pigs trapped were from the Maules Creek / Boggabri area (very wet); and 28 out of total 156 baits (1,080) taken were from the Maules Creek / Boggabri area.
- Undertaken ground preparation for upcoming tree planting program over 600ha.
- Continued fire break maintenance program following wet weather.
- Autumn flora monitoring program underway. Redundant Infrastructure Removal. Continued removal of redundant fences from Wirradale and Wongala properties.
- Feral Animal Monitoring and Control Program in May and June 2020. Winter Bird and Spring 2020 Flora Monitoring. Planning and assessment for 2020 ecological and HR burn program.

AHS Movement to Date – April 2020

DS noted that six EH5000s have now operated autonomously. 16,428km travelled autonomously. 2,685 haul cycles (real and test). 1,896 loads hauled autonomously. 250,073bcm (572,979t) of waste hauled.

Community and Local Spend

Due to COVID-19 social distancing, numerous local events that WHC had committed to support have been postponed or cancelled. Where possible Whitehaven will continue to support the local community through this time. WHC Mining Engineering, Electrical Engineering, Mechanical Engineering, Mechatronics, Geology, or Environmental Science. Full details on website – <https://whitehaven.applynow.net.au/jobs/WHC419-2020-cadetship-program>.

Sponsorships and donations for January to March 2020: Tamworth and Region was \$16,500. Narrabri area community was \$21,000. Gunnedah area community was \$88,000 and other areas including Australian Red Cross, Westpac Rescue Helicopter etc was \$160,000.

LL – Question re the slide around water and 3,000 megalitres – has WHC pumped any water from the river since the last CCC?

DS: Yes.

LL: How much?

DS: about 270ML

LL: has any been on-sold?

DS – No, it hasn't been on-sold – the business will make a call at the end of next month but certainly not at this point.

ACTION: DS to provide members with copy of presentation.

Tarrawonga Mine Report by Sebastian

SM described the mitigation measures the mine has implemented with respect to COVID-19. These are similar to those described above by DS.

Environment

SM noted that 29.0 hectares have been cleared during the 2020 tree clearing campaign. With respect to rehabilitation, the tree planting campaign in 2019 amounted to 4,200 trees over 20 hectares. Annual Reporting submitted in March 2020:

- Annual Return 2019 (EPA) and
- Annual Review 2019 (DPE) – uploaded on WHC Website.

There has been ongoing support to community (\$70K spent in CY2019 increased by 10%). Approvals included:

- MOP (Amendment E) approved in January 2020.
- Variation EPL12365 approved in January 2020.
- Modification (MOD 7) of PA11_0047 submitted to DPIE in April 2020.

Next 6 months+ (Including Environment)

Production expected to ramp up. Local employment will continue as required. Health and Safety programs will continue.

- Annual Reporting:
 - Compliance Statement 2019 (EPBC) due in June 2020.
- Rehabilitation:
 - Tree planting campaign 2020 (6,000 trees over 30 hectares).
 - More trials in the rehabilitation areas (i.e. different planting techniques).
- Approvals:
 - Submission of New MOP (before November 2020).

LL – Question re modifications. There is a MOD 7 but there is also MOD 8. It's very confusing.

SM – There are 2 modifications. 1st was Mod 8 – temporary water haulage and bore field to the mine. Mod 7 was supposed to be submitted earlier but wasn't. So, just submitted 8 before 7. Mod 8 was temporary because of the drought. We have enough water now at Tarrawonga, but we still put it through and still waiting on it.

LL – There is also a Life of **M**ine Mod. Are you saying that you are proposing that the mine is going to be smaller? Are you working to go deeper?

SM and JH observed that WHC is not going to mine in alluvium – into the east of the mine. The footprint will be smaller.

RD (to SM) – Rehabilitation trials – what types of different techniques are you hoping to use.

SM – We are trying different things including different depths of topsoil, fertilisers – some without. Seeding – try to find the best and successful option. We are trying different things. We are limited to our approvals and using what is recommended but we do try different techniques.

7.0 General Business

DR welcomed and thanked Rose-Anne Hawkeswood and Steve O'Donaghue from DPIE for attending and answering any questions from members.

LL - How many and where did the the Maules Creek Mine get the surgical masks from?

DS: We got 60,000 surgical masks from China. We use 600 per day.

LL: How did you manage to get so many masks when they were not available to others?

RW: We have been planning for the pandemic since January.

RD – Re COVID-19 – who is responsible for the contractors on and offsite – social distancing and hygiene is that WHC or their relevant companies.

RW – It would be a combination – in the camp it is the responsibility of the individual and Civeo Camp – commuting to and from camp it is our responsibility.

LL – Question to Steve re the Annual Reviews. Why are WHC saying the Maules Creek mine Annual Review was submitted in March and will not be back until September 2020- and the mine considers this a typical timeframe? What is going on in the DPE what do you do with it, the community are requesting the Reviews?

SOD – DPIE Compliance essentially review it and DPIE Water may review it as well. Issues are clarified and then it goes back to the mining to provide more info. It might take information to get DPIE to get involved. I'm not sure where the current status is for Maules. SOD observed that he is not sure if that's typical. I'll feed that back to Heidi. I'll get more information and the steps taken and let DR know.

ACTION - SOD to report back to DR on steps taken for reviewing mines' annual reviews.

LL – Regarding explosive plant on Braymont Road were DPIE involved in assessing that?

SOD – I don't think that's come to us as a State development – I think it's a local.

LL – I thought it was between the mines?

DS – But not one of ours? HR – Boggabri don't use those explosives.

LF – I think it was about 18 months ago that it went to Narrabri Council.

ACTION – LF to report back to DR on outcome of NSC assessment.

LF - Production and agriculture land used for offsets. Issue ongoing for 7 or 8 years. WHC always getting “in trouble” for good ag land – they're only doing what the Department of Planning are directing them to do.

SOD – Offset package as part of the assessment process. Intact forest and introduce the rehabilitated landform. That's part of the strategy for both Boggabri and Maules and to a lesser degree Tarrawonga – broader offset strategy that is proposed.

DR – I have a question from Mitchum Neave re the value the Department places on the CCC. Does DPIE see that the CCCs and the community play an important role?

SOD – Yes, they do. It's in good faith – its respectful, communicates and people listen to people's views. The members have good suggestions -it's set up as a 2-way communication. Feedback how the mines can do better and feedback to the community – factual and the community can stop with the whispers.

LL – Tarrawonga Mod 7 – when is it going on exhibition?

RAH – Not sure – will go out on our website and go into the local paper shortly.

LL – Any modifications coming up or any major projects we need to be aware of?

SOD – Mod 7 next Tuesday 19 May going on exhibition.

Compliments were provided by some members for the mines for their ongoing support for Carols in the Park, the Lions Club BBQ as well as for their assistance with Westlands in delivering food.

RG – I don't think they should be on the gravel roads – the tarred roads are there for them to use. They don't need to be on the gravel roads as well.

DR – Noise concerns associated with the trains over the last couple of weeks has been brought to my attention. I've passed that onto Leah Cook at ARTC. Any future concerns you or the wider community have should be passed on to ARTC via enviroline@artc.com.au or 1300 550 402.

RD – There is probably nothing that the ARTC can do about the noise levels due to inversion layers. I can hear them ever night; they're very loud.

Meeting closed at 3:40 pm.

9.0 Next Joint CCC Meeting – 29 October 2020.

Action List

Page No	Action No	Action to be completed	Action Owner
2	1	DR will invite all BTM CCC members to notify him as to whether they want to be on ARTC's subscription list.	David Ross
3	2	DS to provide members with copy of presentation.	Darren Swain
4	3	SOD to report back to DR on steps taken for reviewing mines' annual reviews.	Steve O'Donaghue
4	4	LF to report back to DR on outcome of NSC assessment of explosives plant.	Lloyd Finlay

Minutes for the Leards Forest Environmental Trust Inc. Meeting

Meeting Held: 29 October at 12:00pm

Venue: Boggabri Golf Club

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

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

Apologies: N/A

1. Welcome & apologies

DR welcomed everyone to the meeting.

2. Business Arising and Previous Minutes

The minutes were endorsed by members as an appropriate summary of what was discussed at our May meeting. Actions on DR as per below:

- Contact Ros Solomon and see if she is able to assist with the production of the Fact Sheets. Has tried numerous times but she is not replying.
- Contact Fairfax Public School re irrigation system. The irrigation system has been installed and the school is very appreciative.
- Contact Lyndell Crowley re interest in Trust membership. Has tried numerous times but she is not replying. Lyndell works shift work which may make things tricky for her. However, DR has spoken to Colleen Fuller who would be happy to come on to the Trust.

Having Colleen join the Trust was endorsed by the majority of members.

3. Review and consideration of applications

DR observed that while the Trust normally receives 1 to 3 applications, today there are 14 with approximately 60 documents as attachments included. As the Chair, DR confirmed that will continue not to vote on any of the applications as this isn't his community.

The 4 criteria used for assessments are:

- Works must take place within 25 km radius of the Forest
- Must have insurance
- Must have access to the land
- Will the project be completed within 12 months

DR finally observed that key objectives for the Trust have always been to maintain our integrity and be transparent. Some applications might be valid but can't be approved today so in principal we approve them but maybe they need more information, and they reapply.

JH – I think we need to determine how much we are going to spend, first? If the Trust is going to survive long term as the Council is going to continue contributing, so need to keep some money in there from the mines as well. So, I think we need to work out how much to spend first.

LF – Just need to ensure there is around \$3,000 left for an audit each year.

DR – In the bank at the moment, there is approx. \$215,000. Minus what is required for the audit of \$3,000. There could be another audit to be required for this financial year as well.

HR – There are lots of applications and just need to remember not all of them may meet the criteria and may sit outside the Trust.

CC – I think we have to limit how much we do spend. Individual applications and then the school who put in 8 applications. Broader scope for the whole area. Social side plus environmental projects that also addressed the social side, such as the solar power that was given to the church. We need to go through them one by one and remove the ones that aren't suited and go from there.

DS – So, do we want to spend the \$200,000 that is in the kitty or do we spend around \$100,000 now and leave some in the kitty whilst some cash is still coming in.

LF – Need to also consider that some groups might be able to get funding from elsewhere as well, so we should be able to spread the money out. Need to take it all into account.

DR – So everyone is in agreeance that \$100,000 is the “rule of thumb” limit for approvals today? That we can go a little below that figure or a little above that figure, depending on the quality of applications? This was agreed to by members

JH – Some projects have received funding in the past which we need to keep in mind as well and might be classed as minimal part of the broader community, e.g. there might be only 6 or 7 who have kids. We to ensure that we approve to the maximum potential of supporting the whole community. Fairfax School was a big investment by the Trust into that little school. Can't keep coming back for more as we need to spread it around to the whole community as much as possible.

RD – Has spoken to various members and indigenous community members and then read out from a document. Noted that the Department of Planning mining consent conditions require the companies operating in the forest to make provisions for the impacts to the natural environment by forming the Trust. Expressed a concerned in the change of the Trust fund away from offsetting impacts to the forest and its habitat. Therefore, the Trust needs to set our clear criteria for submissions and refocus on natural environmental programs as stated in the consent conditions (see **Appendix 1** for further details).

RD – There was a drought and there were no other applications. I think we lost sight of what this program was for (by allowing social and built environment programs to be approved after seeking advice and support from DPIE).

A discussion was then held on the merits of RD's proposal.

CC – The projects in the past that you are talking about that did get funding like the solar, is part of the community. I had no conflict of interest for solar, men's shed, environmental paint etc. That's how I view the Trust. I don't feel we were moving away from what the program is about, it was just what some of the applications were for. We agreed that it is about the environment and then we had a discussion and agreed that it is also about the social environment. I don't think we've moved away from the core essence, but we need to discuss each one of these and we may not necessarily give it to them. So, I don't think we've moved that far away. I want an example that you don't feel were suitable and did not fit in.

RD – Now is the time to reset that we are moving away from it.

JH – The natural environment, the social environment and the community – they exist as one. You need a healthy community. Tarrawonga could have an individual Trust of their own but John Turner made the Constitution to protect us and our decisions.

RD – I’m talking about what the money is meant for. What it was originally meant for. I’m not saying things like solar panels shouldn’t go in there but things like playground equipment / schools etc – they should be directed to the Department for funding, not us.

DR – We can’t control the applications received and what comes in.

RD – The applicants are confused because they don’t know the criteria. We have spent a lot of time on our Constitution but not enough time on the clarity of what it is for. The outline is too broad and so anyone can apply for anything.

DR – Let’s go into the applications and go from there with each application but I want everyone to be mindful of what Roz has brought to the table. please.

CC – Let’s discuss and get rid of the ones that don’t belong and just work on the ones that do fit in here.

The committee then reviewed the applications. RD noted that she would not vote.

Applicant	Approved	Amount	Comments
Boggabri Community Church	No	N/A	Doesn’t fit the criteria – in terms of true environmental outcome.
Geni Energy	No	N/A	Concerns by the Trust that the applicant did not have the rights to any land. Furthermore, a concern raised that the Trust should not be providing funds to businesses – Trust should fund local community projects. Doesn’t fit the criteria.
Boggabri Home and Community Care	No	N/A	Withdrawn
Boggabri Golf Club – Tree lopping	Yes	\$10,000	Rejuvenate trees heavily impacted by the drought and reduce any safety impacts from falling branches. One quote provided. Meets the criteria.
Fairfax School – 8 applications received			
1. Water Works	No		CC – Received too late and we haven’t received the proper info and should go to the Department of Education to fix. Doesn’t meet criteria. LF – Should be Dept of Education’s responsibility, not the Trusts. RD – This is an upgrade – that is Department. Agreed by members that it is not appropriate to fund the works.
2. Defibrillator	No		Doesn’t meet the criteria. JH – The Defibrillator is in the fire shed and the keys are on the outside in case of emergency. It is available but you need training to use it. RD – I spoke to fire brigade and they don’t really want people coming in. LF – The defibrillator is in the fire truck and there is a code and only certain people know

Applicant	Approved	Amount	Comments
			<p>the code. They are particular about who goes in there.</p> <p>DS – Defibrillators are critical and a great initiative, but I don't think it meets the criteria.</p> <p>CC – Even though a good thing it doesn't meet the criteria as such. (Agreed by members).</p> <p>RD – It needs to be in a local place.</p> <p>PF – At the mine, we have a community fund and if someone applied, it would be looked at favourable at Boggabri Coal.</p>
3. Replacement of fence on western side	No		Doesn't fit the criteria.
4. Fun and Safety in Playground	No		<p>They would need to replenish the sand on an annual basis. They could raise funds.</p> <p>LF – There is already something there, so it should be the Department (of Education's) responsibility.</p> <p>Everyone agreed it doesn't fit the criteria.</p>
5. Kitchen Garden Upgrade	Yes	\$6,791	<p>JH – Kitchen garden in tyres – teaching the kids lots of things including water efficiency.</p> <p>Everyone approved.</p>
6. Yarning Circle Construction	No		<p>RD – Trying to find out if there are indigenous children at the school.</p> <p>Peter – I get everything else but not the yarning circle.</p> <p>JH – I don't think it meets the environmental side and should be the Department of Education's responsibility.</p> <p>DR – It is teaching the kids about the land.</p> <p>CC – Kitchen garden – yes but not the yarning circle. (Agreed to by members that it does not meet criteria)</p>
7. 21st Century Digital Citizens	No		Doesn't fit the criteria.
8. Tribute Garden	No		<p>CC – Grey area for me.</p> <p>JH – Should be part of the P&C.</p>
Building Enhancement Project	No		Doesn't fit the criteria.
Removal of Asbestos / Septic Tank	No		Doesn't fit the criteria.
Total Approved		\$16,791	

CC – We should all review the criteria and what it is about.

RD – We need to be more direct for what our Trust will cover. Narrabri Shire lists grant options on their website, maybe we need something similar to avoid any confusion.

DR – Will talk to LF about it.

4. General Business

JH – Mentioned that Lyndell is working shift work at the moment and that may be why she is hard to reach at the moment.

DR – Mentioned that maybe Colleen from Tarrawonga might be interested as joining as a community rep.

HR – Said that Colleen is very community minded.

DR – Mentioned that late November we will hold an AGM just over Zoom or phone which will take no more than 15 minutes.

CC – Said she's only available between 10:00 am and 2:00 pm.

Nominations for roles.

President – David
Vice-President - Roz
Treasurer – David
Secretary – Deb

ACTION: DR to write a letter to Dan Martin to thank him for his time and contribution.

PF – Announced he has resigned and is retiring but will continue to be involved in Boggabri.

DR – Thanked Peter for all his involvement in the Trust.

Meeting closed at 1:31 pm.

Date for next Meeting

To be held in May 2021.

Action List

Action Owner	Action to be completed
DR & LF	List of what the Trust covers. Talk to Lloyd about what is listed on the Narrabri Shire website.
DR	DR to write a letter to Dan Martin to thank him for his time and contribution.

Environmental Trust Priorities 2020

Prior to mining expansion, the Leard Forest was an 8000 Ha biodiversity hotspot that was originally identified by the NSW Government as a Biodiversity Area that was 'irreplaceable,' and noted that it 'cannot sustain any further loss' and the Draft Strategic Regional Land Use Plan determined that its existence was 'critical to biodiversity persistence.'

With mining, the protections afforded to the environment under the NSW Forestry Act 1916, such as management for the public good, the preservation of soil, the provision of timber and the protection of flora and fauna were lost. Also, our community has lost the ecosystem services and non-use values that Leard State Forest provided to our region.

It is our understanding that the use of offset land is one part of environmental compensation. Community Funds, Council Funds and the Environment Trust under PA 10_0138 Condition 17 (&Appendix 3) are others to compensate for impacts. It is important to note that in this context, the Environmental Trust is designed for "environment" projects and the environmental program is designed to operate in tandem with the other Funds.

Additionally, the Dept of Planning Mining consent conditions requires the companies operating in the Leard State Forest to make provision for the impacts to the natural environment by forming the Leard Forest Precinct Environmental Trust.

The community understood that the Leard Forest Precinct Environment Trust Fund was designed to provide for impacts to the Leard State Forest and its habitat only and that it was not a means to redress impacts to ground water, health issues, community impacts, loss of recreational use, non-use values or any other impact that does not relate to the native vegetation and habitat of the Forest.

I am concerned amongst other things, in the change of the focus of the Environmental Trust fund away from offsetting impacts to the Leard State Forest and its habitat.

It was my understanding the influence of state government stopped with the establishment of the PA consent conditions.

Excerpt from an email to Steve O'Donoghue & Mike Young, from David Ross, dated 7th August 2019.

Attachment 1: Email from Darren Swain, dated 6th August 2019

Hi David,

Currently the Maules Creek Project Approval Voluntary Planning Agreement signed by the Narrabri Shire Council (NSC) General Manager Dianne Hood and Maules Creek Coal Pty Ltd Director Jamie Francombe on 2 May 2014 notes on page 6 *Contributions Clause 6.3*:

The table on page 14 also notes "*Funds to be held in trust for "Environment" projects and to be administered by the Community Consultative Committee (CCC)" and "The Council and MCC will work through the CCC to administer the funds....."*.

Unfortunately, we as the Trust have not set-out clear criteria for the submissions.

As a result, we have taken the easy way out when there were no applications during the 2018 round of funds in the middle of a drought no less, and broadened the criteria just to get submissions for the funding.

Although it was a joint decision at the time to change the criteria it goes against the Leard State Forest Precinct Environmental Trust Fund principal objectives and has lost clarity of vision for the allocation of these funds.

If it is possible, and the fund has changed its definition of what can be funded, then it is important that the Fund re-establishes its clear vision and clarity of purpose around offsetting impacts to the Leard State Forest and its habitat, in order to re-establish community confidence.

Re-establishing a clarity of purpose for the Environmental Trust

The current round of applications makes it clear that there is an obvious need to re-establish an understanding of the role of the Environmental Trust as opposed to a Community Fund. As an example, other Funds from the Maules Creek Mine (Appendix 3 from PA 10_0138) alone include the following:

1. Maules Creek Community Fund,
2. Boggabri Community Fund,
3. Therribri Road Fund,
4. Tarriaro Bridge Fund and
5. Narrabri Airport Fund.

It is clear from Appendix 3 from PA 10_0138 that there are many other funds associated with the mining companies in the region.

The Environmental Trust must refocus on “environmental” Programs as is stated in the Consent conditions (PA 10_0138 Appendix 3).

Purposes and Programs

The Leard Forest Precinct Environmental Trust must ensure it is focussed to achieve a net benefit to the environment for native vegetation and habitat impacts.

The environment needs the best outcome and it will occur by:

1. funding on ground works and training to assist landowners in the 25km zone to improve existing native habitat on their lands, sequester carbon in the landscape and reduce their environmental footprint.
2. Opportunities to co-ordinate with local landowners the management of remnant vegetation outside the offset area based on an incentive program. The goal is to extend the value provided by the mining company offsets.
3. By developing Renewable Energy Projects to reduce our dependence on fossil fuels.

Funding guide

The community would like to see the programs continue to be delivered via a grants program. The annual grant funding to be split 50% to Renewable Energy Projects and 50% to “on ground” works in the 25km region.

Representation on the Trust

With this change, it is also important to reconfigure the Trust to include those groups who are absent- i.e. inclusion of local Traditional Owners from within the Red Chief boundary and environment representatives.

This will ensure that the community is likely to be more satisfied that the funds are equitably administered and that transparency and accountability are increased.

Advertising

Going forward, I would suggest that we provide these kinds of ideas to the community to enable them to write applications that are tailored to meet the needs of our local environment in order for it to gain a net benefit from mining. I would be happy to assist the Chair in drafting wording for advertising in order to receive applications that can be funded.

Additionally, we should sensitively let those who recently submitted applications, who fall outside the options above know there are other opportunities to gain funds from other grant sources.

As for the submissions that we have received this round, I would like to suggest that we make a 'Short-list' of those that meet the Environmental Criteria, and once the Trust has set clear guidelines of those Criteria then we can proceed to make a determination on those submissions with confidence that we have followed the original intent of the Trust distribution of funds.

plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.

COMMUNITY ENHANCEMENT

17. By the end of March 2013, unless the Secretary agrees otherwise, the Proponent shall enter into a planning agreement with Council in accordance with:
 - (a) Division 6 of Part 4 of the EP&A Act; and
 - (b) the terms of the Proponent's offer in Appendix 3.

The Trust members spent a great deal of effort to get our constitution right, now we need to outline the criteria so applicants are clear as to what the LSFP Trust is able to fund.

Some examples for the flyer that may not have been adhered to in our past approvals.

- * Obligations of successful applicants – Provide evidence of appropriate insurance coverage.
- * What cannot be funded – Projects that are the responsibility of the Australian or NSW Governments – (Dept. of Education as an example)
- * The wording of VPA pertaining to the contributions by the mining companies is confusing and may need to be reworded to only state the co-contributors by name.
- * The 25km radius – *'however does not preclude interested parties who reside or operate outside of that area from applying for a grant'*. e.g. Red Chief (Mitchum has asked on a few occasions if they could submit an application and has been knocked back due to the 25km boundary limit)
- * Trust members must undertake their duties within the principals of ethical conduct – integrity, objectivity and independence. All members must be and seen to be independent from project submissions.

Ros Druce
29th October 2020