

## Mt Arthur Coal



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### Community Consultative Committee Extraordinary meeting – Mt Arthur Coal Boardroom

Friday 23<sup>rd</sup> September 2011

#### Agenda – Final Draft Rehabilitation Strategy

Time	Item	Who
4:00	Welcome and apologies.	Chairperson
4:02	House-keeping and safety.	Mt Arthur Coal
4:05	Declaration of pecuniary interest.	Chairperson
4:07	Presentation – overview of Rehabilitation Strategy amendments.	Mt Arthur Coal
4:30	CCC Feedback.	All
4:50	Where to from here? Next steps.	Mt Arthur Coal
5:00	Meeting close.	Chairperson

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## MT ARTHUR COAL COMMUNITY CONSULTATIVE COMMITTEE

### Minutes of Meeting (17)

- Location:** Mt Arthur Coal Boardroom
- Date:** Friday 23 September 2011
- Present:** Jennifer Lecky (JL) Deputy Chairperson, Craig Flemming (CF) Muswellbrook Shire Council, John Bancroft (JB) Resident, Bruce MacPherson (BM) Resident, Shelley Masterson (SHM) Mt Arthur Coal, Steve Perkins (SP) Mt Arthur Coal, Scott Mitchell (SM) Mt Arthur Coal, Donna McLaughlin (DM) Mt Arthur Coal, Rob Hayes (RH) Mt Arthur Coal.
- Apologies:** Raymond Webb (RW) Resident, Graham Guest (GG) Resident, Michael White (MW) Mt Arthur Coal, Julie McNaughton (JM) Mt Arthur Coal, Rebecca Smith (RS) Mt Arthur Coal.
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#### Meeting Commenced: 4:05pm

**1. WELCOME AND APOLOGIES**

JL welcomed everyone to the Mt Arthur Coal Community Consultative Committee (CCC) Extraordinary meeting and apologies were received.

**2. HOUSEKEEPING AND SAFETY**

SHM provided information on general housekeeping and safety at Mt Arthur Coal, this included:

- Entry/Exit
- Emergency Procedure
- Muster Area
- Amenities
- Tea/Coffee

**3. DECLARATION OF PECUNIARY INTEREST**

No pecuniary interests were declared.

**4. PRESENTATION – OVERVIEW OF REHABILITATION STRATEGY AMENDMENTS**

BM raised concern over the recommendations that the Muswellbrook Shire Council provided to Mt Arthur Coal during consultation for the Rehabilitation Strategy, as these recommendations were not provided to the CCC members.

SM confirmed that a meeting was held between Mt Arthur Coal and Muswellbrook Shire Council during the consultation process for the Rehabilitation Strategy and that a letter had been sent to CCC members this week in response to feedback received to date.

CF also replied and stated that the feedback provided to Mt Arthur Coal from Muswellbrook Shire Council should not be of concern to the CCC. Conditions of the consent require Mt Arthur Coal to consult with relevant stakeholders. CF stated that he believed that Mt Arthur Coal have already done more than what was required. CF also noted that Mt Arthur Coal will decide which recommendations based on the feedback provided to accept however, Mt Arthur Coal are not required to accept any if they choose not to.

## **MT ARTHUR COAL COMMUNITY CONSULTATIVE COMMITTEE**

BM made reference to the draft Mining Rehabilitation Policy presented at the last CCC meeting by Martin Rush as Chairperson of the committee and questioned whether this document was the recommendations that Muswellbrook Shire Council provided to Mt Arthur Coal.

CF responded by saying 'no' and explained that the document in question was the draft Mining Rehabilitation Policy and stated that there was some cross over between the recommendations provided to Mt Arthur Coal and the Policy. CF stated that the policy is a document that sets out what Muswellbrook Shire Council will include in submissions regarding coal mining rehabilitation. Muswellbrook Shire Council has endorsed the document for public exhibition.

SM stated that Mt Arthur Coal recognised that the Mining Rehabilitation Policy presented by Muswellbrook Shire Council was only in draft form, but it was still considered by Mt Arthur Coal in good faith. SM also noted that the Policy and other feedback provided by Muswellbrook Shire Council did not hold greater value as compared to feedback received by all other stakeholders.

SP presented an overview of the amendments to the Rehabilitation Strategy. It was acknowledged that amendments were based on the feedback provided at the Extraordinary CCC meeting held on 8 September 2011. The overview included information on the following:

### Thomas Mitchell Drive

Mt Arthur Coal noted that the CCC would prefer to see some areas that are currently designated as offset areas in the Rehabilitation Strategy, be made suitable for future industrial development. Mt Arthur Coal agreed with this recommendation and as a result the Rehabilitation Strategy was amended to make allowance for the potential future use of offset areas for industrial development.

JL noted that community members she had spoken with were horrified that the offset area would be considered for industrial development; however JL noted that she was happy with the amendments made to the wording of the document to incorporate this change.

### North Facing Bund

Mt Arthur Coal noted that the CCC would prefer to see high density tree planting on the north facing bund given the steepness of the slopes, limited accessibility and connectivity concerns. Mt Arthur Coal agreed with this recommendation and the area was designated as woodland.

### Bund Facing Muswellbrook

Mt Arthur Coal noted that the CCC would prefer to see a rural landscape on the bund facing towards Muswellbrook. Mt Arthur Coal acknowledged that options for this area are constrained by commitments and obligations outlined in the Environmental Assessment and for this reason the bund remained designated as woodland.

BM questioned whether Mt Arthur Coal were saying that they would not be prepared to go to the Department of Planning and Infrastructure to ask for an alteration to be made to previous commitments at the request of this committee.

## **MT ARTHUR COAL COMMUNITY CONSULTATIVE COMMITTEE**

SP replied in saying that this was not what Mt Arthur Coal were saying and noted that it would be an extensive process in which a lot of considerations would need to be made before Mt Arthur Coal could approach the Department of Planning and Infrastructure.

### Top of the North Facing Bund

Mt Arthur Coal noted that the CCC would prefer to see high density tree planting on top of the north facing bund. The CCC also recommended that the area designated as pasture which is isolated by surrounding woodland should be changed to high density tree planting. Mt Arthur Coal agreed with this recommendation and the area was designated as woodland.

### Corner of Denman and Edderton Roads

Mt Arthur Coal noted that the CCC would prefer the land at the corner of Edderton and Denman Roads to be used for grazing purposes due to the flat terrain and availability of water. Mt Arthur Coal agreed with this recommendation and the area was designated as pasture.

### Highwall Areas

Mt Arthur Coal noted that the CCC would prefer the highwall areas be considered for future mining. Mt Arthur Coal agreed and with this recommendation and areas potentially suitable for future mining have been shown on Figure 3 of the Rehabilitation Strategy.

### Tailings Dam

Mt Arthur Coal noted that the CCC would prefer the Rehabilitation Strategy to account for the long term security of the tailings dam. Mt Arthur Coal agreed with this recommendation and amended the Rehabilitation Strategy to include provisions for security in Section 4.8 of the strategy.

### Domains

Mt Arthur Coal noted that the CCC recommended that the domains be outlined on Figure 3 of the Rehabilitation Strategy. Mt Arthur Coal agreed with this recommendation and the Rehabilitation Strategy has been modified to outline the domains.

### Land Use

Mt Arthur Coal noted that the CCC recommended that rationale be provided for the selection of rehabilitation categories from the mix of land uses available. Mt Arthur Coal acknowledged that the selection of rehabilitation categories has been correlated with the Environmental Assessment and in addition a commitment has been added in Section 4.0 of the Rehabilitation Strategy to include additional detail in the Rehabilitation Management Plan.

## **5. GENERAL DISCUSSION**

BM raised concern for the future for VD1 (visual dump 1) and questioned whether any further work would be undertaken on the lower parts of VD1 and made reference to the area that can be seen from the industrial area.

RH responded in saying that VD1 will be increased to an RL of 360 and rehabilitated back to high density tree planting/woodlands.

## **MT ARTHUR COAL COMMUNITY CONSULTATIVE COMMITTEE**

SM confirmed Mt Arthur Coal has already attempted to plant blocks of trees along the lower parts of VD1 but attempts have not been successful. SM advised that Mt Arthur Coal will be planting more trees in this area.

CF raised concern that the bund facing Muswellbrook is shown on Figure 3 of the Rehabilitation Strategy as post-mined woodland and not as a rural landscape which was recommended by the CCC.

SM responded by saying that Mt Arthur Coal made commitments in the Environmental Assessment for this area to be returned to woodlands and that Mt Arthur Coal are constrained by these commitments and obligations.

JB stated that CCC members did not receive a copy of the Environmental Assessment.

CF confirmed that a CD version of the Environmental Assessment was provided to all CCC members.

JL also confirmed that Environmental Assessment had been distributed to CCC members.

BM requested that Mt Arthur Coal reassess the bund facing Muswellbrook to determine if it is feasible to change from an offset area to a rural landscape.

SP agreed to investigate and determine if it is feasible to change the bund facing Muswellbrook from an offset area to a rural landscape and discuss at the next CCC meeting.

**ACTION ITEM 1 – Mt Arthur Coal to investigate whether it is feasible to change the bund facing Muswellbrook from an offset area to a rural landscape.**

JB questioned whether Mt Arthur Coal received an extension to the completion date for the Rehabilitation Strategy as discussed in previous meetings.

CF replied by saying that he could not confirm if the letter to the Director General of the Department of Planning and Infrastructure was sent and noted that an extension to the completion date would require the Director General to make a modification to the project approval and that this was unlikely to happen. CF confirmed that he had not received any confirmation from the Department of Planning and Infrastructure on the extension.

BM questioned whether the top of the north facing bund was designated as woodlands or high density tree planting and questioned what the difference was between the two vegetation types.

SP clarified that 'woodlands' is the term used in the project approval and for consistency it has been used in the Rehabilitation Strategy.

JL raised concern that the Pine Donkey Orchids were not considered in the Rehabilitation Strategy.

## **MT ARTHUR COAL COMMUNITY CONSULTATIVE COMMITTEE**

SM confirmed that the Pine Donkey Orchids would not be disturbed however Mt Arthur Coal has made commitments in regards to the Weeping Myall.

JB questioned whether the CCC members would receive a copy of the letter of endorsement approval of the rehabilitation strategy team.

SM responded that the letter would be included in the final document.

SP said that Mt Arthur Coal could send letter to CCC members.

### ACTION ITEM 2 - Mt Arthur Coal to send letter of endorsement approval to CCC members.

JB also questioned whether the team that prepared the Rehabilitation Strategy made recommendation to Mt Arthur Coal that were not incorporated in to the strategy.

SP responded that various different options were discussed during the preparation process and Mt Arthur Coal drew on the experience of the members in the rehabilitation strategy team.

JB questioned whether Mt Arthur Coal consulted with the rehabilitation strategy team in regards to the recommendations made from the CCC.

SM confirmed that a meeting was held with the rehabilitation strategy team following the last CCC meeting to discuss the feedback provided.

JB referred to Section 3.3 of the Rehabilitation Strategy and questioned why Mt Arthur Coal has not advised on the use of the voids at the end of mining. JB also raised concern that Mt Arthur Coal has given the impression that only two voids would be remaining after mining when in fact there are four voids shown on Figure 3.

SM confirmed that two of the four voids were already existing and being used as water storages. SM also stated that voids are considered a new dimension given that there are not too many mines where final land use for voids has been delivered. The strategy for the voids will likely be reviewed over the coming years and therefore it would be very difficult to commit to a land use at this point in time. SM also noted that it would take 10 years at the current fleet capacity to move material to fill the void.

RH stated that the void in the old Bayswater No.2 area would be filled in by Mt Arthur Coal as part of the mining process.

JB noted that he had spoken with community members who were under the impression that the voids would be rehabilitated back to their pre-mining state. JB raised concern that Mt Arthur Coal has not discussed the usage of the voids and believes the Rehabilitation Strategy is misleading. JB believed that the Rehabilitation Strategy should provide a total area and depth for each void and state the proposed usage for the voids post mining. Muswellbrook Shire Council and the CCC should not have to pick up the costs for managing the voids.

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CF replied that Mt Arthur Coal would not be allowed to walk away leaving the voids to be managed by the Muswellbrook Shire Council and the CCC. CF agreed that the two extra voids have not been discussed in the document and if the voids are not going to be filled in then they will need to be managed. CF also agreed that the costs for management could be incorporated into the Rehabilitation Strategy.

JB referred to page 26 of the Rehabilitation Strategy that states the Rehabilitation Strategy may be revised following updates to the Mine Operation Plan (MOP). JB raised concern that the Rehabilitation Strategy should make changes to the MOP not the other way around. JB also noted that the old consent required the CCC to be provided with a copy of the MOP.

RH responded by saying that the MOP addresses the operations in the short term (5 year period) and looks at areas in greater detail, therefore Mt Arthur Coal may need to revise the Rehabilitation Strategy document based on revisions to the MOP.

CF raised concern that the Rehabilitation Strategy states that minor amendments may be made with version control on the Mt Arthur Coal website. CF requested that a review of the Rehabilitation Strategy include consultation requirements similar to what was required in the preparation of the document to include consultation with stakeholders.

SP responded that the purpose of the review of the Rehabilitation Strategy is to ensure the strategy is up to date. Any changes to the strategy would require approval from the Department of Planning and Infrastructure to determine if the change is necessary. SP agreed to revise Section 6.0 of the Rehabilitation Strategy to address the concerns of the CCC.

ACTION ITEM 3 – Mt Arthur Coal to revise Section 6.0 of the Rehabilitation Strategy to include consultation requirements with stakeholders.

CF questioned whether the conceptual final landform should be included in the Rehabilitation Strategy.

SP responded that Figure 3 in the Rehabilitation Strategy is based on the conceptual final landform.

JB noted that the colour used on the final voids on Figure 3 of the Rehabilitation Strategy makes it hard to define.

SP agreed to adjust the colour of the final voids to make them more explicit.

ACTION ITEM 4 – Mt Arthur Coal to adjust the colour of the final voids in the Rehabilitation Strategy to make them more explicit.

BM questioned whether Section 4.2 of the Rehabilitation Strategy could be expanded to discuss the size and depths of the final voids.

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SM responded that given the nature of the voids it is difficult to determine an exact number.

RH also responded in saying that the void in Bayswater No.3 area is approximately 20 metres deep and. RH also noted that the strategy for the final void is for future mining.

BM questioned why this cannot be shown on the map.

SM replied that the intention is to continue mining but the Rehabilitation Strategy is based on the assumption that no mining will occur after 2022.

CF noted that Mt Arthur Coal should provide the information at appropriate time frames which may not necessarily be now. CF suggested Mt Arthur Coal reassess the context of the consent to determine if information subsequent to 2022 can be included in the strategy.

### Meeting Closed: 6:15 pm

ACTION ITEM NO.	ITEM	ACTIONED BY
1	Mt Arthur Coal to investigate and determine if it is feasible to change the bund facing Muswellbrook from an offset are to a rural landscape.	SP
2	Mt Arthur Coal to send letter of endorsement approval to CCC members	SP
3	Mt Arthur Coal to revise Section 6.0 of the Rehabilitation Strategy to include consultation requirements similar to what was required in the preparation of the document including consultation with stakeholders.	SP
4	Mt Arthur Coal to adjust the colour of the final voids in the Rehabilitation Strategy to make them more explicit.	SP