

MT ARTHUR MINE COMPLEX

COMMUNITY CONSULTATIVE COMMITTEE MEETING AGENDA

Wednesday 6th February 2013

Time (PM)		Agenda item	Responsibility
1:50		Meet in MAC entrance foyer	MAC
2:00		Board coach to Edinglassie	MAC
2:20		Tour of Edinglassie	Luke Stevens
3:00		Tour of Cut-Off Trench	Nathan Donegan
3:20		Tour of Rous Lench (if time permits)	Luke Stevens
3:50		Return to MAC for CCC Meeting	MAC
4:00	1	Housekeeping and safety	Rob Hayes
4:02	2	Declaration of pecuniary interest	Chairperson
4:05	3	Confirmation of previous meeting minutes	Chairperson
4:10	4	Action points since last meeting	Rob Hayes
4:20	5	Overview of operations	Simon Davis
4:30	6	Overview of Environment & Community	Rob Hayes
4:45	7	Presentation: Results of Complaints & CCC Review	Shelley Masterson
5:15	8	Environmental monitoring data	Donna McLaughlin
5:25	9	Community complaints summary	Rob Hayes
5:35	10	Overview of community support	Shelley Masterson
5:45	11	General business	Chairperson
6:00	12	Next meeting date	Chairperson
6:00	13	Meeting close	Chairperson

MT ARTHUR COAL COMMUNITY CONSULTATIVE COMMITTEE

Minutes of Meeting (30)

- Location:** Mt Arthur Coal Boardroom
- Date:** Wednesday 6 February 2013
- Present:** Simon Davis (SD) Mt Arthur Coal, Joanne Day (JD) Mt Arthur Coal, Christian Everitt (CE) Mt Arthur Coal, Craig Flemming (CF) Muswellbrook Shire Council, Graham Guest (GG) Resident, Rob Hayes (RH) Mt Arthur Coal, Sarah Knoll (SK) Mt Arthur Coal, Jennifer Lecky (JL) Chairperson, Bruce Macpherson (BM) Resident, Shelley Masterson (SM) Mt Arthur Coal, Donna McLaughlin (DM) Mt Arthur Coal, Ray Webb (RW) Resident.
- Apologies:** John Bancroft (JB) Resident, Elizabeth Evans (EE), Christine Phelps (CP) Chairperson, Martin Rush (MR) Deputy Chairperson, Rob Tickle (RT) Resident.
-

Meeting Commenced: 4:10pm

WELCOME AND APOLOGIES

RH welcomed everyone to the Mt Arthur Coal Community Consultative Committee (CCC) 6 February 2013 meeting and apologies were received.

1. HOUSEKEEPING AND SAFETY

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

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

2. DECLARATION OF PECUNIARY INTEREST

No pecuniary interests were declared

3. CONFIRMATION OF PREVIOUS MEETING MINUTES

December minutes moved by RH seconded by RW.

4. ACTION POINTS FROM PREVIOUS MEETING – MT ARTHUR COAL DECEMBER MEETING

Action Item 1: Blasting results from BP04 and BP06 when blasting in northern end of the pit as it is located close to the Muswellbrook township

RH explained Edinglassie Homestead is as little as 400 m from the blast at Windmill North. As a result shots were designed for low vibration. Looked at all shots in a direct line and the highest was 0.3 mm/s which is close to human perception, with an average of 0.14 at Yammanie and 0.13 at South Muswellbrook. These are low levels of vibration with metering accuracy at +/- 0.1.

Action Item 2: Request for CCC to view a blast

MT ARTHUR COAL COMMUNITY CONSULTATIVE COMMITTEE

- RH explained typical blasting times are between 10 am and midday on Monday to Friday, try to adhere to schedule, but events such as weather can cause delays and move the schedule. Suggested looking for opportunities for early in the week and ringing around the CCC on the Friday to gauge availability. This would continue until opportunities are found, this may take a number of weeks as time frames can move.
- CF raised safety of shot. Where would the observation point be? PPE required and general safety.
- RH explained procedure including planned exclusion zones, responsibilities of shotfirer and sentry's, clearing of perimeter and that it would be at a safe distance with a view. PPE to be supplied by Mt Arthur Coal (**ACTION 1**).

Action Item 3: Separation of community money and consent money (for example VPA) when presenting community spend to the CCC members, to allow for greater transparency and understanding moving forward.

Refer to agenda item 10. Funds have been separated accordingly.

Action Item 4: Obtain copy of paper questionnaire from Coakes Consulting and an outline of questions for the face to face interview.

Refer to agenda item 7. Paper questionnaire was obtained from Coakes Consulting. It was also confirmed with Coakes Consulting that these same questions were verbally read during the face to face interviews.

5. OVERVIEW OF OPERATIONS

SD presented the overview of operations which included:

- RX1 equipment deliveries continued as planned. Only overburden drill remains to be delivered.
- No new land rehabilitated during November or December 2012.
- Unlocking of Modular mining system continued on the overburden fleet.
- Year to date overburden slightly behind budget. Plans in place to meet targets.

The total number of people employed by NSW Energy Coal (this includes Mt Arthur Coal and Caroon) was 2,222 at the end of December 2012.

- CF asked what are the plans with the overburden? Reasons why behind?
- SD explained that as at the end of December are behind approximately 300,000 cubes, which is only a couple of days. Some of this is due to the hot weather and dust delays where Mt Arthur Coal chose to shut the fleet down to control dust.

6. OVERVIEW OF ENVIRONMENT AND COMMUNITY

RH presented the overview of Environment and Community which included:

- No significant environmental incidents or penalty notices in Nov / Dec 2012.
- Mt Arthur Coal issued a letter to the NSW Department of Resources and Energy (DRE) in Dec 2012 requesting a six month extension to its existing Mine Operations Plan (MOP), to cover operations until 31 Dec 2013. Approval was granted by DRE in early Jan 2013.

MT ARTHUR COAL COMMUNITY CONSULTATIVE COMMITTEE

- DRE have reviewed and approved the Mt Arthur Coal's Interim Annual Environmental Management Report 2012 in Dec 2012 (now available online).
 - The NSW Department of Planning and Infrastructure (DP&I) accepted Mt Arthur Coal's 2012 Independent Environment Audit in Dec 2012 (now available online).
 - The 'Deed of Agreement for Private Funding of a Draft Biodiversity Plan for Coal Mining in the Upper Hunter Valley of NSW' between DP&I and Mt Arthur Coal was signed by BHP Billiton in Dec 2012.
 - The following management documents were approved by DP&I on 14 Nov 2012 (now available online):
 - Blast Management Plan
 - Blast Monitoring Program
 - Biodiversity and Rehabilitation Management Plan
 - Rehabilitation Strategy
 - Modification Project Progress:
 - Results of specialist environmental studies finalised.
 - Phase 2 of consultation with the community and other key stakeholders complete.
 - Now in the final review of the Environmental Assessment, preparing for lodgement in Feb 2013.
 - Anticipated timing:
 - Lodgement of Section 75W Environmental Assessment – Feb 2013
 - Exhibition – early 2013
 - Approval – mid 2013
-
- BM asked why an extension to the MOP is required.
 - RH explained it was in anticipation of the Modification (Mod) approval, as the MOP expires in June 2013 and runs for up to 7 years; if the Mod is approved shortly after renewal of the MOP it would be inefficient as it will not take into account the changes under the Mod. Cannot apply for a new MOP with the conveyor corridor dump as it has not yet been approved.
 - CF asked why is the Mod required and why is the dump area needed?
 - RH explained the change in dump location and that there are other items in the Mod other than the dump, such as the Mac Gen conveyor and Energy Australia power lines.
 - CF asked who does Energy Australia need approval from and what will the new location be?
 - SD understands that obtaining approval is unlikely to be an issue. Explained the new location.
 - RH explained that the Mod is in the final review stage and is expected to be completed this week. It will then go to the Department of Planning who will put it on exhibition.
 - CF asked if there would be an opportunity for Council to contribute to the editing process. Stated that Council usually gets a draft copy to review for adequacy.
 - RH will enquire with Sarah Bailey the Approvals Manager.

SK presented the Community Perceptions Project Results which included:

- Perception that negative impacts have increased, particularly impacts of dust on health and road, traffic and transport impacts.
- Over 90% of respondents think industry should be doing more to address mining impacts.

MT ARTHUR COAL COMMUNITY CONSULTATIVE COMMITTEE

- Community says that Mt Arthur Coal has a positive relationship with the community, and more can be done to increase awareness of general activities.
 - Top priorities for future investment are; health, education and childcare, environment
 - Opportunities include: continue to engage with Upper Hunter Mining Dialogue, Muswellbrook bypass, increase awareness about Mt Arthur Coal's plans and activities, Continue to advocate with government and industry to ensure communities are effectively supported to deal with the impacts of mining.
-
- CF observed that the wait for Doctor appointments has actually decreased and it is an interesting that people perceive it has increased 60% over the past 2 years.
 - BM asked what does 'health' mean.
 - SK - Access to health services and facilities.
 - BM asked if it was only a wish list.
 - RH advised that talks regarding the hospital Emergency Department are progressing.
 - JL stated it was nice to know what local people are thinking and there are likely political issues.
 - BM asked that if traffic was a concern, what can you do about that? Raised the Muswellbrook bypass. Does not understand why mines have to get involved with Federal and State roads.
 - CF advised an option has been selected for the bypass and the Mayor has made an announcement recently in relation to it.
 - RH explained that Mt Arthur Coal does not have to get involved, but has committed to looking at ways to work with local Govt.
 - BM asked if there is anything outside of Muswellbrook such as the Denman Hospital?
 - SM explained that there is a strong focus on the Muswellbrook LGA, not just Muswellbrook town.
 - CF mentioned that Mt Arthur Coal has put effort into the search for a Doctor for Denman Hospital historically.

7. PRESENTATION: RESULTS OF COMPLAINTS AND CCC REVIEW

SM presented results of Complaints and CCC Review which included:

- External stakeholder responses
 - Opportunities for improvement
 - CCC review including feedback and suggested improvements.
-
- CF enquired about confidentiality and what reprisals might there be from the general public?
 - SM advised that names are not listed in public summaries.
 - RH stated that on site, the environment and community team might know who the complainant was, but it is not known throughout the rest of site and organisation.
 - CF asked if the complaints register is a requirement of the EPA. Is there a requirement to publish information and a timeframe to publish?
 - DM explained that there is a requirement to publish on the website, unsure of timeframe.
 - BM said Mt Arthur Coal has no doubt identified vexatious complainants, and are they included? Do you record names?
 - RH responded that all complaints are recorded even those received that are attributable to other sites, there is no filtering. Names are recorded, but not published.
 - JB wanted to know why there was so much variation in responses.

MT ARTHUR COAL COMMUNITY CONSULTATIVE COMMITTEE

- SM explained that Coakes Consulting have searched for meaning behind the response by asking further questions – particularly if respondents demonstrated a concern with a particular part of the CCC process. More clarity would have been sought by Coakes to help inform the review and strengthen recommendations.
- CF said the first 2 feedback quotes (“*[My role is to] make sure things are running right*” and “*Keeping an eye on the company, and make sure they are meeting conditions of consent. Communications with community if at all possible, although we don’t do a great deal of that*”) are of critical interest. He feels it is clear that the purpose of the CCC is not to ensure Mt Arthur Coal is complying with regulations.
- RH agreed that the primary role of the CCC is communication between Mt Arthur Coal and the community. Advised that there are already 2 or more primary regulators.
- CF stated he believe it is not the CCC’s role, but the Governments role to hold mines to account and feels that the CCC’s focus point is a neighbour-to-neighbour interaction with the analogy of neighbours having a chat over the fence about building a shed, where the final quality and approval of the shed is not the neighbours responsibility.
- BM disagreed stating that they should query exceedances that are part of the consent.
- CF suggested that by the time the meeting is held regulatory bodies have already dealt with the issue and the meeting is there to deliver information about how it was dealt with so it can be disseminated to the community. States he challenges dust results when he feels the explanation is not valid and wants to ensure that the explanation to the community is sound.
- JL said it was good to be able to give people a background on why something has happened. She believes that members are a conduit to the community where she can give an answer as she has the information.
- CF said the guidelines include advising the company how they can comply with conditions of consent and to be intimately involved with the complaints process and where the consent is prescriptive the CCC can act as a sounding board.
- RH distributed the NSW Government Department of Planning guidelines for CCC meetings. These are the appropriate guidelines when the Bayswater 3 consent is relinquished. CCC members to review and discuss at a later meeting **ACTION 2**
- CF - Council’s view is that the chairperson will be a councillor. Need to add details around the terms of membership and guidelines for seeking members and how to change over the committee.
- SM asked if the terms had been drafted. Can we have feedback on the terms at the next meeting?
- CF responded there is a draft being discussed. Council’s view is that there is a 4 year nominal period and members are not excluded from being re-nominated.
- RH said there was 5 Mt Arthur Coal meetings this year plus joint meetings which is close to the suggestion that meetings should be held every 2 months.
- SM handed out information sheets as a response to feedback that there was a lack of formal communication materials such as information sheets.
- CP has suggested meetings to be held at 2 pm.
- BM moved change meeting to 2 pm, JL seconded. All present in favour of change to 2pm.
- RH handed out meeting schedule
- RH need to communicate amended full year schedule with the meeting minutes.

MT ARTHUR COAL COMMUNITY CONSULTATIVE COMMITTEE

8. ENVIRONMENTAL MONITORING DATA

Due to time restraints within the meeting, RH referred to the section within the agenda document about the recorded environmental monitoring data.

9. COMMUNITY COMPLAINTS SUMMARY

Due to time restraints within the meeting, RH referred to the section within the agenda document about the community complaints summary.

10. OVERVIEW OF COMMUNITY SUPPORT

- SM – Working on a couple of big projects; may be in a position to discuss at next meeting
- BM asked if all \$79k was gone before December 2012.
- SM - Would have to confirm
- JL – Is matched giving included? Sustainable communities?
- SM responded that matched giving is separate. Nothing for sustainable communities in that timeframe, anticipating there will be some for the next CCC.

11. GENERAL BUSINESS

- CF requested material for meetings to be posted out earlier.
- RH will endeavour to send material out earlier
- JL raised possibility of regulators attending at least once a year
- RH said he had spoken with DOPI, they are happy to attend if there is something specific to present. The EPA is unlikely to attend meetings.
- JL felt that the one meeting she has been to where the EPA attended was very worthwhile. It is important to understand what they do and their expectations.
- BM wanted to know who is responsible for changing the minimum and maximum standards.
- RH responded that both departments specify conditions and where they conflict, the DOPI consent overrides the EPL.
- RH to invite EPA to a meeting **ACTION 3**. Need to think about what we want them to discuss.
- CF suggested that at a future meetings should update members on the key discussion points from the Mining Dialogue **ACTION 4**
- BM – 34 noise complaints is a concern.
- RH responded that in November the 14 complaints were from 3 individuals with 12 from a single complainant with a similar breakdown of the 20 complaints made in December. He reiterated that all complaints are reported. In the case of the multiple calls from a single complainant, he is confident it is not Mt Arthur's noise as they complained at times when it was raining and the prep plant was shut down.

12. NEXT MEETING DATE

The next Mt Arthur Coal Community Consultative Committee meeting is proposed to be held on Wednesday 17th April 2013 at 2 pm in the Mt Arthur Coal boardroom.

Meeting Closed: 6:15pm

MT ARTHUR COAL COMMUNITY CONSULTATIVE COMMITTEE

ACTION ITEM NO.	ITEM	ACTIONED BY
1	Mt Arthur Coal to ring CCC members at end of each week where a suitable shot is available in the south half of the pit in the early half of the following week.	RH
2	Discussion on CCC Guidelines, terms of membership and opportunities to improve the meeting.	RH
3	Extend invitation to EPA to attend a meeting.	RH
4	CF to update members on key discussion points from the mining dialogue.	CF