

## MT ARTHUR COAL COMMUNITY CONSULTATIVE COMMITTEE

### Minutes of Meeting (20)

**Location:** Mt Arthur Coal Boardroom

**Date:** Wednesday 7 December 2011

**Present:** Martin Rush (MR) Chairperson, Jennifer Lecky (JL) Resident, John Bancroft (JB) Resident, Raymond Webb (RW) Resident, Craig Flemming (CF) Muswellbrook Shire Council, Bruce MacPherson (BM) Resident, Mark Burns (MB) Global Soil Systems, Scott Mitchell (SM) Mt Arthur Coal, Donna McLaughlin (DM) Mt Arthur Coal, Shelley Masterson (ShM) Mt Arthur Coal.

**Apologies:** Michael White (MW) Mt Arthur Coal, Julie McNaughton (JM) Mt Arthur Coal, Rebecca Smith (RS) Mt Arthur Coal.

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#### Meeting Commenced: 4:07pm

**1. WELCOME AND APOLOGIES**

MR welcomed everyone to the Mt Arthur Coal Community Consultative Committee (CCC) December 2011 meeting and apologies were received.

**2. HOUSEKEEPING AND SAFETY**

SM 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. CONFIRMATION OF PREVIOUS MEETING MINUTES**

BM noted that he had raised concern about the fire risk posed by grass along the verge of Denman Road not Edderton Road (as stated in the previous meeting minutes). BM requested that the minutes be amended to reflect this change.

SM confirmed that the minutes from the previous meeting would be amended. (ACTION ITEM 1)

Confirmation of the previous meeting minutes was moved by BM and seconded by JL.

**5. ACTION POINTS FROM PREVIOUS MEETING**

**Mt Arthur Coal October CCC Meeting**

**Action Item 1 - Mt Arthur Coal to verify the number of personnel in the operations and maintenance departments.**

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SM confirmed that there are 1,205 full-time permanent employees in the operations and maintenance departments at Mt Arthur Coal. Approximately 700 of these employees work in the production department and approximately 200 work in the maintenance department. SM noted that this number did not include contractors.

CF requested clarification of the term 'contractors'.

SM replied that contractors were defined as not being directly employed by Mt Arthur Coal.

### **Action Item 2 - Mt Arthur Coal to provide a resource for the CCC during the preparation of the Rehabilitation Management Plan.**

SM introduced MB to the CCC and stated that MB was provided as a resource by Mt Arthur Coal for the CCC during the preparation of the Rehabilitation Management Plan.

MR questioned what meeting this action had come out of.

SM confirmed that it was an action from the October 2011 meeting. SM noted that it was requested by the CCC to have an independent consultant that specialised in rehabilitation to answer questions from the CCC during the preparation of the Rehabilitation Management Plan.

MR queried whether the Rehabilitation Management Plan was the subsequent document to the Rehabilitation Strategy.

SM confirmed that this was correct.

MB gave an overview of his experience which included information on the following:

- Director and Principal of Global Soil Systems.
- Former District Forester for the Forestry Commission of NSW, based in Muswellbrook.
- Over 30 years of extensive experience in mine rehabilitation, environmental consulting, forestry, landscaping and plant propagation.
- Involved with the design and implementation of numerous land rehabilitation projects within New South Wales, Queensland, Naru and Canada.

MR raised concern that he thought it would be a conflict of interest to have MB giving expert advice on what trees should be planted for the Rehabilitation Management Plan considering he is in the business of selling trees.

SM stated that MB was to provide guidance to the CCC and act as an independent resource. SM noted that MB's experience in the industry would enable him to look at the intricacies of the species in greater detail and provide technical details on effective rehabilitation.

MR questioned whether Global Soil Systems would be allowed to tender for the rehabilitation work.

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SM confirmed that a scope of works would be prepared by Mt Arthur Coal and distributed for tender. SM acknowledged that Global Soil Systems would be eligible to apply for the tender similar to any other consultancy. SM also noted that the Rehabilitation Management Plan would be a public document.

MR stated that MB was not independent and was exactly the type of resource that the CCC did not want.

CF noted that he could not see an alternative to MB.

BM stated that no consultants are independent as they are all employed or paid by the mine.

MR stated that he would not tolerate raised voices in the meeting and issued a first warning to BM.

MR raised a motion to have Dee Murdoch from AECOM available at the next meeting to determine what is going to be included in the Rehabilitation Management Plan.

MR issued a first warning to CF for speaking over the chairperson.

BM raised his hand and responded to his earlier warning expressing concern over committee participation in CCC meetings and noted that the chairperson was not allowing this.

MR issued BM with a final warning and asked BM to leave the meeting.

BM left the meeting.

SM requested clarification over the motion raised by MR and questioned whether Dee Murdoch would be presenting information on the Rehabilitation Management Plan or assisting with questions from the CCC.

MR responded that she would be answering questions from the CCC to fulfil the conditions of the development consent that require Mt Arthur Coal to prepare the plan in consultation with the CCC. MR noted that this would best be done by someone independent.

JB raised concern that Dee Murdoch would be writing the Rehabilitation Management Plan and presenting information to the CCC.

MR responded that she would be assisting with questions from the CCC as the Rehabilitation Management Plan would not have been completed as the CCC and the Muswellbrook Shire Council have not yet been consulted.

SM noted that the process for the preparation of the Rehabilitation Management Plan and a draft table of contents had been provided to the CCC members. SM noted that Mt Arthur Coal plan to provide a draft Rehabilitation Management Plan to CCC members before the next meeting. SM

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stated that MB could provide an independent critique of the Rehabilitation Management Plan and provide feedback to the CCC.

MR noted that the motion to have Dee Murdoch from AECOM available at the next meeting was not supported by the CCC and as a result lapsed.

MB requested to leave the meeting.

MB left the meeting.

**Action Item 3 - CCC meetings to be held on a monthly basis during the preparation of the Rehabilitation Management Plan.**

SM confirmed that an extraordinary meeting to discuss the Rehabilitation Management Plan occurred on the 2 November 2011 and the next meeting was scheduled for the 10 January 2012. SM noted that this action was currently ongoing.

**Action Item 4 - Mt Arthur Coal to provide a process for the preparation of the Rehabilitation Management Plan at the next CCC meeting including a draft table of contents.**

SM stated that the process for the preparation of the Rehabilitation Management Plan was provided by JM at the previous extraordinary meeting in November 2011. SM also noted that a draft table of contents had been provided to CCC members prior to the extraordinary meeting in November 2011.

**Action item 5 – Current Rehabilitation Management Plan to be sent to CCC members prior to the next CCC meeting in November.**

SM confirmed that the current Rehabilitation Management Plans were provided to CCC members prior to the extraordinary CCC meeting in November 2011.

### **Mt Arthur Coal November Extraordinary CCC Meeting**

**Action Item 1 - Include plans for the security fence at the next CCC meeting.**

SM confirmed that a letter was sent to CCC members advising them that Mt Arthur Coal will be commencing the installation of a black wire mesh security fence around the perimeter of the mine site to ensure there is no unauthorised access to the area. SM noted that the fence will be constructed on Mt Arthur Coal-owned property along the general alignment of the existing fence line along Denman Road and a small section along Edderton Road.

**Action Item 2 – Provide an update on the management of vegetation along Denman Road verge next meeting.**

SM confirmed that vegetation along Denman Road had been slashed.

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MR noted that he had previously requested that a report be prepared on how much money Mt Arthur Coal expended in the last financial year (FY11) on community projects. MR questioned whether this action had progressed.

ShM confirmed that the spend had been discussed at the October 2011 CCC meeting. ShM noted that it was communicated that certain funds had been rolled over into this financial year based on community stakeholder group's capacity to progress with the projects. The Muswellbrook Pre-school was highlighted as an example of this. ShM also noted that Mt Arthur Coal was currently assisting these groups through this process.

MR stated that it is the responsibility of the CCC to ensure that such commitments are upheld and requested a letter confirming that the funds would be carried over to the next financial year. (ACTION ITEM 2)

ShM agreed to take this request on notice until the next CCC meeting in February 2012 and recommended that the CCC attend Mt Arthur Coal's annual community event to be held at the Muswellbrook Regional Arts Centre on Thursday 8 December. ShM noted that CCC members would be able to see where the funds had been spent and talk with the community groups.

### **6. OVERVIEW OF OPERATIONS TO DATE**

SM presented the overview of operations to date which included information on the following:

- RX1 equipment continued to be delivered to site (including coal digger, trucks, dozers, grader, and water cart).
- Further reshaping and rehabilitation occurred on VD1 and CD1.
- Aerial seeding operations took place on CD2 and Saddlers Pit.
- Production records on overburden and coal were achieved during October 2011.

JL questioned the height on VD1 following the recent reshaping.

SM responded that each lift was approximately 10 to 15 metres in height. SM confirmed that he would find out the height of VD1 and provide this information at the next CCC meeting in February 2012. (ACTION ITEM 3)

### **7. OVERVIEW OF EXPLORATION ON SITE**

SM noted that there had been no progress in regards to exploration on site since the previous update provided in the October 2011 meeting. SM noted that Mt Arthur Coal is currently in the process of finalising a drilling contract and an update of exploration on site will be provided at the next CCC meeting in February 2012. (ACTION ITEM 4)

MR questioned whether the drilling was for the open cut or underground mine.

SM responded in saying that the drilling work was assisting to verify the current stratigraphic model and identify faults. SM noted that the work is being conducted under the existing approval to increase the accuracy of the model.

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### **8. OVERVIEW OF MONITORING SYSTEMS**

JB stated that he had picked up an error in the real-time air quality monitoring data provided in the agenda and notified Mt Arthur Coal.

DM noted that the data was corrected and redistributed to CCC members during this CCC meeting.

JB raised concern that not all mine sites in the Hunter Valley were required to have the same air quality monitoring equipment and therefore data from different mine sites could not be compared for the same day. JB noted that from a community perspective, no one was taking responsibility for exceedances of the air quality impact assessment criteria and consequently the data provided to CCC members was inadequate.

CF noted that some mine sites are not required in their project approval or environmental protection licence to have real-time air quality monitors.

MR suggested that there was nothing wrong with the fidelity of the air quality monitoring data provided by Mt Arthur Coal however the problem was with the conditions of the consent and the recognition of cumulative dust impacts. MR noted that the key focus should be on human health not the source of the dust.

SM stated that the air quality monitoring data provided by Mt Arthur Coal was not inadequate and noted that all monitoring equipment is checked, maintained and calibrated on a regular basis by independent consultants.

MR stated that the issue was not with the validity of the monitoring data however the issues was that the present system allows air quality impact assessment criteria to be exceeded without any regulation.

JB noted that from an air quality management perspective further investigations should have been conducted when air quality impact assessment criteria was exceeded.

The overview of the monitoring systems was moved by JB and seconded by JL.

### **9. OVERVIEW OF COMMUNITY SUPPORT**

ShM presented the overview of community support which included information on the following:

- Housing and Homelessness workshop was held on the 18 November at Muswellbrook Library. Purpose of workshop was to discuss issues of homelessness and housing stress within the Upper Hunter area as well as focus on current leading practice examples. Mt Arthur Coal received a positive response to the workshop with over 20 people attending from a range of sectors including local not-for-profit organisations, service providers, local government, and state government agencies.
- Projects recently funded by Mt Arthur Coal, following the outcomes of the Sustainable Communities Project, include:
  - \$40,000 Community Development Worker (Muswellbrook Shire Council);
  - \$25,000 Children's Services Plan (Muswellbrook Shire Council);

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- \$20,000 South Muswellbrook Public Housing Community Development Project (Upper Hunter Community Services Inc);
- \$35,000 Hunter Valley Support Program Extension (Lifeline Newcastle and Hunter);
- \$50,000 Housing services to Women and Children in Muswellbrook (Muswellbrook Women's & Children's Refuge Ltd).
- The next annual community event, a Community barbecue will be held on the 8 December, 2pm-7pm at the Muswellbrook Regional Arts Centre. Purpose of event is to update the community on the outcomes of the Sustainable Communities Project, validate our findings and vision and outline current investment activities.

### 10. COMPLAINTS

SM confirmed Mt Arthur Coal received eight complaints in September 2011. Complaints were related to:

- Blast vibration and dust
- General dust
- Operational noise

SM confirmed Mt Arthur Coal received eight complaints in October 2011. Complaints were related to:

- Blast vibration and fume
- Lighting
- Operational noise

MR questioned when Mt Arthur Coal would be closest to Denman Road.

SM noted that Mt Arthur Coal was already operating in close proximity to Denman Road and stated that the pit will step in around the 150 metre alluvial buffer zone and a cut off trench will be constructed to protect the highwall from saturation. SM acknowledged that he would need to find out additional information and report back to the CCC on this at the next CCC meeting in February 2012. (ACTION ITEM 5)

JB made reference to the complaint on the 5 September 2011 from Roxburgh Road regarding general dust and blast vibration (page 41 of handout). JB questioned whether a temporary blast monitor was installed at the complainant's residence and if the results of the temporary monitor could be provided to the CCC.

SM believed that the results were already provided and agreed to take this request on notice and investigate providing the data at the next CCC meeting. (ACTION ITEM 6)

JB made reference to the two complaints on the 14 October 2011 regarding blast fume that left the site (page 44 and 45 of handout). JB questioned whether this was a reportable incident and whether an investigation was carried out.

SM confirmed that the incident was reported to the Office of Environment and Heritage and the Department of Planning and Infrastructure. SM stated that an internal investigation was conducted

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which prompted a review of current practices and improvements to the Mt Arthur Coal blast management system. SM noted that letters were provided to complainants advising them of the actions arising from the investigation. SM stated that the blast was not expected to have fume and that Mt Arthur Coal often notifies the Department of Planning and Infrastructure if fume is anticipated for a blast so a compliance officer can be present at the time of the blast.

JB questioned whether the complainants were advised that the incident was reported to the Office of Environment and Heritage and the Department of Planning and Infrastructure.

ShM confirmed that the complainants were advised.

JB made reference to the complaint on the 31 October 2011 from Denman Road regarding general dust (page 46 of handout). JB questioned whether anyone investigated the high dust levels between 3am to 5am and questioned what action was taken.

SM responded that SMS alarms are sent to Open Cut Examiners (OCE's) when dust levels approach impact assessment criteria. OCE's are trained to respond to these alarms with appropriate control measures.

MR requested to know what action was taken for this event.

SM acknowledged that he was not the investigator of this event and agreed to investigate what action was taken as a result of the higher than typical dust levels recorded between 3am to 5am and report back to the CCC at the next meeting in February 2012. (ACTION ITEM 7)

JB raised concern that the upwind/downwind methodology used for analysing depositional dust gauge results was not an acceptable practice.

CF responded that the Department of Planning and Infrastructure said that it was an acceptable methodology despite not being scientifically proven. CF noted that the depositional dust gauge data is of better use in an isopleth showing dust concentrations.

MR requested that the Muswellbrook Shire Council follow up with the Department of Planning and Infrastructure to get a response in writing as to whether the upwind/downwind methodology was an acceptable practice. (ACTION ITEM 8)

JB questioned whether the sprays on the ROM bins were operational.

SM responded that the sprays were currently operational and noted that there had been a maintenance issue with one of the sprays. SM confirmed that the sprays had since been repaired.

MR questioned whether this incident was reportable and whether the spray was required to be operational under a management plan.

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ShM agreed to take this request on notice and provide a response at the next CCC meeting in February 2012. (ACTION ITEM 9)

JB questioned whether Mt Arthur Coal's haul roads were to best practice standards as specified in the Katestone Report (NSW Coal Mining Benchmarking Study: International Best Practice Measures to Prevent and/or minimise emissions of particulate matter from coal mining).

SM agreed to take this request on notice and provide a response at the next CCC meeting in February 2012. (ACTION ITEM 10)

The overview of community support and complaints was moved by JL seconded JB.

### 11. SURRENDER OF DEVELOPMENT CONSENTS

Surrender of development consents moved by JL seconded JB.

### 12. GENERAL BUSINESS

JB noted Mt Arthur Coal's concern for the population health as identified in the Sustainable Communities Project and questioned whether Mt Arthur Coal would be considering impacts from particulate matter with a diameter of less than 2.5 microns (PM<sub>2.5</sub>). JB also questioned whether Mt Arthur Coal would be installing PM<sub>2.5</sub> monitors.

ShM agreed to take these questions on notice and provide a response at the next CCC meeting in February 2012. (ACTION ITEM 11)

### 13. NEXT MEETING DATE

The next Mt Arthur Coal extraordinary Community Consultative Committee meeting is proposed to be held on Tuesday 10 January 2012. The purpose of this meeting is to predominately discuss the Rehabilitation Management Plan.

The next Mt Arthur Coal Community Consultative Committee meeting is proposed to be held on Wednesday 1 February 2012.

**Meeting Closed: 6:05 pm**

ACTION ITEM NO.	ITEM	ACTIONED BY
1	Amend previous meeting minutes as requested by BM as concern had been raised about the fire risk posed by grass along the verge of Denman Road not Edderton Road (as stated in the previous meeting minutes).	RS
2	Prepare a letter confirming that the funds from FY11 would be carried over to the next financial year.	ShM
3	Confirm the height of VD1 following the recent reshaping.	SM
4	Provide an update of exploration on site at the next CCC meeting.	MAC

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5	Confirm when Mt Arthur Coal would be operating closest to Denman Road.	SM
6	Confirm whether a temporary blast monitor was installed following a complaint on the 5 September 2011 and investigate whether the data from the temporary monitor could be provided to the CCC.	RS
7	Investigate what action was taken as a result of the higher than typical dust levels recorded on the 31 October 2011.	RS
8	Muswellbrook Shire Council to follow up with the Department of Planning and Infrastructure and get a response in writing as to whether the upwind/downwind methodology was an acceptable practice.	MSC
9	Investigate whether a faulty spray on the ROM bin was a reportable incident and whether the spray was required to be operational under a management plan.	SM
10	Investigate whether Mt Arthur Coal's haul roads are to best practice standards as specified in the Katestone Report.	SM
11	Confirm whether Mt Arthur Coal is considering impacts from PM <sub>2.5</sub> and investigate whether Mt Arthur Coal would be installing PM <sub>2.5</sub> monitors.	ShM