



# Wilpinjong Coal Mine Community Consultative Committee



## Meeting Minutes

### 1. PRESENT

<b>Chairperson:</b>	Lisa Andrews (LA)	<b>Time:</b>	2:06 pm, Monday 4 June 2018
<b>Venue:</b>	Wollar Store	<b>Minute Taker:</b>	Kellie Smith (KS)
<b>Committee Members:</b>	Blair Jackson (BJ), Kieren Bennetts (KB), Brian McDermott (BM), Kim Peach (KP), Scott Lillis (SL), Ian Flood (IF) Bev Smiles (BV), Gail Ratcliffe (GR), Bruce Hughes (BH), Colin Faulkner (CF), Greg Lowe (GL) {alternate for Lisa Menke NPWS}.		
<b>Invited Guests:</b>	Nil		
<b>Observers:</b>	James Heesterman (JH), Josh Frappell (JH), Sara Dalen (SD)		

### 2. APOLOGIES/ABSENT

<b>Apologies:</b>	Cr Des Kennedy (DK), Lisa Menke (LM) & Clark Potter (CP).
<b>Absent:</b>	Nil

### 3. DECLARATIONS OF INTEREST

Lisa Andrews – Independent Chair approved by Director General of Department of Planning and Environment (DP&E), engaged by Peabody Energy  
 Kellie Smith – Assistant to General Manager, Wilpinjong Coal  
 Blair Jackson – General Manager, Wilpinjong Coal  
 Kieren Bennetts – Environment & Community Manager, Wilpinjong Coal  
 Ian Flood – Manager Project Development and Approvals, Wilpinjong Coal  
 Col Faulkner – Community Member (Resident)  
 Scott Lillis – Community Member (Former Resident)  
 Brian McDermott – Community Member (Lessee of Peabody Pastoral land and Former Resident)  
 Kim Peach – Community Member and Lessee of Wollar General Store  
 Bev Smiles – Community Member (Resident)  
 Bruce Hughes – Community Member (Resident)  
 Gail Ratcliffe – Native Title Liaison Officer  
 Greg Lowe - Ranger, NPWS Mudgee Area

### 4. CONFIRMATION OF PREVIOUS MINUTES

Minutes of meeting dated 12 March 2018 confirmed and distributed on 21 May 2018.

## 5. BUSINESS ARISING

Nil business arising.

### ACTION ITEMS

- Waste management from demolition program (including asbestos removal) to be addressed at every CCC meeting, and an ad placed in the Wollar Public School newsletter when conducting asbestos removal in the Wollar Township.  
*Ongoing – nil to report at this meeting.*
- IF to provide an update regarding the relocation of the 330kv powerline at Slate Gully.  
*Ongoing – update provided in report prepared by IF.*
- IF to communicate project modifications to the CCC.  
*Ongoing – updated regarding the Tralee EL application provided in report prepared by IF.*
- KB to ensure that attended noise monitoring reports to be available in hard copy at each CCC meeting.  
*Ongoing - hard copies were made available and will continue to be made available until otherwise agreed.*
- IF to investigate and provide feedback how to best manage the public maintenance of headstones in the church yards.  
*Ongoing – IF advised that he is still working with legal and the Government around what the signage (for access) and how best to maintain the areas.*
- KB to present the Wilpinjong water balance to the CCC.  
*Complete – information provided in the report prepared by KB. See further comments below.*
- KB to review the reporting criteria regarding the inclusion of train noise for real time noise monitoring and advise the CCC.  
*Complete – KB confirmed that the train noise is accounted for in monitoring, however consulted with Sheridan Ledger from the EPA who advised train noise compliance is not Peabody's responsibility. BJ confirmed that Peabody will not be providing this information.*
- KB to ensure that the attended noise monitoring report now includes the 1/3 octave measurements for Low Frequency Noise (LFN) at each attended monitoring site as the Noise Policy for Industry (NPI) (and Wilpinjong Extension Project approval conditions) require LFN to be measured against 13 frequencies.  
*Complete – information is provided in the report by KB and annotations provided that show the reporting includes these measurements.*
- KB to investigate whether the operational downtime reports can be changed to show which monitors are triggering the modification of operations.  
*Complete – KB confirmed that the monitor that is triggering the modifications of the operations is in Wollar Village and future reports will capture by exception only.*
- IF to arrange signage warning of vehicles crossing the main road near the 330kv power line deviation works.  
*Complete – IF confirmed that he took this request back to Zinfra who were conducting the work but were unsure if it occurred. BH advised that he did not see any signage there. Power line construction project is now complete.*
- IF to ask Transgrid on behalf of the community if the new 330kv power line towers could be painted green.  
*Complete – IF confirmed that he has asked Transgrid who have advised that they will not paint unless WCM engages them to do so. WCM stated that they will not. IF also advised that he asked Transgrid if there have been any other safety concerns raised throughout New South Wales regarding glare. Transgrid have advised that it is not an issue elsewhere in New*

South Wales. BS queried why WCM would not pay for them to be painted when the ones in Slate Gully were. IF advised that as mentioned already, Transgrid have advised there are no other issues across the State therefore WCM do not see the need to undertake these works. BH queried who paid for the towers to be painted in Slate Gully, and both IF and BJ confirmed that Transgrid did. BH queried whether the old towers would be sold for scrap metal? IF confirmed that the dismantled infrastructure would be scrapped by Transgrid. BS requested that it be recorded that she feels WCM does not care about what the community wants by not paying for the towers to be painted. BH noted that the reason for wanting them painted was a matter of principle because the ones in Slate Gully were. BJ confirmed that is exactly why WCM are not going to spend money. He stated that if there was a real safety concern by leaving them unpainted, then WCM would paint them. BJ also confirmed that he is a resident of Wollar and has not experienced any issues with glare off the towers and passes the new towers at least twice a day during the week. BS requested LA write to Transgrid to seek further information. Action raised for this to occur.

- IF to provide the CCC members with a copy (either electronic or hard) of the draft Social Impact Management Plan (SIMP) for review.  
Complete – the extraordinary meeting was held on 23 April 2018, copies of the draft SIMP were provided on Monday 16 April (hard copies, USB and email).
- IF to hold a briefing workshop with the Wollar Progress Association on Monday 23 April 2018 to review the SIMP.  
Complete – the briefing workshop was combined with the extraordinary meeting held on 23 April 2018.
- LA to contact DK regarding the responsible entity to repair the Mogo Road rail crossing on behalf of BH.  
Complete – BH advised that ARTC contacted him and advised that they are responsible for 3 metres either side of the crossing. BJ queried if it had been repaired. BH confirmed it had not and that ARTC had advised they had a lot of works to undertake.

## 6. CORRESPONDENCE IN AND OUT

- 22/3/18 – Email from KB with information from ARTC regarding rail grinding on 28<sup>th</sup> March 2018. This information was forwarded onto members the same day.
- 24/3/18 – Email to members advising that the SIMP workshop was being combined – CCC and Wollar Progress Association
- 26/3/18 – Email to members advising that the April Have a Chat was being deferred from 4/5/18 to 12/4/18
- 6/4/18 – Email to members with the draft minutes for review
- 9/4/18 – Meeting notice sent out for the extra-ordinary meeting to be held on 23/4/18
- 16/4/18 – Email to members with the draft SIMP
- 17/4/18 – Email to WPA members inviting them to attend the meeting on 23/4/18
- 17/4/18 – Email to members with the finalised minutes
- 18/4/18 – Email to members with the 1080 baiting information
- 19/4/18 – Email to members with the electronic presentation from 12/4/18
- 15/5/18 – Email to members with the draft minutes from the extra-ordinary meeting that considered the SIMP
- 19/5/18 – Email to members with a copy of the “Seek” advertisement for Trainee Production Operators at the mine
- 21/5/18 – Email to members with the Meeting Notice & Agenda for this meeting
- 31/5/18 – Email to members with a copy of the VPA and reminder for this meeting.

LA moved that the correspondence be received. Seconded by BH.

## 7. REPORT BY KIEREN BENNETTS

An update on operations and an overview of activities was provided to the CCC via presentation. The presentation will be provided to the CCC members electronically. Discussions and actions arising from the report:

### Aerial photograph

- Updated photograph from May 2018.
- BS queried whether the new photograph included mining within the WEP areas. KB confirmed that it did.

### Environmental monitoring overview

- Attended noise monitoring
  - The attended noise monitoring reports now include the 1/3 octave measurements for LFN as required by the WEP approval conditions and NPI.
  - Note that there was an error made in the report of the dates this occurred in April 2018. Action raised for KB to amend the presentation.
- Real time noise monitoring
  - KB noted that the locations of the monitors have not changed, the operational downtime at WCM is contributed to the monitor situated at Wollar, and that all noise is compliant.
- Blast monitoring / vibration monitoring
  - Nil queries
- Dust monitoring
  - Nil queries
- Water discharge
  - BH queried whether WCM are discharging at the moment. KB advised that he was unsure if WCPL were discharging at the time of the meeting, however, the plant was operational and would be preparing to discharge if it was not already doing so.
  - BH advised he had been told that the water being discharged was dirty. KB and IF advised that the plant has to process feedwater of differing qualities and often this can be referred to as “dirty” when qualities become unsuitable for processing. There may have been a misunderstanding in the community that lead to this confusion. , The plant contains a failsafe device that will not allow water to be discharged that is not compliant with the discharge conditions as per WCPL Environment Protection Licence. BM noted that the water he had seen was clear and looked clean.
- Water balance
  - This balance was provided in respect to action item 6 “KB present the Wilpinjong water balance to the CCC” in response to SL’s past query.
  - BS queried whether the water represented in the report referred to water held in dams on site? KB confirmed that correct and that water was used for operations on site.
  - SL queried whether the balance was accumulated. IF advised that it depends as the volume fluctuates over time due to weather conditions and use. BJ noted that the 3,436ML of rainfall and runoff was not a general balance and that the reporting period referred to was exceptionally wet.
  - SL advised that this report does not really answer the intent of the question he originally put forward, SL will revise and advise KB for review at the next CCC meeting.

### Operational downtime

- It was noted that the major reasons for operational down time were noise, dust, fog, lightning and rain and that all in compliance.
- BH asked if rain will become a big issue for WCM due to it already causing 31% of the downtime. BJ advised that small amounts of rain can become a safety issue as the build-up of fines causes the roads to become slippery so WCM stop work. When rain is continuous and steady it is ok. Lightning should become less of an issue too as the lightning procedure is being reviewed and another contractor engaged to provide lightning alerts.
- KB noted that he had missed Pit 5 and Pit 6 graphs in the report and will update and resend. Action raised for this to occur.

### Environmental Management System update

- Social Impact Management Plan
  - BS queried whether there would be any further information in this report.
  - KB confirmed that IF’s report would provide some detail.

### Rehabilitation

- BH queried why there is no grass on the bank near the water plant. KB confirmed that bank is not at its final height yet and once it is, planting will occur.
- BH queried where the water that runs off that bank goes. KB confirmed it runs into the tailings dam or the future tailings void and ultimately all water on site is captured and recirculated Pit 2 dam.

- BS queried how much progress has been made on current rehabilitation. KB confirmed that the process of backfilling up to final landform height is occurring, however because of a lack of soil moisture seeding has been delayed.
- CF queried whether the WCM were still considering moving Cumbo Creek. KB confirmed it is still in the plan however not close to that occurring at the moment. It will occur closer to the end of mining. IF advised there is a large volume of work to be completed prior to the relocation occurring (approval of additional control plans) and the CCC will be kept updated.

#### 2018 Exploration program

- Nil queries

#### Community

- Complaints
  - Nil queries
- Donations, sponsorship and support
  - Nil queries
- Consultation
  - Nil queries

### **8. REPORT BY IAN FLOOD**

An update on the Wilpinjong Extension Project (WEP) and property matters was provided to the CCC via presentation. The presentation will be provided to the CCC members electronically. Discussions and actions arising from the report:

#### Wilpinjong Extension Project

- Wollar Progress Association / Environmental Defenders Office – WEP approval challenge.
  - Nil queries
- Ulan-Wollar Road realignment
  - BH queried whether the Mid-Western Regional Council (MWRC) would be providing a guarantee for the works to realign the road.
  - IF confirmed that no guarantee will be provided as the road will be built to their standard, the infrastructure belongs to them, and they are in responsible for any future maintenance and repair costs. WCM will pay for the initial realignment and sealing with bitumen.
  - BJ stated that it is in the MWRC's best interest to build it to the right standard for these reasons.
- 22/66kv transmission line realignment (east and west sections)
  - Nil queries
- 330kv deviation
  - Nil queries

#### Tralee Exploration Licence application

- Nil queries

#### Social Impact Management Plan

- BS queried when and how the feedback will be received.
- IF confirmed that WCM have until September to lodge the plan for approval by DP&E, however are working towards June.
- A table will be embedded in the document that will include responses to the community requests.

#### Property Management

- Dog and Fox baiting program

- BH is concerned that the baiting is not working because there are 6-10 dogs in his area now that never used to be there. He said he cannot bait himself because he has to pay for a chemical handling course that he does not want to pay for.
- KB noted that that the Munghorn Gap Wild Dog Group caught 18 in the area, and places like Scone were getting 60 odd.
- IF advised that Peabody Lessees participate in the program.
- BS queried whether the National Parks and Wildlife department participated in the program. GL advised that they did and they too have the same restrictions regarding the chemical licence as residents.
- There was further discussion around the Local Land Services providing training for the chemical handling free of charge and suggested BH contact them to enquire.
- Privet removal around Wollar
  - CF noted that the broadleaf privet was being controlled, however the small leaf species was not being sprayed and he requested it would be.
  - IF confirmed he would follow this up.
- MWRC weeds inspection
  - Nil queries
- External Stakeholder Consultation
  - Nil queries

## 9. GENERAL BUSINESS

### WCM traineeship recruitment

- LA queried what the response was to WCM's advertisements.
- BJ confirmed there was a lot of interest (approx. 500 applicants), with a diverse range of applications received, which was exactly what WCM was hoping for.

### Slate Gully schedule

- BM queried whether Slate Gully was on track to commence in 2019, and if that would be the strip that goes right up against the asphalt road. IF confirmed that it is that area and is scheduled to commence in the later part of 2019, with the first excavator to commence 1 January 2020.
- BM queried the depth to coal and whether it would affect the Peabody water bores across the road. IF advised that the coal was approximately 45 metres deep, and was unsure of the effect on the Peabody owned water bores but would provide the information from the ground water model at the next meeting. Action raised for IF to provide the information.

### Spontaneous combustion

- CF queried whether WCM was experiencing any spontaneous combustion "spon com" at the moment because on Sunday morning Wollar village was really smelly and a person complained to him of having a tight chest and coughing a lot. BJ advised he did not smell any spon com on Sunday as he was at home and outside for an hour around 7am, and that there have not been any reports of employees with those symptoms.
- KB confirmed there were currently no spon com issues and nothing had been reported. He reminded CF about the complaints hotline and encouraged him to report when required. CF advised that he had phoned the complaints hotline twice and was left on hanging for 15 minutes each time so gave up. KB was concerned that CF's calls were not answered and requested and action be raised for KB to follow up with the service provider.

### Moolarben Coal's request to close Moolarben Road

- BH queried whether WCM were supporting the Cooks Gap Fire Brigade in their objection to Moolarben Coal's request to close Moolarben Road.
- KB, IF and BJ all confirmed that they were unaware of any application by Moolarben Coal and that the Cooks Gap Fire Brigade had not requested any assistance.
- BS queried whether BH had seen a public notice. BH confirmed that he had.
- Action raised for LA to check the MWRC website for the notice.

### Surveying on Wollar Road (Munghorn)

- GL advised that surveying is being conducted along the Wollar Road on through the Munghorn.
- BS queried whether the survey pegs would only be on the road boundary, and if there had been an application to enter the National Park. GL confirmed the pegs will only be on the road boundary and that no application to access the National Park has been requested.

#### Hazard Reduction Burning

- GL confirmed that the hazard reduction burn planned for late this week will probably be rescheduled to next year due to the dampness from rain and cooler weather.
- GR asked if NP&WS had considered doing cultural burns for hazard reduction. GL confirmed it is something they could consider. GR and GL to arrange a meeting to discuss.
- BH queried whether the hazard reduction burn at Mogo Road was still planned? GL confirmed he was not sure but would have a look at the conditions up there after this meeting.

#### Lightning

- GL confirmed that lightning is an issue for NP&WS also, causing some fires recently.

#### Wild Dogs

- GL confirmed that the wild dog issue was emotive for NP&WS also and requested that residents report them if they see them.
- BH believes that he cannot do anything due to the chemical handling issue. GL requested he report the wild dogs to him and he will help.
- IF, GL and BM all believe that the Mudgee Local Land Services provide the chemical handling training for free.

#### Explanation of Peabody's use of the word "buffer"

- BS requested that BJ explain the use of the word "buffer" used recently by Peabody in a public statement in respect to property acquisitions because WCM have always stated that there would be no impacts on the community. IF confirmed the statement about there being no impacts was incorrect as the entire EIS is written to provide details of impacts and associated mitigation and management from the operation.
- BS claimed that the EIS states that there would be no noise, or dust impacts to the village however there are. IF disputed that claim also and stated that the EIS states that there will be no noise or dust impacts above an allowable level.
- BS claimed that the EIS claims to mitigate impacts through property acquisitions to only those given the rights, but in some cases rights have been given anyway. IF disputed that claim and stated the acquisition rights are triggered by the EIS but it is also at the company's discretion if they wish to purchase property that is not identified as potentially impacted in the EIS.
- BS queried whether those rights are extended to Mogo Road. IF sought clarity from BS as to what she was asking. BS confirmed that she wished for it to be recorded that she is concerned with the use of the word "buffer" in the public statement as none of the Government documentation uses that word.
- BS queried why WCM were creating a buffer in the first place by purchasing the properties. IF confirmed it was because those properties had been identified as being impacted by the operations. BM stated that he recalled the acquisitions commenced in Cumbo when a couple of property owners were approached for acquisition and it started a roll on effect with other property owners contacting WCM seeking buyout. BM claimed that the property owners were never forced to sell or accept an offer and stated that he would have been silly to not accept his offer as he knew he would never get an offer like that again for his property.
- BS asked why the offers were put forward in the first place. BM stated it was because it was what the local residents wanted, so they approached the mine and that no one was forced to sell.
- BS then queried why BJ said recently when asked about acquisitions for the broader remaining private landholders outside the village that WCM "have to draw the line somewhere." A letter was sent to all private residents in Wollar village in December 2014 indicating that they could seek acquisition. BM stated that it had nothing to do with BJ because he was not employed at WCM at the time. IF stated that it should not matter if WCM want to buy property because it is a free market.
- BS queried why only 14 properties were offered, and why WCM have also bought outside of the "buffer". IF again stated that it should not matter if WCM want to buy property outside of the impacted area due to it being a free market. He recalled that WCM becoming a major land holder in the area is not the first time large acquisitions have occurred and spoke about Minnamurra doing the same thing, strategically purchasing several properties in the area to build their business which reduced the number of families. The only difference between

Minnamurra and WCM is that Minnamurra is a pastoral company and WCM is a mining company. BS claimed it is not the same thing because those contracts did not contain “gag” clauses that require leaseholders to not complain about the mine. This has prevented some leasehold residents from being comfortable to attend community events. IF disputed those clauses stop residents attending community events as that is not the intention and that no vendor has ever queried those clauses in the contract, in his knowledge. He also stated that the contractual details and arrangements are solely between the vendor and WCM as with any property transaction.

- BS reiterated that she seeks a definition on the use of the word “buffer” by Peabody.

Requirements for site visit

- It was discussed that to get the most out of the visit the meeting would need to commence earlier. A time of 1pm was agreed upon, site visit and reduced meeting/presentations as will try to cover most issues during the tour.
- KB confirmed that RSVP will need to back at least 1 week prior to the meeting due to the arrangements required to obtain suitable footwear for visitors, and that to be allowed to attend there are rules to follow that include not wandering off, must stay with the WCM employee, wearing long sleeved shirts and pants, and blood alcohol level of zero. Action raised for KB to send further details that outline rules and PPE requirements.

<b>Meeting Closed:</b>	4:00 pm
<b>Next Meetings:</b>	<ul style="list-style-type: none"> <li>• Monday, 10 September 2018 – 1:00 pm at Wilpinjong and include site visit</li> <li>• Monday, 10 December 2018 – 3:00 pm (Mudgee / Christmas dinner) with venue to be advised</li> </ul>

**ACTION LIST**

Number	Action	Whom	By When
1.	Waste management from demolition program (including asbestos removal) to be addressed at every CCC meeting, and an ad placed in the Wollar Public School newsletter when conducting asbestos removal in the Wollar township.	IF	Ongoing / as required
2.	IF to provide an update regarding the relocation of the 330kv powerline at Slate Gully.	IF	Ongoing
3.	Communicate project modifications to the CCC.	IF	Ongoing
4.	Attended noise monitoring reports to be available in hard copy at each CCC meeting.	KB	Ongoing
5.	Investigate and provide feedback how to best manage the public maintenance of headstones in the church yards.	IF	Next meeting
6.	Write to Transgrid and request further information in regard to why the new power line towers are not being painted green.	LA	Next meeting
7.	Amend the presentation to include the correct dates for the April attended noise monitoring.	KB	ASAP
8.	Amend the presentation to include the graphs for Pit 5 and Pit 6 operational downtime.	KB	ASAP
9.	Make enquiries to ascertain whether both broadleaf and small leaf privet is being managed under the weed control.	IF	ASAP
10.	Provide the ground water model information to the CCC in respect of the affect that mining in Slate Gully will have on the Peabody owned water bores opposite Slate Gully.	IF	Next meeting
11.	Investigate why the complaints hotline was not answered twice on Sunday morning for an extended period of time.	KB	ASAP
12.	Check the MWRC website for the request to close Moolarben Road public notice.	LA	ASAP
13.	Arrange meeting with GL to discuss cultural burn for hazard reduction by NP&WS.	GR	Next meeting

14.	Send the rules of the site visit, including PPE requirements to the PPE.	KB	ASAP
15.	Provide a definition of the term "buffer" as used in a recent public statement relating to property purchases in Wollar	IF	Next meeting

DRAFT