

Werris Creek Coal Mine Community Consultative Committee

Ninth Meeting of the Committee

Tony Caine Room, Quirindi RSL Club

10.00am 4th September 2008

MINUTES

1. Record of Attendance Ron Short (Chairman); Jill Coleman (Community Representative); Lindsay Bridge (Community Representative); Noel Taylor (Community Representative); Des George (MME); Merv Prendergast (LPSC) Lynden Cini (Environmental Officer WCC); Lee McDonagh (WCC).

Apologies Chris Holley (Community Representative); Casper Dieben (General Manager WCC); Bob Stewart (LPSC).

Attendance and Apology Record Motion moved by Noel Taylor, seconded by Merv Prendergast.

Ron Short noted that he had not yet received a response from Department of Planning with regards to Tony Ryans resignation.

2. Matters Arising

Jill Coleman requested clarification of Merv Prendergast statement “that it is a huge cost for council to repair local roads, and that company should think about damage to local roads/towns and come up with figure per tonne/km to pay for use and maintenance of local roads.”

Merv Prendergast responded that in order to make any major changes to his request that the process would involve a modification to the DA Consent. He also stated that the mine has come on board with his request and has demonstrated faith and goodwill to gain an outcome.

Lynden Cini explained that WCC did receive a fine for exceeding the maximum haulage amount of 30,000 tonnes allowed for the domestic market and that WCC had to cut back on domestic sales this week in order to stay within the current consent conditions. This had resulted in protest from customers unable to purchase WCC coal to operate their businesses.

3. Minutes of Previous Meeting

Minutes of the previous meeting 5th June 2008 accepted as true representation of business conducted on day. Motion moved.

Moved Merv Prendergast, Seconded Lyndsay Bridge.

4. Declaration of Pecuniary or other interests

None declared.

5. New Matters for discussion under General Business

- Dust from trains
- Night lighting
- Road haulage, and
- LPSC McDonalds Pit Quarry

6. Discussion AEMR 2007 - 2008

Lynden Cini explained that the Annual AEMR Site Inspection would be held on the 9th September, 2008. Departmental representatives from DoP, DPI, DECC, Dept Water and Energy etc would be in attendance.

General discussion followed concerning extent of involvement by department officers at an AEMR inspection. Lynden Cini added that an Independent Environmental Audit was undertaken in August and that the company URS who undertook the Audit was approved by the Director General as per DA Consent. This Audit is required to be undertaken every three years. Ron Short commented that because WCC chose the company to undertake the Audit there was less transparency to this process. Lynden Cini proposed that the engagement of URS was undertaken within the guidelines of the consent and the process was indeed an independent review. Merv Prendergast questioned if WCC tendered companies for the audit. Lynden Cini responded No. Merv Prendergast then asked if it were possible that in 3 years time when next Independent Environmental Audit is undertaken could WCC tender and could a CCC member be a part of the tender process.

General discussion on AEMR reviews.

Lynden Cini to distribute CD's with AEMR to Jill Coleman and Lindsay Bridge so all members of CCC have a copy.

Noel Taylor questioned why there had been no council representation at several of the previous meetings. Merv Prendergast explained his position within Council and his background.

Ron Short explained the need to have top level people at the site review as there is a lot of new and upcoming officers who do not have the clout that top departmental officers have.

Merv Prendergast stated that in his previous experience he has followed up AEMR issues etc. Ron Short commented on slack LPSC commitment previously and applauded Merv Prendergast for attending CCC meetings and hope that this continues.

Ron Short explained he received a letter in August from LPSC with regards to WCC Road Haulage, the letter directs the CCC members to find out more information on domestic loads exiting WCC and using local roads. Ron Short stated that the council has no authority to direct CCC to do anything and that there is going to be huge implications for council on secondary roads and services.

Jill Coleman said that of all the WCC domestic sales the majority go out of the council anyway, to Armidale, Tamworth, Gunnedah etc.

Merv Prendergast explained the process needed with mine planning focus meetings to identify concerns and that he is trying to awaken CCC's and Council to issues that could arise and urge them to think ahead.

Des George commented that Whitehaven has been operating at Gunnedah for 10 years and that they have a very good relationship with Gunnedah Shire Council and now that Whitehaven fully owns WCC that this should be the case for the LPSC.

Ron Short stated that people need to be aware of cumulative effects as it is the ratepayers who will pick up the pieces eventually.

Motion Moved that CCC has received AEMR 07-08 and accepts document tabled. In addition once CD's are delivered that if there are any points for discussion, they should be forwarded to either Merv or Lynden prior to the AEMR site inspection. Moved by Noel Taylor and seconded Lindsay Bridge.

7. Discussion Quarterly Monitoring Results July, August, September 2007

Lynden Cini presented overview of results.

Ron Short – 'Marengo Issue' Neville Davies has spoken to Ron Short and told him that he is not happy with WCC responses to noise, dust and telephone calls. Neville Davies has also expressed his views to Lindsay Bridge.

Lynden Cini explained that company representatives had met with Mr. Davies on numerous occasions and that monitoring results had all been below criteria.

Ron Short stated that whilst monitoring results might be below criteria the environmental impact can have an effect and that WCC need to resolve issues if complaints are genuine.

Merv Prendergast said that there are always habitual complainers and that it is the CCC job to assess complaints and have an input into resolution.

Lynden Cini provided a full history of accounts between WCC and Mr. Davies. Lynden explained that after complaints were received noise and blast monitoring were undertaken at Marengo with negative results. Lynden Cini and the mine manager Mr. Peter Easy had regularly met with Mr. Davies. Peter Easy also personally attended the Davies house when blasts were fired and late at night to listen to the noise. At one stage there were daily communications with the Davies. WCC undertook a structural assessment of the property and also offered to fit extras such as first flush water system, air conditioning and double glazing to the Davies property. Mr. Davies requested to speak to General Manager re sale of "Marengo" at a set price. The GM on behalf of the company explained they were not interested in purchasing. WCC offered to repair, seal and paint any walls at the house. Mr. Davies rejected this offer. Mr. Davies then requested that a new house be built. The company rejected this offer. WCC has made all reasonable endeavors to meet Mr. Davies complaints.

Ron Short and other committee representatives explained that they were not fully aware of all the things that the company had done to resolve issues at Marengo. Lynden explained to the committee that should any representatives from community contact reps with complaints they should to be forwarded onto the complaints hotline.

Lynden Cini stated that he and the site manager do work together to do everything in their power to appease neighbours and provided assistance when required.

Ron Short asked that all offers of assistance be done in writing.

Ron Short asked if there was any outcome from dam breach – Lynden Cini responded that no it was still pending.

Noel Taylor said that he had received a phone call from someone asking him if his ground water supply had been affected with the mine. He said no it had'nt. The person also commented that there appeared to be a lot of water in the pit. Lynden Cini and Des George gave overview of structure of impenetrable basin and underground workings.

Jill Coleman questioned groundwater readings for MW4B, Lee McDonagh to check results.

Lynden Cini explained that the Pacific National Stop/Go problem was an operational error on behalf PN, Merv Prendergast supported this by saying that he had observed the one time since the last meeting that the problem occurred and that it was poor work practice on behalf of Pacific National.

Ron Short stated that CCC would draft a letter to Pacific National on these matters and train dust.

Motion Moved that Quarterly results be accepted. Moved by Merv Prendergast and seconded Lindsay Bridge.

8. General Business

History of Underground Workings (item to remain as Agenda Item)

Work in Progress, Des George stated that Centennial Coal were still working on it.

Train Dust

To be addressed in letter to Pacific National. Merv Prendergast stated that he would be happy to write to PN also. He was aware of two issues only, where 1. Coal had fallen off a train and 2. Coal dust complaint. He had not received any written complaints and he personally had not observed any incidences of coal dust. Once CCC letter was drafted could it be sent to him at LPSC.

Ron Short questioned if there were different dust levels between Gunnedah Coal and WCC Coal.

Night Lighting - Jill Coleman – John Colvil who lives near “Marengo” told her that he was hearing a lot of noise at 3 am and there was significant light.

Des George said that adjustments can be made to the lights and that he would look at that.

Merv Prendergast asked if MME could put hoods on lights. Des George said he thought some already had hoods but he would look into it.

Lynden Cini commented that the correct action form Mr. Covil should be to call the complaints hotline.

Road Haulage

Refer LPSC letter, Ron Short stated that it is the long term road haulage impact. He asked at what stage WCC's submission to DoP pertaining to increasing domestic sales from 30,000 tonnes to 50,000 tonnes was at. Lynden Cini said that it had been sent some weeks ago and that hopefully he would receive word next week.

Merv Prendergast stated that council is now aware that road maintenance is an issue to be looked at and to seek assistance from Whitehaven. The domestic sales is not a problem but further development at other mines will cause damage to secondary council roads when building infrastructure etc.

General discussion followed on what CCC can learn from WCC and using it when dealing with the big mine companies in the future.

Ron Short referred back to the LPSC letter and asked that is movement of coal off site recorded. This was confirmed by Lynden Cini.

Merv Prendergast requested that the number of loads transported on LPSC roads be reported in AEMR.

McDonalds Pit (Quarry)

Merv Prendergast stated that the quarry makes water and LPSC is concerned. Merv indicated council trucks were drawing water from the quarry and instead of using for dust suppression/compaction had released the water into Quipolly creek. Merv also noted that LPSC had notified DECC of this. The issue with the water in the quarry is that it contains elevated levels of Total Suspended Solid matter. The Quarry also overflows into the mine lease which is a problem for both WCC and LPSC.

Two options:

1. Council to approach the mine to use the quarry themselves and then mine provides quarry gravel to council, or
2. Approach Lynden Cini/WCC and work on an approach to manage overflows from quarry.

Council is concerned that if there is a breach following significant rain event that council could be responsible for high readings at the mine site.

Lynden Cini explained that he was aware of two individual breaches of the highly turbid water onto the mine lease from the quarry and felt that this addition to TSS loadings in WCC sediment basins could attribute to an exceedance should the site ever discharge. Lynden agreed to work closely with council until a resolution is reached.

Backfilling Noel Taylor questioned that there did not seem to be a lot happening. Lynden Cini assured Noel backfilling was occurring and offered to give Noel a tour of the site and provided an open invitation to committee members, Lindsay Bridge also accepted. This was agreed too.

On Site Meetings – Merv Prendergast suggested CCC meet on site rather than RSL Club in Quirindi. All agreed.

Noise - Noel Taylor has a current issue with noise but is currently talking with Lynden Cini.

General Discussion in regards to Catchment Management Authority work being carried out in Quipolly Creek downstream of mine.

Jill Coleman questioned why the big tree trunks on the rehab site. Lynden Cini explained that they have been placed on the rehab to provide habitat for fauna species.

Noel Taylor and Lindsay Bridge both feel that CCC member should be compensated for their time/fuel etc. Ron Short will approach Department of Planning on this matter and report back next meeting.

AGENDA ITEM – Remuneration to CCC members

Lynden Cini gave update on site visit by Colin Phillips and associates from the Department of Planning, current MOP submission, extension of operations which will require a new Environmental assessment and Development Consent and new MOP. The company was looking at starting work on this as soon as possible.

Merv Prendergast suggested he could start the ball rolling on a Focus Planning Meeting.

Meeting Closed 1.05 pm.

9. Next

Meeting

Meeting date to be discussed between Ron Short and Lynden Cini in three months time. All agreed that Thursday was the best day to hold the meetings.

Copy to:

Ron Short	Chairman
Chris Holley	Local Community Representative
Jill Coleman	Local Community Representative
Noel Taylor	Local Community Representative
Lindsay Bridge	Local Community Representative

Colin Phillips	DoP
Monique Meyer	DPI
Bob Stewart	LPSC
Merv Prendergast	LPSC

Des George	MME
Les Latcham	MME

Casper Dieben	WCC
Danny Young	WCC
Lynden Cini	WCC
Peter Easey	WCC