

**Mount Pleasant Project
Community Consultative Committee**

Minutes of Meeting Held 6 September 2007

Present:

John Douglas	Chair of CCC – Muswellbrook Shire Council Councillor
Chris Gidney	Director Environmental Services - Muswellbrook Shire Council
Trevor Parkinson	Community Representative
Jim Lonergan	Community Representative
Ken Weekes	Community Representative
Patricia Watts	Community Representative
Stephen Sneddon	Coal & Allied Community Relations Specialist
Richard Bailey	Coal & Allied Manager Mining - Mount Pleasant Project
Leah Cook	Coal & Allied Environment Specialist – Mount Pleasant Project
Jennifer Bowcock	Coal & Allied Community Relations Officer – Mount Pleasant Project

Minute Taker:

Julie Fibbins MES Administrative Officer

1. Meeting Opened at 1pm:

2. Emergency Procedures and Housekeeping: Richard reminded members of emergency procedures and amenities at the project office.

3. Apologies: Nil (Chris Gidney arrived 1.30pm)

4. Declaration of Pecuniary Interest: Nil

5. Confirmation of Minutes: *Motion:* The minutes of the previous meeting held 5 July 2007 are accepted. *Moved:* Trevor Parkinson, *Seconded:* Jim Lonergan.

6. Business Arising from the Minutes: Nil

7. Community Representative Feedback:

Trevor Parkinson	No.
Pat Watts	Issue of cattle on Wybong Road has been fixed. Nothing has been done on their road.
Stephen Sneddon	Jennifer Anderson (Manager Land & Property) has discussed this with Col and has the issue in hand to Col's satisfaction.
Ken Weekes	Has the tree planting finished? What's happening with the plastic guards?
Stephen Sneddon	It has been raised with the contractors however I am not sure this has been budgeted for yet.
Ken Weekes	Are we tracking kangaroos? What are we going to do about them?
Stephen Sneddon	There are management procedures in place and at the next meeting we will present the CNA relevant procedure
John Douglas	Do we know about the professional shooter coming in through council?

- Stephen Sneddon No I am not aware of the program , however others whose accountability it is in the in the team may well be. However, they will need to apply to Department of Environment and Climate Change (DECC) (formerly NPWS) to cull and tail-tag. DECC will deem if it is appropriate and how many. If the carcasses can be used that is good, if not approved to to be used by DECC they are culled and tagged and left and often this encourages wild dogs.
- Ken Weekes Would it be handled by here (MTP Office) or somewhere else (within CNA)?
- Stephen Sneddon The issue of kangaroo culling is managed by the CNA Land and Property Department.
- Ken Weekes I am worried because when mining commences and disturbs the kangaroo population currently on MTP, the kangaroos may come on my property.
- Stephen Sneddon **(Action)** I will get the relevant property management procedure for managing kangaroos and provide to the CCC.

8. Project update including approvals and project timing

- We are speaking to the relevant Federal Government department (Department of Environment and Water – DEW) regarding the **Box Gum Woodland** community on MTP. This community has been listed under both Federal and State biodiversity conservation legislation since the Development Consent approval in 1999. We are currently preparing a Referral under the Federal legislation for approval (we will provide more information at the next meeting **Action**). We are required to have an offset strategy to mitigate impacts to the woodland community and this may include rehabilitation strategies and conservation and enhancement of patches of this woodland community elsewhere in the region. As part of the approval process there is a required public display period of the Referral for community comment.
- **Minor Development Consent Modification - Relocation of Infrastructure and Water**
Leah outlined the need for a proposed minor modification to the development consent. With detailed engineering design completed there is a preference to move the approved location of the infrastructure about 150m east to reduce the amount of required earthworks. The relocation of infrastructure would include the administration building, workshop, coal handling plant (CHP), coal stockpiles and rail loop. Leah described the section 75w approval process which will be used to assess and gain approval for these changes. The Development Consent will be assessed under Part 3A of the EP&A Act but will still remain a Part 4 Consent.
 - Following a question from Trevor Parkinson, Leah stated that the proposed infrastructure change was to a location that was less hilly. This enabled considerable cost savings and reduced environmental disturbance as there would be less earthworks required.

Summary of the current design and compliance to the Development Consent:

- Outlined a change to the **mine sequence and pit configuration**, but this will be covered in the Mine Operation Plan (MOP) which requires approval before mining. The Department of Primary Industry –Mineral Resources has agreed with this approach
- **Infrastructure and Rail** – we will need the S75W modification to consent.
- **Water** – Addressed by the Commission of Inquiry recommendations and licence applications.

- **Fines Reject** – New design uses thickened paste within a single fine reject emplacement facility which will reduce water consumption, land used and demonstrates current best practice. The Development Consent required a review of the approved ‘traditional’ reject disposal by Year 5 of Operation – we have completed early.
- **Accommodation** – We will continue to liaise with Muswellbrook Council regarding construction of accommodation if needed.

Trevor Parkinson A Singleton Argus article regarding a labour hire contractor asking Singleton Council to help with accommodation costs for contractors. Stated that CNA should train locals instead of using contractors and that this will alleviate the accommodation issue.

Jen Bowcock Muswellbrook Council is to release land so we will keep an eye on housing demand and supply.

John Douglas Most developments favoured large scale accommodation but not much had been done as it is expensive and are needed for Monday to Friday occupancy only. A meeting was held recently with local real estate agents and council seeking ideas. Further reviews by Council are continuing.

Chris Gidney joined the meeting.

- The **approvals process** for the approval of the minor modification to the Development Consent by the Department of Planning (DoP) was outlined. Three criteria that must be satisfied for a consent to be modified under section 75W:
 - consent must be in force prior to the commencement of Part 3A
 - the consent was granted with respect to development that would now be defined as a project to which Part 3A applies
 - the Minister approves of the development consent being treated as an approval

The Minister for Planning has approved the use of this modification process and issued CNA with Director-Generals Requirements, which are the rules for the Environmental Assessment.

There will be a public exhibition stage of probably 30 days where objections can be made on the proposed modifications only.

- **Project Timing** - stated that the Environmental Assessment was currently being prepared and would be ready for DoP Adequacy review in October 2007. CNA are hoping for modification approval in March 2008. This will be in parallel with our timing for submission to the Rio Tinto Investment Committee for project approval and allow project construction to commence early next year. The project construction will take 36 months with the first coal shipped early 2011.

Chris Gidney Would the Council be given a draft Environmental Assessment to which Leah advised, “Yes”.

Chris Gidney Will CNA be contacting government departments regarding the modification?

Leah Cook A Project Update meeting with representatives from DECC, DWE and DPI-MR was held last Tuesday discussing their requirements and any specific issues for assessment.

Chris Gidney Did DECC have any issues re native species problems to which Leah replied, “No, we discussed the EPBC Referral process as separate to the consent modification”.

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- The Water Management System was reviewed in detail, outlining the separation of clean and dirty water. Generally the mine would be in water deficit. Leah stated that the current water system design has minimised the number of structures needed thereby reducing evaporative losses.

John Douglas	Does MTP need to contact government departments to tell them how much water we have onsite?
Leah Cook	We must operate the water management system within the approved guidelines. If there is an event that leads to a change in our water management system we would notify as per the requirements of the Environment Protection Licence.
Richard Bailey	Any water drawn from the Hunter River is metered and if discharging it will be through the Hunter River Salinity Trading Scheme.
Jim Lonergan	What dam is the main discharge dam?
Leah Cook	RW1 with a capacity of 2,000ML would be used as the discharge dam.
Richard Bailey	The large capacity of RW1 is to collect storm water flows from the disturbed catchment of this dam.
John Douglas	Asked about the dam that the committee had inspected previously and was shown the area of the Fine Rejects Dam by Leah on an aerial photograph.
Jim Lonergan	What is the capacity of the other dams used for sedimentation control?
Leah Cook	These dams would vary in capacity but would generally have a maximum capacity of 100ML to allow settlement time.
John Douglas	How far ahead do you plan water usage and supply?
Leah Cook	We have modeled for 31 years of operations which is longer than the current approved mine life (21years) but represents the known coal reserves.
Jim Lonergan	How much water would you be short and need to pump from the River?
Leah Cook	<p>The water model shows that we may need an average of 1500ML per year from the Hunter River. The water modeling has been undertaken for 31 years of mine life looking at the best and worst case climate scenarios. At this time we haven't included in the model the flow rates of the Hunter River, it is currently assumed that it will always be possible to draw from the river. A separate issue is the water allocations and licences to draw the required amount of water from the Hunter River. Water licences have already been obtained through Coal & Allied.</p> <p>More than 50% of inflow water will be captured on site with 44% coming from river. The largest user is the preparation plant to wash coal, and then dust suppression, loss through evaporation and in 5% of occasions discharges off site. The annual Hunter River demand of 1500ML/a and a worst case of 3,300ML/a.</p>
Jim Lonergan	It seems that MTP is highly dependent on the Hunter River for water.

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- Leah Cook Agreed with Jim, saying about 45% of the water requirement would be drawn from the river but that MTP already has most of the licence allocation to met needs.
- Jim Lonergan Does MTP harvest more or less rain as the mine progresses? Is there more or less run off from rehabilitated land as it would be more porous?
- Leah Cook The catchments remains generally balanced because of the progress mining and subsequent rehabilitation. The runoff from rehabilitated land should be the about same, but we will have contour banks designed to manage water which is different to virgin land.
- Stephen Sneddon The porosity of the dumps depends on the compaction of the material. As the dumps are developed they will be heavily compacted from shovel and truck movements.
- Chris Gidney Was the access to river by buried pipeline? Council hoped it is to be buried and not visually intrusive
- Leah Cook Water drawn from the river would be by pipeline but not sure if buried.
- Richard Bailey The pipeline would be visible on Bengalla Link Road.
Investigate if buried would it effect water courses? **(Action)**
- The **Cultural Heritage Survey** is being re-done by the local Aboriginal community with archaeologists and RTCA representatives and meets current requirements for consultation. MTP will need to include the findings for the proposed relocation area in the application for Development Consent modification. Most artefacts are rock scatterings demonstrating the way of life of the aboriginal community. We will need a Section 90 approval to salvage and clear the land. The Cultural Heritage Management Plan is currently being developed in consultation with the traditional owner community.
- Chris Gidney Do we feel confident of the timing for the S90 approval process?
- Leah Cook Recent applications for other areas by CNA have been slow, but we have kept DECC informed of our needs and preliminary findings and that we don't expect delays.
- Stephen Sneddon The recent surveys undertaken to meet the RTCA Cultural Heritage Management System are a far more rigorous process than the original EIS study.
- Trevor Parkinson Have we had found anything interesting?
- Leah Cook There is an area to the west near the creek line which indicates it was a campsite and a likely point of contact for European and Aboriginal culture.
- Jim Lonergan Why is MTP going to the Commonwealth and not the State regarding the Box Gum Woodland?
- Leah Cook Explained that it is based on legal advice. As MTP has a Development Consent we already have approval under the State *Threatened Species Conservation* Act. The Federal legislation is written slightly different and as we don't yet have an Environment Protection Licence, issued by DECC, we need approval under the *Environment Protection and Biodiversity Conservation* Act. We want to abide by rules and believe we need approval despite the approved Development Consent.

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Pat Watts	Is the woodland in the pit area? Leah and Richard replied, "Yes". There is a total area of about 1800ha of Box-Gum Woodland which is within the footprint of disturbance.
Jim Lonergan	What will MTP have to do?
Leah Cook	The EPBC Referral includes the requirement for mitigation strategies and commitments. For instance, we may have a condition to rehabilitate areas back to Box Gum Woodland.
Chris Gidney	These conditions are not just for coal mines but also for land development.
Ken Weekes	Asked for a copy of the Approvals slide. (Action)

9. External Relations Update (Stephen Sneddon)

The **Community Trust** applications would need to be in for October's meeting. The Aboriginal Development Consent Committee meeting will be held in September. RTCA are currently reviewing all Community Trust Funds in NSW and QLD to ensure consistency.

The second **newsletter** will be distributed in September. The shop front continues with regular visitors and Community Consultation Committee meetings. The minutes of these meetings are available at the library and soon to be on a new CNA website in October. We have continued to work with schools, Apex Club, BEC. Yunaga Mining Services are training young people on site. Newcastle Knights Community Alliance's Health and Well Being program continues. Access to the Youth Express vocational program will be available at the shop front soon.

The Hunter Valley Research Foundation is undertaking a **socio economic baseline study** which should be available for CNA at the end of the year. This will provide CNA with a sound understand of the communities in which it operates and provide a factual platform for future decision making within the business.

The **Environmental Management Plan** development process is ramping up with Jen and Leah contacting participants and now workshops being organised.

There has been one complaint since last meeting, which is being fully investigated. A neighbour saw foreign tracks on their property and we are working with them to sort it out. We will make all internal boundary gates more easily identified so this doesn't happen again.

Hunter Valley Research Foundation breakfast is being held on the 19th September at the Workers Club. All are welcome to attend however please let me know by the end of the week so you can be added to the list of attendees.. Doug Ritchie, Managing Director of Rio Tinto Australian is presenting next.

Muswellbrook Chamber of Commerce breakfast will be here 2 October with presentations by Antony Bijok, Wesley Mission, BEC, and the Muswellbrook Shire Council Sustainability Trailer being launched by Council. Apex is cooking the breakfast.

10. General Business

Richard Bailey	Advised that on site we have continued tree planting and fencing. The surveying and archaeological work is complete. More land management activities and the standard monthly environmental monitoring continues.
Ken Weekes:	Where are we up to with purchase of properties within MTP area (66% before)?

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- Stephen Sneddon: Not sure, but there are ongoing discussions. We can provide more information at the next meeting. **(Action)**
- Chris Gidney: Could the company do a briefing to the Environmental Committee in two weeks time?
- Leah Cook Yes.

11. Next Meeting: 8 November 2007 (Apology from Stephen Sneddon due to holidays).

Leah confirmed that this meeting will involve a trip to a coal preparation plant. The CCC meeting will be held on the bus. Further details will be provided closer to the date.

12. Visit to Mt Pleasant Project Area: Commenced at 2.25pm and concluded at 4.00pm. Reviewed the proposed relocation of infrastructure site.

13. Summary of Actions

Details of Task	By Whom	By When
Details of the relevant property management procedure for managing kangaroos	Stephen Sneddon	Next CCC – 8/11/07
Investigate if water pipeline is buried if it would effect water courses	Richard Bailey	Next CCC – 8/11/07
Copy of approvals slide – attached to minutes	Leah Cook	Distribution of 6/9/07 minutes
Status of property acquisitions	Stephen Sneddon	Next CCC – 8/11/07