

**METROPOLITAN COAL
COMMUNITY CONSULTATIVE COMMITTEE - MEETING MINUTES**

Date: 08/05/2013

Time: Commenced – 5.05pm

Location: Metropolitan Coal Community Consultative Centre, Walker St, Helensburgh

Attendees:

- Kerrie Belter (KB) - CCC Member
- Amanda Reilly (AR) - CCC Member
- Robert Scullion (RS) - CCC Member
- Margaret MacDonald-Hill (MMH) - Independent Chairperson
- Ryan Pascoe (RP) - Peabody Metropolitan Coal
- Stephen Love (SL) - Peabody Metropolitan Coal
- Josh Daniel (JD) – Peabody Metropolitan Coal
- Suzanne Cryle (SC) - Peabody Energy Australia
- Melody Innes (MI) - CCC Member
- Patricia Gauci (PG) - CCC Member
- Michelle Durant Chambers (MDC) - CCC Member
- John Collins (JC) - Peabody Metropolitan Coal / CFMEU
- Peter Turner (PT) – CCC Member
- Anthony Barnes (AB) - CCC Member / Wollongong City Council

Apologies:

- Allan House (AH) - CCC Member
- Lorraine Rodden (LR) - CCC Member
- Brad Staggs - Wollondilly Shire Council

Welcome and Introductions:

MMH: Welcome everyone

Declarations of Interest:

MMH: Declared position as Independent Chair for the CCC approved by the Director General of DP&I, member of the Mine Subsidence Board and Ministers' Arbitration Panel.

Amendments to February Meeting Minutes in Discussion with MMH:

- **PT:** Clarification of question regarding whether Swamp 20 or other swamps in the mining area had been surveyed and identified as being of 'special significance'?
- **RP:** All swamps in the mining area have been surveyed. Swamp 20 has unique characteristics. Not aware of a 'special significance' classification beyond the EEC listing of upland swamps.

- **PT:** Noted that in Bulli Seam Operations report, the PAC expressed concerns arising from proponents selecting and funding consultants approved by Planning to conduct Independent Environmental Audits.
- **PT:** Clarification on water volumes that new SCA catchment water model suggested were being lost from the catchment, between 1.7 and 5.4 megalitres per day.
- **RP:** We are not aware of this new SCA catchment water model.
- **PT:** In relation to request for raw monitoring data for personal review, noted Jason (E. Jason Davis) concern that data may be misrepresented.
- **PT:** Clarified request for copies of MSEC photographs from Annual Review (Appendix). Confirmation that these had since been provided by JD.
- **MDC:** Suggestion that AR had requested the hard copy of the Peabody sponsorship guidelines.
- **AR:** Confirmed.

Confirmation of Amended February Minutes:

Confirmed by KB and seconded by PT.

Business Arising:

Catchment Water Data

- **PT:** Regarding CCC proposed 2013 agenda, concerned that it only covers key catchment environmental impacts indicators once/year, eg swamps, water quality, groundwater, which considers not to be enough. Catchment environmental indicators important for water (drinking) and biodiversity. Requested updates each meeting, which can be at end of meeting so that those not interested can leave.
- **MMH:** Noted CCC is a large committee and that members have a broad cross section of interests. The proposed agenda attempts to ensure that all interests are catered to in a fair and egalitarian manner. The proposed agenda structure is innovative and would serve other committees well. Discussed with Planning (Department of Planning & Infrastructure), who agreed the proposed structure covered the whole year appropriately.
- **KB:** Happy with agenda. Catchment issues important and valid, but content still needs to be constrained otherwise it's endless.
- **PT:** It doesn't have to be a long update – piezometers graphs, water quality data including key parameters and performance indicators.
- **JC:** Personal opinion that there is enough catchment information provided and attention should not be drawn away from community issues, while spending time getting bogged down in technical water quality issues.
- **MI:** Has some trouble with technical content.
- **PT:** Noted that other CCCs cover this content, such as Dendrobium & Wongawilli.
- **RP:** Important to note that the proposed agenda is not intended to preclude reporting of important issues that may arise throughout the course of the year. Where important issues have arisen in the past, they have always been reported to the CCC. A failure to do so would erode our credibility. Furthermore, in the 2013 agenda, there is also a lot of overlap between various interconnected issues presented across the meetings, e.g. swamps, groundwater, catchment biodiversity, as well as discussion as relevant in the AEMR & Annual Review topics which means that topics are visited regularly. It should also be noted that some of the content being requested is prepared by experts external to the mine and compilation of some

information at regular intervals is problematic due to the need to obtain expert external analysis.

- **RP:** Also explained (at the last meeting) we are monitoring performance indicators with regimented reporting requirements across the Metropolitan Coal Management Plans, and they are not just limited to the catchment area.
- **PT:** Has an issue with the timing of information provided, e.g. iron levels in Waratah Rivulet.
- **RP:** Important to note any relevant information will be provided. We have been transparent with emerging issues and not hiding anything as demonstrated in previous CCC meetings. If issues emerge, we have specific requirements regarding incident investigation and reporting. The information becomes public. The system is totally transparent. Reporting processes are mandated and regulated. This is about sticking to these processes to ensure the integrity of the information provided.
- **PT:** Consider that a regular update on meeting update on would be valuable.
- **PG:** Agreed.
- **MMH:** Discussed with Planning, and chairs a number of committee meetings. The CCC is not a regulatory body. Raw data does not need to be provided if not specified by Planning, who require everything in the public realm to go through normal reporting avenues.
- **PT:** Suggest that this data be provided at the end of meetings to allow other members to leave if they are not interested.
- **MMH:** Does not agree, meetings are for the whole committee, to be selective would diminish the efficacy of the CCC.
- **RP:** It may be construed as divisive to present information to only some CCC members. If it's important enough to come to the CCC, it should be presented to all members.
- **PG:** Technical information can be understood if it's explained clearly.
- **PT:** Belief that the committee should have access to timely information, in order to know of emerging issues and get a sense of trends, e.g. if there's a drop in piezometer levels.
- **PT:** Understand there is no requirement for this information to be provided.
- **RP:** Agree but concerned that if the same information is provided at each meeting as a matter of course, the agenda will become stagnant, time will be taken away from other important issues and the CCC will become disengaged.
- **PT:** Belief that this information concerns all, regarding water levels & water quality. Happy to have access to the information outside of CCC.
- **MMH:** Considers that inappropriate and detrimental to the function of the CCC.
- **RS:** It is about exceptions reporting, information should be provided when there is something noteworthy. If there is no issue, we don't need to hear about it.
- **MMH:** The decision rests with the whole CCC. From the discussion, it appears this does not have support. Queried exactly what PT was after and if he had a view that something was wrong, he should notify the Department.
- **PT:** Request for key swamps information (important to catchment biodiversity), water quality – metal, iron, ph – key parameters to be updated.
- **RP:** Important to note the multitudes of water quantity and quality parameters at multiple sites, e.g. swamps, creeks, various chemical parameters, as well as monitoring of climatic conditions. It would require a significant investment of time and would not be practical to provide regular updates of all information.
- **PT:** Request key data info only.
- **RP:** Suggest being specific or emailing Chair about what data is being requested.
- **MI:** Key data if it can be simplified/understood for the benefit of the whole committee.

- **MDC:** Concerned about presentation of scientific data quarterly given so many variables at play such as climatic conditions. Overly regular presentation of information may actually be misleading with respect to long-term trends.
- **PT:** Provision of data once/year only, may be too late if issues arise.
- **MDC:** Need to refer to aims of committee – not a scientific review panel, but a community consultative committee.
- **MMH:** Question to PT, is there a concern of current issues?
- **PT:** Concerned about levels of swamps.
- **MMH:** Planning are the regulators, suggested to leave information with experts.
- **PT:** Suggested that community raised any problems with Planning, not the other way around. Gujarat provide information and are forthcoming with any problems.
- **RP:** We have also been forthcoming with issues for example dust condition update at last meeting. Failure to present issues would only damage our standing in the long run.
- **AR:** Company has demonstrated that it is open and transparent and has built trust with this committee.
- **RP:** Reiterated multitude of sites and parameters for reporting on, question to SL regarding numbers of water quality sites on the Waratah Rivulet alone, and chemistry parameters.
- **SL:** From memory, 20+ water quality sites along Rivulet, and up to 50 chemistry parameters.
- **PT:** Request for only key piezo data and key water quality.
- **MMH:** Request to PT to provide specific data request information into an email for further review.
- **PT:** Piezo data for Swamps 16, 17, 18, 20, 21, 25, and key metals concentrations.
- **MI:** The data would need to be presented simply.
- **RP:** This data has been provided in previous CCC meetings as it is, and is also in public forum on website.
- **PT:** It could be a fifteen minute update.
- **AR:** We have spent ample time on the subject in previous meetings anyway. Peabody has been bringing this information to the attention of the CCC members.
- **PT:** Timely release of data important for looking into trends.
- **MMH:** If there was any issue, it is appropriate for the regulators to be reviewing it.
- **MDC:** Raised issue with quarterly data. Would only want yearly data due to risk of misinterpretation due to outside factors such as climate.
- **AR:** Believes information provided to date is 100% accurate. Trust has been established with the committee.
- **RS:** Noted the CCC is not a regulatory panel.
- **MMH:** Discussed aims of CCC from the DP&I guidelines.
- **MI/KB:** Personal concerns about specific personal issue should be taken to the mine directly and are not within the ambit of the CCC.
- **PT:** Reiterated request for raw data, understand there is no requirement.
- **MMH:** The data is available in the public realm once released.
- **PT:** Data is becoming increasingly available at other CCCs.

Fencing of Football Ovals

- **AR:** Wondering where Peabody stood with discussions of fencing of the football ovals.
- **RP:** Awaiting further information from the Junior Rugby League Club.

Action items from previous meeting:

- JD to provide website update to MMH for communication to CCC: *JD provided update by email to MMH 27/2/13.*
- RP to further investigate pedestrian safety measures on northern side of Colliery Road intersection, eg fencing and/or signage: *RP taken KB comments into consideration regarding pedestrian safety/fencing.*
- RP to consider other mines similar commemorations for ideas for 125 year anniversary: *Complete, tabled ideas and encouraged any further suggestions from CCC.*
- RP to provide MSEC photographic records from Annual Review (Appendix 2) for PT: *JD provided records by email to PT 14/3/13.*
- RP to forward agenda items to CCC for input/suggestions – nominating priorities: *Complete.*
- RP to address above PT requests for Swamp 25 piezometer levels and copy of CCC presentation – *Complete.*
- Helensburgh Pool Heating – AB emailed Council contact details to RP.
* **Action** – *RP to follow up with Council.*
- Peabody Sponsorship Guidelines requested by AR.
* **Action** – *RP to provide hard copy of sponsorship guidelines to AR.*

Correspondence Tabled:

In: Nil

Out: Nil

RP / JD Presentation: Metropolitan Coal Update

- CCC – *Proposed Agenda Items 2013*
- *AEMR Update:*
 - *Background*
 - *Metropolitan Coal Project Construction Works*
 - *Air Quality (Dust deposition, HVAS, TEOM, dust improvement works, video presentation)*
 - *Water Management & upgrades*
 - *Rehabilitation*
 - *Community Projects*
 - *Helensburgh Fair*
 - *Future Initiatives*
- *Catchment Biodiversity:*
 - *Biodiversity Management Plan*
 - *Swamp Vegetation Monitoring*
 - *Swamp Piezometer Installations*
 - *Aquatic Biota and Amphibian Surveys*

- *Community Programmes:*
 - *Sponsorship to May 2013*
 - *Community Feedback*
 - *Celebrating 125 Years of Production*
- *Swamps and Groundwater:*
 - *Groundwater Levels & Climate Data*
 - *Groundwater Levels Piezometer Graphs – Swamps 20 & 25*
- *Underground Emplacement Update*
- *Noise Management Update and Management Actions*

Discussion regarding presentation content:

Swamps/Groundwater

PT: Noted OEH standard guidelines, emphasis on hydrology. Interested to see charts of piezo levels for swamps prior to September 2012. MSEC report indicated cracking in swamp 20 (8.78mm) & 21, expected as per Environmental Assessment.

Underground Emplacement

MDC: Is there a safety risk of underground emplacement work?

RP: Risk based approach taken in ensuring safety. Safer option going forward may be to backfill into the goaf as mining progresses, rather than old mine workings. This is the ultimate goal as the project progresses.

Noise Management

MI: A new noise has started up recently.

RP: Discussed recent actions taken for noise mitigation, including enclosing further section of washery and replacement of an old screen with a new quieter alternative cladding on washery. Further work to do on noise front.

****Actions:***

- *RP to send invitation to CCC members for 125th year commemorative ceremony.*
- *JD to provide copies of AEMR to MMH (email), PT (email) & MDC (hard copy).*

General Business:

RS: Question regarding Peabody financial situation and productivity in context of projects being suspended. Can financial information be sourced such as productivity, tonnage, sales etc?

RP: From Metropolitan perspective, we provide annual tonnages in AEMR. Given lower commodity prices we are focusing on cost containment. A cost containment strategy has been developed and is being implemented. The situation also adds weight to those projects which have the potential to save money.

SC: Peabody is on the New York Stock Exchange and provides a quarterly earnings release, which indicates profit and market conditions.

PT: Request from previous meeting to provide longwall progress updates map for CCC meetings.

RP: This information can be provided to future meetings.

*** Action – RP to provide pdf longwall progress update going forward.**



METROPOLITAN COAL

PT: Request for electronic copy of CCC meeting presentation.

RP: Hard copies are provided and electronic copies will be emailed out.

Meeting closed:

19:40, 8/05/13

Next meeting:

17:00, 14/08/13 (Metropolitan Coal Community Consultative Centre, Walker Street, Helensburgh)