

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

Date: 20/08/2013

Time: Commenced – 5.15pm

Location: Metropolitan Coal Mine Meeting Room, Upper Administration, Helensburgh

Attendees:

- Kerrie Belter (KB) - 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
- 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
- Colin Bower (CB) - Florasearch
- Tom Mackillop (TM) - Resource Strategies
- Noel Merrick (NM) - HydroSimulations
- Allan House (AH) - CCC Member
- Lisa Andrews - Observer

Apologies:

- Lorraine Rodden (LR) - CCC Member
- Amanda Reilly (AR) - CCC Member
- Brad Staggs - Wollondilly Shire Council

Welcome and Introductions:

RP: Welcome everyone. As MMH is running late, we will commence the meeting with presentations from Resource Strategies, HydroSimulations and Florasearch regarding the Longwalls 23-27 Extraction Plan which is currently under development

Presentation by Tom Mackillop from Resource Strategies - Overview of Extraction Plan process.

Presentation by Dr Noel Merrick from HydroSimulations – Review of Swamp Groundwater Level Monitoring

PT: Why do you use 7 day running averages? Concern short duration responses may be washed out

NM: 7 days is judged to be short enough to catch real responses, but long enough to avoid anomalous spikes which may be artificially triggered

PT: Suggest using 1 day data

NM: I do use raw data for observing responses, but averages are used to measure against performance indicator

PT: Why doesn't Swamp 25 1m piezo continue to fall away as 10m piezo does

NM: 1m piezo has probably reached bottom of hole

PT: Clarify if performance indicator applies to substrate or/or sandstone?

NM: Point has been previously clarified as applying to substrate only

RP: Environmental Assessment predicted sandstone cracking was likely

PT: MSEC predicted strong cracking at Swamp 20

KB: Is cracking and groundwater loss deemed acceptable?

RP: Performance Measure relates to vegetation impacts rather than groundwater loss. Longer term expectation from environmental assessment predicted some natural sealing of cracks and recovery of groundwater

PT: Recovery is unlikely given the drop in the 10m piezo

NM: Suspect the piezo may be faulty

SL: Manual dipping gives same result – seems to be OK

MMH: Would you expect groundwater levels at Swamp 20 to recover?

NM: It could go either way, but there should be some level of recovery. Water levels are a good first indicator that there may be a problem, but requires further investigation – specifically of vegetation impacts

Presentation by Colin Bower from Florasearch – Review of Swamp Vegetation Impacts

BS: What's a toadlet?

CB: A small toad

PT: Did you know the swamps were placed on the IUCN red list in May

CB: No, that's interesting

PT: The BSO PAC Panel comments that they're unaware of examples of swamp self-healing

CB: I'm not aware of any either

PT: You mentioned vegetation can take years to change composition. Why isn't hydrology considered a better performance measure?

CB: That is a point, but to put it in perspective, considering the amount of mining that has occurred in the Illawarra and the number of swamps affected, only a handful have experienced a catastrophic impact

PT: Loss of water can cause a change in the swamp that isn't necessarily catastrophic.

Vegetation changes the swamps ability to retain water and change their catchment function

CB: That's true, and Flat Rock Swamp is an example of catastrophic impact from mining that occurred 20 years later

PT: Yes, swamp has collapsed

CB: Note that wasn't impact of Metropolitan Mine, but Darkes Forest Mine.

PT: No it was the previous owner, Excel.

PT: After recent experiences with swamp impacts at BHP, would you consider changing the standard for monitoring swamp impacts based on water level performance measures rather than vegetation?

RP: We are presently using water levels as performance indicators to warn of potential issues with respect to the threatened species based performance measure. When the performance indicators are triggered, we mobilize experts to understand impacts and assess any convoluting factors which may be at play. Swamp 20 requires more time to assess what the water levels will ultimately return to. The Department of Planning & Infrastructure establishes Project performance measures, we then create performance indicators to measure and meet these.

PT: Planning allows changes to project approvals that benefit mining companies, but not changes to factor in new scientific understanding

MMH: Not sure that's true, mining companies under increasing regulation and push for public transparency. Likely to continue

PT: Legislation surrounding approval process makes it difficult for others to change indicators

RP: Impacts are covered by Environmental Assessment. The govt. makes a determination against various factors and decide what is and isn't allowable. All of this is assessed annually and results published in the Annual Review

PT: You have an approval that covers 20 years that is unlikely to be changed to consider new understanding

MMH: Increasingly likely to be a dynamic process that will factor in new information

RP: Should remember that Planning are not the only department with level of oversight. Other agencies will add their own conditions and regulations

PT: Planning are peak body who can disregard advice from other departments.

RP: True in some respects, but others can add own conditions to operating licenses.

Performance indicators are designed with input from experts

MMH: Longwalls 23-27 management plans will be displayed to CCC members when submitted to Planning?

RP: Correct, the draft Water Management Plan, Heritage Management Plan, Biodiversity Management Plan and Heritage Management Plan will be provided.

PT: If your swamp performance measure was exceeded, what would you do?

RP: Management Plans outline the approach we would take and possible responses

PT: What specific plans?

RP: Impossible to outline here as there is no one size fits all solution addressing any issues that arise. The response would have to be designed in the context of individual swamps and the level of impact and based on the best scientific information available

PT: No known process for repairing impacted swamps

RP: There was previously no known way to repair impacted rockbars, but we have successfully demonstrated that it can be done

PT: The SCA yet to be convinced that this has been successful

MDC: How long are vegetation transects across swamps

CB: Transects run across full diameter of swamp, varies depending on size of swamp.

PT: There are approximately 120 swamps across project area some of which were identified by PAC as being of concern regarding impacts. Which swamps did the PAC express issues with?

RP: You have a good knowledge of the PAC report, are you making reference to any specific swamps? Our priority lies with compliance with all of our regulatory conditions and these encompass what was considered relevant from PAC

MMH: Extraction Plan presentations complete, thanks to visiting consultants for their time. Now commence the regular part of our CCC meeting.

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 May Meeting Minutes in Discussion with MMH:

- **PT:** Page 2 – Noted OEH standard guidelines, emphasis on hydrology. Interested to see charts of piezo levels for swamps prior to September 2012, to see the pre and post mining levels
- **PT:** Page 6 – Metrop Annual report suggested cracking at swamp 20 and MSEC predicted high strains of 8.8 mm/m at swamp 20
- **PT:** Page 6 - Noted that in Bulli Seam Operations report, the PAC expressed concerns arising from proponents selecting and funding consultants to conduct Independent Environmental Audits

Confirmation of Amended May Minutes:

Confirmed by PT, seconded by KB

Business Arising:

- **PT:** In May meeting, RP directed PT to previous minutes with regards to ongoing requests for data. Data not in previous minutes. Couldn't find any reason why information could not be provided.
RP: Seems to be a misunderstanding, the direction to the previous minutes was given as they outline Peabody's position with regards to requests for additional data and reports. Our position remains consistent. A very high level of transparency is regulated with regular data provision. It is not feasible to provide information in addition to the vast extent of information already provided for numerous reasons as previously outlined.
PT: Will you provide requested report?
RP: No. We have limited resources to cater to provision of data and reports outside of the normal reporting cycle. Should trust experts whose job it is to oversee our data and results and audit our performance as per the Independent Audit

MDC & KB: Agree

KB: Believes tonight's presentation were very good and now more comfortable with mine activities having heard from the independent experts

MMH: Planning have previously provided advice that CCC is a community forum, and not a technical committee

PT: Disappointed that report cannot be provided, it would be of interest to others.

RP: Peabody has gone to significant lengths to tailor our meetings to satisfy PT's areas of interest. We need to balance what information is provided to CCC to cater to all members, rather than focusing on the same topics at each meeting. These efforts have culminated with this evening's meeting where numerous experts have been invited to provide information directly to members in an open and transparent manner. We must now stop neglecting the other topics which are of interest to the majority of members such as dust control and monitoring, noise mitigation, compliance management and community projects

PT: Provision of data is price you pay for mining under catchment. It would be very disappointing if tonight's presentations were just for my benefit, the CCC should be briefed on the plans for the next longwalls and the swamp impacts. Reiterate disappointment.

RP: Understand viewpoint, but ultimately the Government and regulatory authorities determine requirements pertaining to the provision of information

MMH: Are people generally happy with the information provided at the CCC?

AB: Yes

KB & MDC: Information has been provided transparently, seems to be a trust issue

PT: It's not a question of trust, it's a question of access to information collected in the public interest. Longwalls 23-27 Extraction Plan should be presented to CCC anyway

RP: It was always intended that this information would be provided, however the 'flavour' and in particular the focus on Swamp 20 was to cater to your interests. Unfortunately we cannot cater to every interest at all times, but we must attempt to cover everyone's areas of interest

MMH: Focus in previous meetings has been largely on swamp groundwater levels

Action items from previous meeting:

- RP to provide Longwall progress update going forward – *provided at meeting*
- RP to provide hard copies of CCC minutes and electronic copies in addition – *provided*
- RP to send invitations to CCC members for 125th year commemorative ceremony – *Invitations will be provided when event has been organised*
- JD to provide copies of AEMR to MMH (email), PT (email) & MDC (hard copy) – *provided*

Correspondence Tabled:

In: Nil

Out: Nil

General Business:

- **BS:** Have previously discussed idea with RP of CCC members attending Community Drop In Centre on Walker Street to liaise with public
RP: Think this is a good idea which could be advertised to the community and made into an event. Idea is being progressed and could be implemented once recent changes at Metropolitan have been bedded down
BS: Are other members of the CCC aware of drilling activities on Old Princes Highway?
RP: For those unaware, drill rig is for installation of a water level monitoring piezo for environmental purposes, not coal seam gas. Topography of area made it necessary to install relatively close to road.
- **KB:** Concerned about recent vegetation works
RP: Over past few months we have been progressively removing weeds and planting native species to replace. Recent removal of two large trees was also carried out due to safety concerns around large dead limbs. Trees continued to die off after efforts to save them. 4000+ local providence native plants have also been planted
KB: More concerned about recent weed clearing
RP: Removal is part of site Vegetation Management Plan which is designed to progressively remove weed species and revegetate with native species in stages. Trying to create a smooth transition in habitat from weeds to native plants. Maps of revegetation zones could be presented at future CCC meetings
AH: On other side of Parkes St Helensburgh Creek was previously infested with Lantana and Blackberry. Was cleared and revegetated as part of deliberate attempt to create an emergent rainforest habitat. Lantana is a good small bird habitat, presentation of plans would be good for CCC
KB: Memorial Garden project is progressing?
AH: Yes and no, because I am often moving between Helensburgh and Urunga it has made it difficult to find time to organize local memorial. Previous success with heritage garden at Helensburgh Railway Station which was the first in NSW to incorporate environment and heritage conservation goals.
- **AH:** What is status of Metropolitan Coal 125th Anniversary video? Would it be possible to see it before Helensburgh Fair presentation at CCC meeting?
SC: May be possible to organize a few days before Fair
KB: Would also like to see it before Fair if not too long
SC: Probably about 20 minutes
RP: Not my decision, but if CCC would like to see it at meeting we can organize it
PT: Do not think it should be part of CCC meeting as it takes time away from other issues
JC: Think it would be good to see at CCC. Have previously spent far longer at CCC on other topics
RP: Will organize to be shown here at site before Fair
MMH: Date decided 23/10/2013

Meeting closed:

7:53pm

Next meeting:

17:00, 23/10/13 (Metropolitan Coal Meeting Room, Upper Admin Building, Helensburgh)