

Minutes of the Wilpinjong Community Consultative Committee held at Mid-Western Regional Council Chambers

Monday 06 December 2010

Committee Members Present:

Bev Smiles (BS)
Brian McDermott (BM)
Esme Martens (EM)
John Webb (JW) – Alternate
Keith Downham (KD)
Margaret MacDonald-Hill (MMH)
Victoria Tapp (VT)
Shaun Cleary (SC)

Invited Guests *Kieren Bennetts (KB) – Senior Environment & Community Advisor - Peabody Energy Aust Pty Ltd*
 Matt Little (MT) – Project General Manager - Thiess Pty Ltd
 Ron Bush (RB) – Project Development Manager - Peabody Energy Aust Pty Ltd
 Natasha Beljic (NB) – Peabody Energy Aust Pty Ltd - Vacation Student for Environmental (Observer)

Absent: *Col Bailey (CB)*
 Linda Lewis (LL)

Apologies: *Bruce Hughes (BH)*
 Kim Peach (KP)

Scribe: *Linda Atkins (LA)*

Meeting: *4.00 PM Commenced:*

Chair: *MMH*

1	<p>Welcome:</p> <p>Margaret MacDonald-Hill welcomed everyone to the meeting.</p> <p>KD – Welcomed guests to the CCC meeting</p> <ol style="list-style-type: none">1. Matt Little – Project General Manager –Thiess Pty Ltd – Replaced Andy Rooke2. Ron Bush – Project Development Manager - Peabody Energy Aust Pty Ltd – Developing of New Mining Leases and property purchases for Wilpinjong Coal.
2	<p>Declarations of Interest</p> <ol style="list-style-type: none">1. MMH – Independent chairperson approved by DoP, Member of the Mine Subsidence Board and Ministers Arbitration Panel2. BM – Declared he is a casual contractor for Wilpinjong Coal Pty Ltd3. BS – Declared to be a member of Mine Watch and Mudgee District Environment Group & EPA Board Member for Nature Conservation Councillor Representative4. JW – Mid Western Regional Council Committee Member5. EM – Mid Western Joint Regional Planning Committee
3	<p>Confirmation of Previous Minutes – 27 September 2010</p> <ol style="list-style-type: none">1. BS – KD Report - Page 2 - Point 5 – Second part of the sentence – add the words about the negotiations and land purchases process2. BS – KD Report – Page 2 - Point 7 – Should be Fair and Just Compensation3. BS – KD Report – Page 2 – Point 9 - Should read tortuous4. BS – Action List - Presentation on Explosives usage per 12 months per volumes <p>Esme Martens moved the minutes, Brian McDermott second the motion</p>
	<p>Business Arising:</p> <ol style="list-style-type: none">1. MMH – Item 2 – Jen Morgans spoke about Gulgong Hospital and discussed with Carmel Tebbett about the outcome to be reviewed in a month. KD – No response given as yet.2. BM – Item 5 – Ulan-Wollar Road, road between Moolarben and Wilpinjong Coal – KD - Three kilometre stretch will be upgraded,

VPA to be completed and finalised and endeavoring to commence in the next twelve months. This is a safety issue for our employees as well as a concern for local residents.

3. MMH – Item 7 - MMH Provided all CCC members with a complete copy of correspondence log.
4. MMH - Item 9 – Invited David Kitto to this meeting.
5. MMH - KD Report – Item 7 – Information to Landholders, unable to find specific information relating to the size of the buffer zone. Referred to DoP criteria on page 17 on land acquisitions in Modification. I provided some information on assessment leases and definition of hardship. MMH to post information out with current minutes.
6. BS – referred to JM statement on Page 3 – Peabody is transparent on purchasing land yet information is not given to the land owners, KD – We are not knocking on doors, land owners are approaching WCPL we then act on their request to sell their property to Peabody.
7. RB – explained position with Peabody Energy as Project Development Manager, introducing himself to land owners. BM – It is good manners that Ron Bush is introducing himself to land owners. It is the land owner's option to decide if they wish to sell to the mine, no one else's.
8. BS –Some community members who raise issues with me feel that we are treated with contempt.
9. EM – Fellow colleague has family members living in Wollar, they have been approached by WCPL. KD – Peabody are speaking to people, land owners have approached the mine and my understanding is a lot of people have contacted WCPL.
10. EM – Approached by a woman in Sydney, wanting to know if they were in the buffer zone area. KD – Community and land owners wish to know more about buffer zones, it's advisable they contact the mine for correct information and to eliminate any rumours.
11. KD - Noise model shows where the buffer zone and beyond noise levels are, giving the opportunity to land owners to sell their properties.
12. KD – Many land owners have approached WCPL to sell, we are negotiating. The 75W document is on the website it has the plans and shows the acquisition zone, the buffer zone which is not clearly defined, whole of Wollar may receive noise impacts this will increase levels of noise to the license levels.
13. BS – wanted minuted KD statement “We have not approached anyone to sell”.
14. SC – If land owners are finding it unbearable with noise levels, purchase program is available and may contact Alan Andrews.
15. BS – When the EA was being presented we were informed that the mine would be a good prospect for Wollar, the rug has been pulled from underneath the community, businesses that are currently in Wollar will close and people will lose their jobs and no compensation is available. MMH – Due to global downturn and drought conditions across this state, many land owners decide to sell to the mines because of their circumstances.
16. BS - Conditions are being breached then acquisition rules are triggered most have been purchased, they have the acquisition right to negotiate with the mine. Everyone else does not have that option. There is a rumour that there is real push to purchase all properties end of December 2010
17. KD – Peabody has established a project budget to purchase a noise buffer zone to the east of the mine. This buffer zone is being established because with the increased rate of mining we expect there to be elevated levels of noise in the Wollar area,
18. JW – Business Arising - Point 15, Post Mining Land Purchasing - Community is not sure on what happens to post mining land, is it sold back to the community? Strategic Plans for the community would be advisable. KD - WCPL are in discussions with Minamumrra Pastoral about post mining land use and wish to discuss with the wider community and stakeholders to develop a plan on what the land should look like and the best strategic plan and best outcomes of this land. Peabody is going to own land for over twenty years.
19. MMH – General Business – Mining Dialogue extended to Mudgee, this was incorrect and clarified to CCC members when minutes were distributed. Information on secret garden was also sent.
20. KD – Community Forum was set for 4th December 2010, due to the weather and floods in Cumbo Creek, it was postponed and will be on another date in February 2011.
21. BS – CCC was not informed about the Community Forum, there were no formal invitation. KD – apologised for not notifying, we will inform the CCC of the intended meeting in Feb 2011.
22. JW – Ulan and Cope Road's, three mines were in discussions and council will be notified, to commence with the upgrade before December 2011. KD – A study is required for the upgrade and maintaining of Ulan Road for all traffic methods. Meeting last Friday was to discuss about funding. Engineers and Civil Engineers and council, three mines to receive scopes and a report. JW – Mud Hut Creek Road would be another road needing an upgrade, 1500 employees in a week have used this road while floods were over Cooyal Creek, this road is not designed for heavy traffic.
23. KB - Natasha was invited as an observer, she is currently employed by Peabody Energy as Vacation Student for the environmental department for three months.

	24. BS – Wanted to know process on correspondence addressed to CCC.MMH – This was discussed at the last CCC meeting and the process is in the minutes.
5	<p>Correspondence Out:</p> <p>MMH – Advised CCC Members of status of Hunter Valley Mining Dialogue – 11 Oct 2010</p> <p>Correspondence In:</p> <ol style="list-style-type: none"> 1. Nil
6	<p>Report – ML</p> <ol style="list-style-type: none"> 1. Blasting Information
7	<p>Report – KD / RB</p> <p>Shaun Cleary is now working part time for 6 months, he is taking long service leave.</p> <ol style="list-style-type: none"> 1. Process types of purchasing properties - Viewing properties to purchase and to rationalise the licenced land use arrangements and receiving advice from pastoral company such as Minnumurra and strategic plan. Planning to maintain some dwellings to rent. 2. RB – There are six properties that need refurbishment to meet living standards in Cumbo Valley and in other areas. KD – There are properties that are in poor condition, Wilpin Farm is attacked by termites. The properties in poor condition will be demolished. 3. RB – Process of approaching acquisition, there will be an initial discussion and a valuation obtained. If the land owner is not comfortable and wishes to use their own valuer, it may lead to a negotiation on price. Peabody will provide a formal offer, if the offer is acceptable by the land owner and acceptance and internal approvals are completed. Sales advice is then issued to both parties this may take about one week, if both parties agree on the conditions then exchange of contracts takes place. This may take about two to four weeks. Following exchange, settlements take about four to six weeks. Assistance from Alan Andrews from Webb Bros is available. 4. RB – Purchases are made up of different components, pre-mining land values and property improvements, selling & relocation costs, and to accommodate with lease back, Webb Bros will provide their services to find alternate properties. Land owners are handled individually and with strictest confidentiality. 5. RB – Spoken to one person to mow lawns in Wollar. BM – Would be advisable to advertise locally either in the Wollar Village Voice or Wollar Service Centre for lawn mowing opportunities. 6. KD – Strictest Confidential agreements are in place between both parties the mine and the vendor. BS – Two large properties have been purchase due to large buffer zone – KD – That is correct. 7. KD – Mine dust audit was done by DECCW & DII. The inspections identified that WCPL is operating outside the MOP which is a five year plan. WCPL mined an area not in accordance with the schedule that forms part of the MOP and now have incurred an infringement notice. WCPL have submitted to the MOP variation and paid the fine that is part of the infringement notice. 8. KD – The audit recommended that all out of pit waste dumps have seeding and vegetation established on them to minimise dust emission. 9. KD – Mine closed on Wednesday of 1st December 2010 due to floods and safety reasons for our employees. 10. KD – Next CCC meeting to be held at WCPL, suggests site inspection. 11. KD – Pit 1 has progressed to the south, Pit 5 to the north and developing to the south, Pit 2 north to the south, Pit 2 Box Cut, finalising land form in Pit 5 12. Rainfall graph has shown WCPL lose 500 hours over periods of four to five months. 13. Taggart have been appointed as the construction contractor for the plant expansion. Taggart have their construction zones., new offices have been erected. Early next year full construction and deliveries to commence the CHPP expansion. Transporting materials, trucks will be travelling mostly along The Golden Highway and Ulan Road. 14. No change to new machinery or current four fleets. 15. Noise Attenuation for 2011. End of first MacGen mining contract in 2011, MacGen has four mining periods. Thiess contract finishes their first five year mining period by end of 2011.
8	<p>Report – KB – Presentation of Dust, Noise and Water</p> <ol style="list-style-type: none"> 1. Presentation is available on the Peabody website - CCC Current update – 08 December 2010. 2. Rainfall figures for 2010 to date are above average, and 2010 is the wettest year that WCPL has experienced. 3. WCPL has around 2300 ML of water stored on site. WCPL is currently speaking to EPA regarding an emergency discharge licence to allow a controlled discharge of water into Wilpinjong and Cumbo Creeks. Monitoring of water quality at point of discharge. 4. SC – Water quality from discharge is an issues about salt rather than heavy metals. Cumbo Creek runs at up to 12000uS/cm but averages around, 2000uS/cms as for higher rainfall salts decrease due to dilution. 5. Dust, no issues due to higher rain falls in the last month. 6. High Vols are inaccessible due to wet conditions as vehicles are being bogged. 7. Three Dust Depositional Gauges measured levels outside project approval conditions. All three results influenced by other material collected in the dust gauge – bird droppings etc. Elevated dust levels not supported by nearby HiVol & TEOM data which

	<p>recorded compliant dust levels. Depositional Dust Gauges have a funnel at the top of a bottle and the funnel requires 120 degrees of clearance above it to remain compliant with the relevant Australian Standards.. We are unable to cover the funnel to deter birds, whilst remaining compliant with Australian Standards. Two years ago depositional gauges did record elevated dust levels, which were outside project approval conditions. These gauges were situated next to the Transgrid service road for the high voltage power line. The gauges were affected by the activities involved with the construction of the Transgrid road, the EPA were informed of these results..</p> <ol style="list-style-type: none"> 8. Attended Noise Monitoring – conducted 26th – 27th October 2010. Evening and night time monitoring. WCPL was audible during the monitoring and remained compliant with our consent. 9. Real Time Noise Monitoring – Currently monitoring at Slate Gully, Araluen Lane and Cumbo Valley at the edge of the Harkin property. 10. Rehabilitation – All rehabilitation occurring in Pit 1. Pit 1 Tailings Dam East is now capped but due to wet weather it's been a slow process. The tailings are made up of material with good structural component which dries quick and has allowed capping with blockly material. Work will soon commence on reshaping the land to meet final landform. 11. Ongoing monitoring in the tailings dam, peizometers which are placed 10 ten metres from the tailing dam to measure water flow and quality. 12. The tailings material is sandy in nature with little clay, allowing for good drainage. 13. Donations – Partnership with University of Wollongong, School of Medicine, Black Nugget Day at Mudgee Racecourse raised for Pioneer House, Gulgong Polocross and Bathurst Aboriginal Arts Festival. 14. Blasting - 153 blasts, 38 overburden shots - average hole depth 9 meters. 115 coal interburden shots – average hole depth 3 meters. We use three different products dependant on blasting methods.. WCPL blasting is lower compared to larger mines due to the lower strip ratio.
9	<p>General Business:</p> <ol style="list-style-type: none"> 1. KD – Community Forum – will be held first or second week of February will notify CCC and community members, presentation provided at the open forum. 2. JW – suggested a map showing land purchases and mine ownership. Would be useful for bush fire prone areas and knowing whose property we are entering. EM – suggested a general map for noise levels around buffer zone. 3. BM – Lawn Mowing Position to be advertised Wollar Village Voice and Wollar Service Centre. 4. KB – Wollar Village Voice – WCPL submitted an article for the November edition, but it didn't appear in the November edition. The article was resubmitted for the December edition. 5. BS – asked if Peabody has a policy on purchases. KD – There is no corporate policy on purchases we use the flowchart that RB has spoken earlier.
10	Next Meeting 7 th March, 6 th June, 5 th September and 7 th November 2011.
11	Meeting Closed: 6:15 Pm

Action Items List

Agreed Action Items/Outcome	Who	When
Publication of previous minutes to be placed on Peabody's web site, 27 September 2010.	LA	2 nd Week-Dec 2010
Map of land purchased over 2010 and possible noise contours.	KD	March 2011
Strategic Plan for Post Mined Land	KD	March 2011