

Minutes of the Wilpinjong Community Consultative Committee held at: WCPL Meeting Room - Monday 27 Sept 2010

Committee Members Present:

Bev Smiles (BS)  
Brian McDermott (BM)  
Bruce Hughes (BH)  
Esme Martens (EM)  
John Webb (JW) – Alternate  
Keith Downham (KD)  
Kim Peach (KP)  
Margaret MacDonald-Hill (MMH)  
Victoria Tapp (VT)

**Invited Guests**     *Kieren Bennetts (KB) – Peabody WCPL*  
                              *Jennifer Morgans (JM) – Peabody GM External Affairs*

**Scribe:**                *Linda Atkins (LA)*

**Absent:**                *Col Bailey (CB)*

**Apologies:**          *Linda Lewis (LL)*  
                              *Andy Rooke (AR),*  
                              *Shaun Cleary (SC) – Annual Long Service Leave*

**Meeting:**             *4.00 PM Commenced:*

**Chair:**                *MMH*

1	<b>Welcome:</b> Margaret MacDonald-Hill welcomed everyone to the meeting.
2	<b>Declarations of Interest</b> <ol style="list-style-type: none"><li>1. MMH – Independent chairperson approved by DoP, Member of the Mine Subsidence Board and Ministers Arbitration Panel;</li><li>2. BM – Declared he is a casual contractor for Wilpinjong Coal Pty Ltd;</li><li>3. BS – Declared to be a member of Mine Watch and Mudgee District Environment Group &amp; EPA Board Member for Nature Conservation Councilor Representative;</li><li>4. JW – Mid Western Regional Council Committee Member</li><li>5. EM – Mid Western Joint Regional Planning Committee</li></ol>
3	<b>Confirmation of Previous Minutes:</b> <ol style="list-style-type: none"><li>1. The previous minutes 28 June 2010 were confirmed as true and correct record, moved by BH and BS 2<sup>nd</sup> the motion.</li><li>2. BS – Page 2, Pt 20–Should be accuracy of the model. Last sentence, 1 to 2 dBA accuracy and relationship to property acquisition criteria.</li><li>3. BS – Page 2, Pt 23 – 1 to 2 dBA seems quite high, should be in relation to the noise monitoring program.</li><li>4. BS – Page 3, Pt 17 – 2<sup>nd</sup> sentence, Should be Ulan Coal, CCC gets informed and advised of the dates of the public exhibition; we didn't receive any information about the modification or its public exhibition.</li><li>5. BH – Page 3, Pt 39 – MMH gave response to distributing the minutes, Should be Veronica Rheinberger gave a copy of response to BH.</li></ol>
4	<b>Business Arising:</b> <ol style="list-style-type: none"><li>1. JW – Gulgong Hospital closed its doors a month ago and a multi purpose medical centre is to take its place. We would like to have the three mines to express that a new hospital be built. Many employees who work at the mines reside at Gulgong. There is a need for a hospital closer to the mines. Would be great if the mines could give more influence into the new hospital.</li><li>2. JM – Spoke to Carmel Tebbett, in regards to Gulgong Hospital. Ulan and Wilpinjong Coal had discussions and the outcome to be reviewed in a month.</li><li>3. KD –WCPL have supported the Gulgong Ambulance Service in the past. If there is an emergency, we would review how serious the incident is, if we had to transport the patient by ambulance or by car the patient would be taken to Mudgee Hospital, if the patient is more seriously injured we would advise a helicopter to transport the patient direct to Westmead Hospital.</li><li>4. EM - Page 5, Conditions of Modification of \$600K,</li><li>5. KD – The road between Moolarben and Wilpinjong Coal, the 3 kilometre stretch will be upgraded. WCPL waiting upon a finalisation of the Voluntary Planning Agreement with the MWRC, once signed, work can begin.</li></ol>

	<ol style="list-style-type: none"> <li>6. BS – Complaints which is an ongoing concern to the CCC. 5th Aug 2010 advertised in the WVV, comments were made, wish to raise with the upcoming agenda, how the committee gets the information and how it functions as a committee. Where does the information come from to be submitted to the WVV, when mining will be commencing in certain areas.</li> <li>7. MMH – Letters from the community if they are addressed to the CCC should be presented at the next CCC meeting, depending on when they are received, acknowledged and the nature of the letter. The role of CCC is not to usurp the complaints process as this needs to go through the proper channels. Difficulty can be when correspondence is received between meetings. Letters need to be acknowledged in a timely manner. Most responses have been read out or copied to the committee and presented as part of correspondence log at every meeting. Happy to provide copies to CCC members</li> <li>8. KD – Complaints should be forwarded to the mine, or raised with the DECCW. On the 5<sup>th</sup> Aug 2010 for the blast in Pit 2, we received two complaints directly to the mine via the complaints hotline and two complaints via DECCW. We responded to the two complaints made directly to the mine and formally responded to DECCW, after investigation. DECCW registers each complaint made to their environment line and forwards onto the mine the nature of each complaint received, WCPL investigates and responds to each complaint, which is a condition of consent.</li> <li>9. MMH – provided article for Wollar Village Voice. Asked BH WPA's thoughts on slab hut. BH said there are no objections. Noted there will be a Community Forum prior to end of 2010. Spoke to David Kitto, who will attend a future CCC meeting. Followed up with him on a regional monitoring system, response is DoP looking at how it can be set up in consultation with other agencies. All mines have modifications at present, so it is not that simple.</li> </ol>
5	<p><b>Correspondence Out:</b></p> <ol style="list-style-type: none"> <li>1. 5<sup>th</sup> July – MMH – Article for the Wollar Village Voice</li> <li>2. 6<sup>th</sup> July – MMH - Submission on 75W sent to DoP on behalf of some members of CCC following their approval. Copy sent out to all members with 28<sup>th</sup> June minutes</li> <li>3. 16<sup>th</sup> Aug – MMH – forward Email complaint to KD from KP</li> </ol> <p><b>Correspondence In:</b></p> <ol style="list-style-type: none"> <li>1. 30<sup>th</sup> June copy of 75W modification received from KD</li> <li>2. 28<sup>th</sup> July letter from KD on Peabody approval for expansion of mine</li> <li>3. 12<sup>th</sup> August – Email Blast complaint received from KP on behalf of community</li> </ol>
6	<p><b>Report – AR</b></p> <ol style="list-style-type: none"> <li>1. NIL</li> </ol>
7	<p><b>Report – KD</b></p> <p>Shaun Cleary is now working part time for 8 months, he is taking long service leave</p> <ol style="list-style-type: none"> <li>1. A focus of the blast on 5<sup>th</sup> August 2010 was in preserving Aboriginal Art Sites at Castle Rock. There is a significant rock art site. WCPL have blast criteria outlined in the Blast Management Plan, which defines vibration limits for the rock art site. The blast was fired and monitoring on the boundary of Jim Smith's property, an overpressure level of 125.4dBL was measured there. Wilpinjong is unable to monitor at Jim Smith's dwelling as he has not granted us access. An investigation was performed finding that meteorological conditions reinforced the effects of this blast at this location, to the East of the mine and towards Wollar. WCPL have put in place additional controls with blast designs and check lists, WCPL have reported this blast and new controls to DECCW and complainants were informed by written response.</li> <li>2. Rental properties are advertised to the Thiess and Peabody employees, if there are no responses we advertise to the wider community. WCPL uses Ray White Real Estate at Gulgong, who manage all the rental properties on behalf of WCPL.</li> <li>3. WCPL is expanding the land buffer zone; If the landowners approach WCPL we then negotiate. With the recently approved section 75W Modification, we are interested in properties around the North end of Slate Gully and Western end of Araluen and Mogo Roads..</li> <li>4. WCPL have an Agreed Valuation Process, we get a registered valuer to do valuation on property of interest. This is presented to the owner If there is no agreement on the valuation done by our registered valuer, the landowner is able to get their valuer of choice at WCPL's cost. The two valuers then agree on the valuation. After the valuation is agreed we then negotiate around the valuations that are presented.</li> <li>5. BS – Has the community been notified in writing of WCPL intent to purchase properties in these areas, KD – No written proposals of land purchasing, WCPL is holding a community forum to notify the areas of intent to purchase. BS - If the landowners receive something in writing, landowners can refer back to what was said, landowners are upset, misunderstand and forget what was said, there is an high level of stress.</li> <li>6. KD – Landowners aren't obligated to sell to WCPL..</li> <li>7. BS – What about the Fair and Unjust Compensation, if the intent is put in writing would they have an option to seek compensation? If they don't agree with the valuation that Webb Bros have provided, then they get their own and not sure who pays for the valuation or is it within the negotiation or legal costs.</li> <li>8. JM – Peabody have a responsive attitude to acquisitions, they are mindful and have a solid representation if there were a</li> </ol>

	<p>independent third party valuer, we are transparent on how Peabody purchases land, that's how Peabody operates nationally and internationally.</p> <ol style="list-style-type: none"> <li>9. BS – The process and what happened at Cumbo Valley was unacceptable and torturous and it will continue on at Araluen, it's not their life choices to move away because of the mine and to replace what they have and lifestyle at another property.</li> <li>10. BM – A suggestion is to write a letter and deliver to landowners to what is happening around the village.</li> <li>11. JM - It is up to the individual landowners final choice if they wish to sell.</li> <li>12. MMH – will look up the Industry and Investment website to see what the process is to notify the landowners of intent to purchase.</li> <li>13. BS - The community is being torn apart, long term friendships and relationships are dissolved.</li> <li>14. KD – The valuer values the property at pre-mining then the general market value to date.</li> <li>15. JW – What is the process after mining in approximately 25 to 30 years, KD – We are discussing after mining with Minnamurra Pastoral Company about land approvals.</li> <li>16. JM – Speaking with DoP, Minerals Council about post mining, i.e. grazing or pastoral, social functions how to rebuild the villages and communities. There are a lot of discussions around post mining.</li> <li>17. Peabody own most of Cumbo Valley, these are small holdings, we work around and manage the best outcome for land improvements and rehabilitate back to the original status.</li> <li>18. JM – A good example of Peabody Farmersburg Mine (USA) its rehabilitated and worked with all the landowners and they have 10 to 15% increase in yield, they all got together post mining and decided what the best outcome and re-sculptured and decided what would be their requirements to get better yields from their crop.</li> <li>19. KD – WCPL has large landholdings around 8,000 hectares, and wishes to maintain or grow the value of this land. WCPL recognises that there will be value in the land after life of mine. A process will be developed for the mine to engage the community and other stakeholders around how land reclamation is done and what the future land use should be.</li> <li>20. KD – Bush Fire Brigade at Wollar is diminishing; the three mines are putting a management plan together.</li> <li>21. KD – DoP have advertised in the Mudgee Guardian the 75W Modification Approval. The approval is in line with previous presentation to this committee and the community forum, increases of 10.5MLt per year and up to 12MLt per year. Key parts are the extensions are of the Coal Handling Preparation Plant (CHPP), new dump hopper for raw coal and extension to the existing stock pile area.</li> <li>22. First part of the construction is the new ROM Dump Station going down to the second coal valve used to transfer coal up to the CHPP. Also the size of CHPP will be increased which will take 800T per hour to 1200T per hour. There will be a new conveyor for the stock pile then to the conveyor and onto the train load out.</li> <li>23. Its about \$80M of construction which will be carried out by Taggart who are the main contractor, they will use sub-contractors, some of which will be sourced locally, Some contractors are ones that we already use on site, i.e. earthworks, electrical, etc, to commence in the next three weeks. Deliveries of steel work are within the summer months till April 2011.</li> <li>24. Transport Management Plan for the heavier steel works is currently being processed, there will be no deliveries at night, and most of the work will be done in daylight hours due to safety issues.</li> <li>25. 137 direct and indirect positions during construction, after completion there will be approximately 50 new members working full time. Staff currently at WCPL is 320.</li> <li>26. Adds \$179M annually direct and indirect regional output. An upgrade from Murragamba Bridge towards Moolarben Coal which is 3 klm of Ulan-Wollar Road between Moolarben and Wilpinjong Coal will be upgraded as part of the cost. Need to finalise paperwork with the council, as to when is the best time to upgrade. This is a one off upgrade.</li> <li>27. Wilpinjong Coal has a consent condition in association with the other coal mines to complete a Ulan Road Improvement Study. The aim of the study is to develop a strategy to upgrade and maintain Ulan Road.</li> <li>28. In approximately three years time a section of the Ulan-Wollar Road from the level crossing at Cumbo Creek to Slate Gully will be relocated to the Northern side of the railway line..</li> <li>29. Ulan-Wollar Road, this is part of the consent; we are providing \$50K worth of gravel for the upgrade, from the mine towards Wollar Village. The modification does not change the approved mining area or the mine life. The mining rate will initially increase, but decrease as we progress into the mine life. WCPL have an ongoing contract with Macquarie Generation to provide 7Mt per year, this is to keep power prices down in NSW.</li> <li>30. The approval of the modification does not change the peak number of trains per day, the average number of trains will increase, no changes of blasting in the consent. Lowest night time noise limits set at 35 dBA, dependant on monitor location. Average noise level will increase up to 31dBA. WCPL works within the criteria which set by DECCW.</li> </ol>
8	<p><b>Report – KB – Presentation of Dust, Noise and Water</b></p> <ol style="list-style-type: none"> <li>1. Monitoring report for the period March to end August 2010 data is available on the Peabody website.</li> <li>2. Rainfall has been above average, the mine has accumulated 1.8 GL of water, and in a process of digging a new dam.</li> <li>3. Placed a new TEOM – Real Time PM<sub>10</sub> Dust Monitor to the West of the mine. The monitor measures dust and provides data to WCPL every five minutes, existing one at Slate Gully. WCPL's meteorological station has moved from Pit 2 to inside the rail loop.</li> </ol>

	<p>The move was required as mining progressed in Pit 2 towards the station.</p> <ol style="list-style-type: none"> <li>4. Slate Gully TEOM monitors the same as newly installed TEOM, its location was determined during the EIS process.</li> <li>5. No dust issues over the past 3 months as reflected in our monitoring data.</li> <li>6. The government has recently done an audit on dust to test compliance against their various criteria; there were 3 auditors on the mine site for 2 days.</li> <li>7. High Volume Air Samplers. The sampler has filter papers in the intake; the sampler draws the air and dust in, it acts a lot like a large vacuum cleaner. The sampler runs for 24 hour period every 6 days. Filter papers are taken to the environmental laboratory in Mudgee for analysis. Our compliance levels for PM10 concentrations as measured by our HiVols are 50µg/m<sup>3</sup> averaged over a 24 hour period and 30 µg/m<sup>3</sup> averaged annually. The sampler is part of our Environmental Protection Licence requirements.</li> <li>8. Dust Depositional Gauges – monitored levels were below our approval criteria. They stand approximately 2.0 Mtrs tall, they are a bottle with a funnel that sits on top, dust deposits into the bottle. These monitors are more exposed to contamination eg bird droppings. We have installed bird rings around the gauges to remove this impact, with mixed results.</li> <li>9. Attended Noise Monitoring – from 15<sup>th</sup> to 17<sup>th</sup> June 2010, the monitoring has picked up audible noise such as engines, fan exhaust, reversing alarms, WCPL was compliant with consent conditions. WCPL sets safety limits up to 4 decibels below consent limits and will modify operations if we reach these limits., WCPL have experienced a lot of lost time because of noise management, upwards of 250 Hrs.</li> <li>10. In previous winter months, we have seen temperature inversion occur and influence noise. Consent conditions don't apply if temperature inversions or wind speeds over 3 metres per second occur. Wilpinjong manages noise without taking into consideration these influences. WCPL consent criteria are 35dBA at the lowest and we aim to work within this criteria and set our noise management levels 2 to 4 dBA below consent criteria.</li> <li>11. All of the monitoring present is within the limits as set in our consent criteria, which is approved by DECCW. Real time noise monitors are presently located in Slate Gully, Araluen Road and the Harkin property in Cumbo Valley. The move from Wollar to Cumbo Valley was by request from DECCW.</li> <li>12. Water sampling is still done at Wilpinjong and Cumbo Creeks, it occurs routinely and also when rain events over 20mm in a 24 hour occur.</li> </ol>
9	<p><b>General Business:</b></p> <ol style="list-style-type: none"> <li>1. BS – NSW Mineral Councils has invited CCC members and individual groups in the Hunter Valley to perform survey work, CCC has been approached for the Upper Hunter Mining Dialogue.</li> <li>2. JM – Peabody have been working together with NSW Minerals Council to combat Cumulative Impacts in Hunter Valley, now that Mudgee has three mines and one other pending, we should include other areas in the Hunter Valley with the survey. Each mine can nominate a CCC committee, groups and/or individuals. CCC can nominate themselves as a group or an individual for the survey. The finalization is on the 4<sup>th</sup> Oct 2010</li> <li>3. KD –Community Forum may commence around 2<sup>nd</sup> week in November 2010. Conditions of Consent will be placed at Wollar Service Centre, other news to be advertised in the Wollar Village Voice.</li> <li>4. JM – Mudgee Guardian have been invited to WCPL on the 28<sup>th</sup> September 2010.</li> <li>5. KD – There is coal resource in Slate Gully, WCPL have exploration licence but no licence to mine. We have not sought an approval to mine at this stage and have not been talking about mining the area in an underground manner.</li> <li>6. KD – Peabody is sponsoring the Black Nugget at the Mudgee Race Club on Saturday 2<sup>nd</sup> October 2010, to raise funds for two aged care facilities. 2009 Mudgee Race Club and Peabody Energy raised \$25K for Pioneer House Nursing at Mudgee.</li> <li>7. MMH – asked who knew of the Secret Garden at Pioneer House – This was presented as a finalist to NSW Minerals Council awards recently. She would send the information out with the minutes.</li> <li>8. MMH – Agenda item for next meeting is use of explosives. Reaffirmed if correspondence addressed to committee, it will come to the committee for discussion prior to response but should be acknowledged, complaints letters will be sent to the mines.</li> </ol>
10	<b>Next Meeting:</b> 6 <sup>th</sup> December 2010 - 4.00 pm – Mudgee Council Chambers
11	<b>Meeting Closed:</b> 6.14 PM

## Action Items List

Agreed Action Items/Outcome	Who	When
Publication of previous minutes to be placed on Peabody's web site, 28 June 2010.	LA	2 <sup>nd</sup> Week-Oct 2010
Presentation on Explosives usage per 12 months and what are the costs	KD/KB	6 <sup>th</sup> Dec 2010