



Austar Coal Mine Community Consultative Committee Meeting Minutes

Location: Boardroom, Austar Coal Mine Main Office

Time: 4:00pm

Date: 27 May 2010

Name	Representative
Hon Garry West (GW)	Independent Chair
David Holmes (DH)	Community Representative
Louise Dews (LD)	Community Representative
Peter Sturrock (PS)	Community Representative
Adrian Moodie (AM)	Austar Coal Mine
Gary Mulhearn (GM)	Austar Coal Mine
Councillor Jeff Maybury (JM)	Cessnock City Council Representative
Apologies	
Frank Fulham (FF)	Austar Coal Mine
Roger Lewis (RL) - resigned	Community Representative
Copy of minutes	
Councillor Alison Davey	Mayor of Cessnock City Council
Mr Joel Fitzgibbon MP	Federal Member for Hunter and Defence Minister
The Hon Kerry Hickey	State Member for Cessnock
Mr Colin Phillips	NSW Department of Planning
Ms Valerie Phillips	Librarian, Cessnock City Council

Item	Issue	Action	Date
1	Welcome		
	<p>GW welcomed the committee.</p> <p>GW informed the CCC that Roger Lewis resigned from the CCC today citing work commitments making it difficult to attend meetings. GW indicated that while it is disappointing, a new member had been appointed.</p> <p>GM indicated that formal appointment was received from Department of Planning (DoP) today for Alan Smith (AS) to join the CCC. AS is currently on holiday, but will be available for the next meeting.</p> <p>AS will be invited to an Austar project briefing and site tour of surface facilities prior to the next CCC meeting. The site tour will be made available to all CCC members.</p>		

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2	Declaration of Interests		
	JM declared he is a member of the Mines Subsidence Board.		
3	Confirmation of Previous Minutes		
	The minutes as prepared by Austar, were considered representative of the meeting by GW. DH & PS confirmed.		
4	Business Arising from Previous Minutes		
	<ul style="list-style-type: none"> • Investigation into possible causes of December 2009 dust levels. GM could not find reason for elevated levels due to wind direction or from notes on dust suppression devices at the CHPP. GM noted dust levels were less than our criteria. • Investigation into explosive activities from Singleton Army base to assist with complaint handling based on regular explosion enquiries. GM has contacts at Singleton Army Base to investigate explosion complaints. Several times this has correlated with complaints. LD suggested that it would be useful for Austar to be informed before range is being used. DH and PS noted explosive events on 24/5/10 which was aerial bombardment at Singleton Army Base. • Community commitments has been placed on the agenda, per previous meeting suggestion 		
5	Current Operations, Environmental Monitoring Update, Complaints		
	<p>UNDERGROUND</p> <ul style="list-style-type: none"> • Longwall A3 completed 31 March 2010. • Longwall move and rehand currently underway. LWA4 to commence July 2010. • Development operations progressing to plan. 200 Mains dyke (towards Stage 3 area) has been driven 		

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	<p>through. Additional geological information has been gained.</p> <p>KITCHENER SIS</p> <ul style="list-style-type: none"> • Shaft pilot hole (26") completed 14 April 2010 to approximately 465m depth using drill rig and four compressors. • Noise from the pilot hole operation generated community complaints and exceedance of noise management levels. DoP were notified and operations were modified as issues were identified. GM noted noise issues are dealt with in monitoring results part of meeting. • Shaft production dams completed and being filled by water tanker during May 2010. • Shaft rig (5.5m diameter) has been erected and is currently being commissioned. Production to commence by end of May 2010 • Reviewed photographs of shaft site. <p>REHABILITATION</p> <ul style="list-style-type: none"> • Rehabilitation of former open cut / refuse emplacement Area 12 commenced 12 May 2010. • Involved preparation works and rubbish removal prior to lime spreading on refuse surface • Import of capping material from West Pit overburden stockpile from the CHPP site. • Area will be sowed to pasture on completion of capping in accordance with MOP • Reviewed plans of area and photographs of Area 12. <p>LD queried source of topsoil. GM indicated that capping has some rock in it. There is onsite source of finer material and topsoil which will be place on top of capping. Topsoil has been</p>		

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	<p>stockpiled for many years and will likely have no organic value. Austar will apply amendments (lime, gypsum) and biosolids prior to seeding to attempt to make a functioning soil. Maintenance will then be done to promote viability of soil until it is stable.</p> <p>GM also noted there are 2 tree trial plots planted directly in the chitter some 10-15m tall growing healthily.</p> <p>MONITORING - SUBSIDENCE</p> <ul style="list-style-type: none"> • Longwall A3 completed 31 March 2010. • Subsidence minimal and less than or equal to predicted at completion of LWA3. Predicted was <300mm, measured was <200mm. • Chart of predicted subsidence countours and graphs of measured subsidence presented. <p>DH queried predicted levels being different from actual. AM indicated modelling is done on maximum predicted scenario and upper bound scenario. We are less than the predicted values. AM stated that actual subsidence data is input back into the subsidence models when doing updates.</p> <p>MONITORING – AIR QUALITY</p> <ul style="list-style-type: none"> • PM10 exceedance of 24 hour criteria (50ug/m3) at both monitoring locations (HVAS1 and HVAS2). No reason has been found. Monitoring in all of 2009 and other monitoring dates in 2010 have all been less than criteria. • Annual average PM10 is less than criteria at both locations. • All depositional dust gauge results were less than criteria. • Graphs of air quality monitoring were presented 		

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	<p>MONITORING – WATER QUALITY</p> <ul style="list-style-type: none"> • pH monitoring within Environment Protection Licence limits. • EC minor exceedance at water treatment plant discharge to Bellbird Creek (625uS/cm compared to criteria of 600uS/cm). Faulty EC probe identified during investigation. Probe has been replaced, and dual probes will be installed. DECCW notified of exceedance and actions. • pH and EC graphs were presented <p>MONITORING – NOISE CHPP/KIA</p> <ul style="list-style-type: none"> • Nil noise exceedances in Q1 for CHPP or KIA even though western wall of CHPP was still partially off. • Q2 monitoring for CHPP and KIA to be undertaken in June 2010. <p>MONITORING – NOISE SIS</p> <p>Recommended Standard Hours</p> <ul style="list-style-type: none"> • Less than noise management levels in November 2009 to May 2010. <p>Outside Recommended Standard Hours</p> <ul style="list-style-type: none"> • November 2009 - No night operations. • December 2009 - Less than noise management levels. • January 2010 - monitoring occurred on the first night that a compressor on the drill rig operated. Exceedance measured at K1 with LAeq 47 dB (management level is LAeq 35 dB). Noise at K2, and K3 less than LAeq 35 dB. <ul style="list-style-type: none"> – Night operations with that drill rig / compressor ceased. – That rig / compressor has finished its work during daytime hours. • February 2010 – Schramm Drill Rig commences. Day monitoring indicated LAeq 40 dB. No night 		

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	<p>operations authorised until temporary noise barrier (shipping containers) erected.</p> <ul style="list-style-type: none"> • February 2010 - Noise levels OK with shipping containers in place. Night operations authorised to recommence. • March 2010 – Complaint response monitoring records LAeq 40 dB during daytime at K1 and K2, complainant indicated a similar level occurred at night. <ul style="list-style-type: none"> – Operations restricted to certain wind conditions not towards receptors to East and South – wind to be monitored onsite by drillers. DoP notified of likely exceedance, and management strategy. – Noisiest compressor swapped for silenced unit. – Follow up monitoring indicated compliance – 24 hr complaint response monitoring offered to K2 resident at request of DoP • 8 April 2010 – Complaint response requested at 0430. Noise level at K2 LAeq 35 dB. A check at K1 showed an exceedance at LAeq 39 dB. <ul style="list-style-type: none"> – No wind noted on site. Cessnock Airport showed slight wind to south. Drillers asked to monitor Cessnock AP every 0.5 hr and on site for operational management. – Follow up daytime monitoring 9 April 2010 indicates compliance with night noise management levels. • 13 April 2010 – Complaint response monitoring requested at 0700. Monitoring indicates compliance. • 14 April 2010 - Complaint response 		

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	<p>monitoring requested at 0300. Monitoring indicates exceedance of noise management levels at K2 (LAeq 38 dB), K3 (LAeq 38 dB) and compliance at K1 (LAeq 34 dB).</p> <ul style="list-style-type: none"> - Operations instructed to cease until daytime. - CALM conditions were present on site and Cessnock AP. There had been no exceedances during CALM conditions till this time. - Schramm rig completed pilot hole on 14 April 2010 during daytime - DoP notified of exceedance from 8 and 14 April 2010. <ul style="list-style-type: none"> • Changes to the operation were implemented where routine or complaint based noise monitoring indicated potential or measured exceedance of construction noise management levels. • Changes to operations included <ul style="list-style-type: none"> - ceasing operations, - replacing noisier with quieter equipment, - erection of temporary noise barrier walls, and - implementation of an operational noise management strategy based on weather conditions. • In addition, regular liaison has been maintained with affected residents. • Night operations will recommence when shaft rig is commissioned end of May. Lower sound power equipment will be used compared to pilot hole. Monitoring to confirm noise levels. <p>MONITORING – VIBRATION</p> <ul style="list-style-type: none"> • Daytime 		

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	<ul style="list-style-type: none"> – One event greater than Preferable criteria (V4 15.9mm/sec and V5 9.8mm/sec). All less than maximum criteria. • Night <ul style="list-style-type: none"> – One event greater than Maximum criteria (V4 6.6mm/sec) and two events > Preferable criteria (V4 3.2 mm/sec, V5 3.0mm/sec). • All other times vibration was <2.8 mm/sec, and mainly less than 1 mm/s. • Vibration guidelines indicate criteria are non-mandatory, they do however provide guidance on levels which may generate annoyance. • Austar cannot control timing of vibration events (strata generated). • Graphs of vibration data were presented. <p>COMMUNITY COMPLAINTS</p> <p>Since last CCC meeting (1 Feb 2010 to 26 May 2010). 31 complaints received. 5 complainants.</p> <ul style="list-style-type: none"> • One related to vibration from underground operations. <ul style="list-style-type: none"> – Vibration at monitors at time of complaint (3 – 7 mm/sec) • 30 relate to noise from SIS <ul style="list-style-type: none"> – 19 from nearest residence to east of SIS (Direct and through DECCW Environment Line) – 8 from nearest residence to south of SIS – 1 from Kitchener residence – 2 from residences in plains south of Quorrobolong Creek – All complainants were informed of monitoring results, and noise management 		

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	<p>practices.</p> <ul style="list-style-type: none"> – Significant reduction in complaints upon completion of shaft pilot hole. – Recent complaints have been regarding noise from SIS startling horses, creating injury. No correlation has been established. <ul style="list-style-type: none"> • Nil complaints regarding CHPP 		
6	Austar Community Projects and Commitments		
	<p>Road and Rail</p> <ul style="list-style-type: none"> • Road intersection upgrades prior to construction of SIS buildings <ul style="list-style-type: none"> – Access intersection to SIS off Quorrobolong Rd (part complete for shaft construction access) – Wollombi Rd / West Ave intersection (designated right turn to West Ave) <p>GM noted that feasibility study into Pit Top at SIS was currently being completed. There is a possibility that the Pit Top will remain at Paxton, and the SIS will only involve a ventilation shaft and 2nd egress winder. This could mean that these components would not be constructed.</p> <ul style="list-style-type: none"> • Upgrade Vincent St level crossing (completed 2009) • Use best endeavours for 3 road/rail level crossing upgrades prior to construction of SIS buildings (SMR owned) <ul style="list-style-type: none"> – Cessnock Rd, Kearsley – Neath Road, Neath – Mitchell Avenue, Weston <p>GM noted that as the owner, it is up to SMR to decide timing of any upgrades to the level crossings. SMR have cited heritage issues.</p> <ul style="list-style-type: none"> • Road Maintenance Contributions 		

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	<p style="text-align: center;">– From the end of 2009, an appropriate annual contribution to be made to Cessnock City Council for road haulage routes for the Project. (“Project” refers to Stage 3 coal).</p> <p>GM indicated a letter had been sent to Council noting the timing of the road maintenance contributions coinciding with Stage 3 Coal transport.</p> <p>Community Commitments</p> <ul style="list-style-type: none"> • Provide support to Kitchener Public School through the provision of sporting equipment and contributions to school/community projects • Contribute to the ongoing maintenance of Poppet head Reserve, Kitchener <p>GM noted that these commitments have not been enacted, with majority of Stage 3 approval being triggered by secondary extraction in Stage 3 area, or construction of SIS buildings. GM has contact of Poppet Head Reserve property manager at Council.</p> <p>Austar will discuss with Council the nature of maintenance assistance measures, and consider how this can be formalised prior to this commitment being triggered.</p> <p>Austar to contact Kitchener Public School to discuss how support can be decided upon prior to this commitment being triggered.</p> <p>Aboriginal Archaeology Offset</p> <ul style="list-style-type: none"> • A \$100,000 contribution has been committed to by Austar to Aboriginal projects as an offset for potential impacts to an axe grinding groove. (Triggered when all necessary government approvals for the Project have been gained. i.e. Extraction Plan) <p>Sponsorships</p> <ul style="list-style-type: none"> • Donated all coal for Maitland Steamfest 		

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	<ul style="list-style-type: none"> • Cessnock City Council Adopt-A-Road Program – roadside litter collection along Middle Rd. • Ellalong Hotel woodchop event • The Oaks Golf and Country Club – Austar provided technical and professional support for automated watering system • Cessnock Goannas Rugby League Club – training strips supplied • Rotary Club of Cessnock – major golf sponsorship • Cessnock West Public School – airfares for dance troupe <p>DH queried Austar community projects vs requirements under development consent. AM indicated the projects put forward by Austar were in some instances included in the development consent, or the attached statement of commitments. GM indicated that even though they are in the consent, they are of community benefit, so are presented here.</p> <p>DH asked about the process for selecting sponsorships. GM indicated it is at the discretion of the General Manager. DH suggested that it could be advantageous from a community relations perspective to indicate which projects are being sponsored.</p> <p>JM indicated that the former CAPRAL used to promote its sponsorships, but found it worked better without the promotion.</p> <p>DH suggested that large community projects may be appropriate. PCYC in Cessnock was mentioned.</p> <p>LD queried that should Ellalong Lagoon area be made available for public space, that a contribution to that area would be worthy of consideration, as Austar is a close neighbour to that area.</p> <p>GM noted that Austar does do things for the community and is not sitting on it's hands. General agreement on this point.</p>	<p>Austar to discuss selection process for awarding sponsorships at next CCC meeting</p>	

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7	General Business		
	<p>Austar general business:</p> <ul style="list-style-type: none"> • Roger Lewis resigned from the CCC 27 May 2010 due to work commitments • Advertisement for new CCC member April 2010 <ul style="list-style-type: none"> – One application received (Alan Smith). DoP provided formal approval 24 May 2010. • DECCW are considering modification to the EPL to include noise impacts from SIS and other existing surface infrastructure. Austar awaiting correspondence. • Meeting and site tour undertaken with Cessnock City Council heritage consultant regarding rehabilitation works at Austar May 2010. • Duff property acquired by Austar on 30 April 2010. This property was subject to acquisition upon request in DA29/95. DoP have been notified. • Minor modification to Project Approval 08_0111 on 4 May 2010 which allows the landholder to enter into an agreement for property to go beyond 'Safe serviceable and repairable' without need for agreement in writing from MSB. Note: No properties are predicted to go beyond SSR in Stage 3 area. <p>Stage 2 Extension Project</p> <ul style="list-style-type: none"> • Modification application submitted to DoP in May 2010 for additional Stage 2 longwall panel LWA5a. • Intent is to modify the Stage 2 approval (DA29/95). • Notification and consultation with affected landholders (within 20mm incremental subsidence zone) has been undertaken. 	<p>GM to provide copy of modification to 08_0111 to CCC members</p>	

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	<ul style="list-style-type: none"> • Plan showing 20mm incremental subsidence contour was presented. <p>DH queried the need for the modification? AM responded that due to geological risk in Stage 3 panel LW A6, it is preferable to extract another short panel adjacent Stage 2 area of lower risk. LWA5a is the last viable panel in Stage 2 area, which would otherwise be sterilised if not taken after the last approved Stage 2 longwall panel (LWA5). With doubt over LWA6, it also allows time for development works to progress to the extent required prior to commencing LWA7.</p> <p>Pipeline to SIS</p> <ul style="list-style-type: none"> • Hunter Water have indicated they cannot supply water from Kitchener due to water pressure limitations, without costly upgrade to infrastructure. • Complying Development Application submitted to Council in May 2010 for a water supply/dewater pipeline from Kalingo to SIS via Austar property. • Ecology and Archaeological surveys to support application for temporary overland pipeline through Werakata SCA to be done late May 2010. Review of Environmental Factors to be submitted with application for temporary overland pipeline in SCA. • A permanent pipeline will require modification to the Stage 3 Approval. The temporary overland pipeline is intended to be used prior to modification application. • Plans of pipeline route were presented. <p>Landholder Agreements</p> <ul style="list-style-type: none"> • Meeting has been held with some Stage 3 landholders (DH/PS who are also on the CCC) prior to this CCC meeting regarding specific details of the Sharing the Benefits agreement. Discussions on details are 		

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	<p>progressing.</p> <p>DH and PS requested Austar to provide information on (a) Austar's legal opinion regarding landholders' existing rights under current legislation and (b) Austar's responses to various questions/comments DH and PS had forwarded prior to the meeting.</p> <ul style="list-style-type: none"> • Other Stage 3 landholders are seeking independent legal advice regarding the agreement. • All affected Stage 2 landholders have signed agreement prior to mining occurring beneath their property to date. 	Austar to provide feedback as requested	
8	Next Meeting		
	<p>Tentatively scheduled for 5 August 2010.</p> <p>Site tour for new CCC member and other interested CCC members to commence approx 2hr before formal meeting.</p>		
	Meeting closed 6:00pm		

Recorded: G Mulhearn 27/5/2010

Confirmed: To be confirmed at next meeting

Chairperson – Garry West

PS. Please note **CCC meeting has been rescheduled for 26 August 2010**, not 5 August 2010 as was tentatively scheduled during the CCC meeting.