

Community Consultative Committee

Meeting Held: 31 October 2019 from 2:00pm
Venue: Boggabri Golf Club

1.0 Welcome

DR welcomed everyone to the Joint CCC final meeting for 2019. Leanne Graham (LG) from the Namoi Region Air Quality Committee and Rebecca Scrivener (RS) from EPA will be presenting shortly.

2.0 Present and Apologies

Present: Colleen Fuller (CF) – Gunnedah Shire Council, Darren Swain (DS) – MCCM, Emma Bulkeley (EB) – MCCM, Hamish Russell (HR) – BCOPL, Jack Warnock (JW) – Maules Creek, John Hamson (JHa) – Tarrawonga Coal, Julie Heiler (JH) – Tarrawonga CCC, Libby Laird (LL) – Maules Creek, Lyndell Crowley (LC) – Maules Creek CCC, Mitchum Neave (MN) – Boggabri Coal CCC, Nigel Wood (NW) – MCCM, Peter Forbes (PF) – Boggabri Coal, Richard Gillham (RGi) – Boggabri Coal CCC, Robert Kneale (RK) – Narrabri Shire Council, Roselyn Druce (RD) – Boggabri Coal CCC, Sebastien Moreno (SB) – Tarrawonga Coal

Apologies: Andrew Johns (AJ) – Gunnedah Shire, Anthony Margetts (AM) – Boggabri Coal, Catherine Collyer (CC) – BTM CCCs, Cameron Staines - Narrabri Shire Council, David Paull (DP) – Maules Creek and Boggabri Coal CCCs, Geoff Eather (GE) – Boggabri Coal CCC, Rebecca Ryan - Tarrawonga CCC, Ross Wilson (RW) – MCCM, Simone Moodie (SMo) – Maules Creek CCC, Steve Eather (SE) – Maules Creek CCC, Tim McDermott (TM) – Boggabri Coal CCC

Independent Chair: David Ross (DR) **Independent Secretary:** Debbie Corlet (DC)

Guests: Leanne Graham (LG) from the Namoi Region Air Quality Committee and Rebecca Scrivener (RS) from the EPA

3.0 Declaration of Pecuniary or Non-Pecuniary Interests

MN – Has a daughter who works for WHC. JH, RD, & RGI - Have properties that have been acquired or fall into the 'Zone of Affectation' for acquisition. DR gets paid for chairing these meetings as does DC for typing the minutes.

4.0 Acceptance of Previous Minutes and Business Arising

November 2018 Joint CCC meeting – accepted by all.

5.0 Business Arising from Previous Minutes

DR had invited DPIE to attend but they are an apology. They, will be very happy to attend our May Joint CCC meeting.

DR – There was an Action on Nick from ARTC to report back on the number of trains passing through and to check if the newsletters could be submitted electronically. Nick has actually resigned as Environmental Manager and Leah Cooke formerly of DPIE has gone into Nick's position. Action – DR to follow up with Leah.

There was an Action on Dan Martin, Peter Forbes and Hamish Russell re identify sharing of water.

HR – The GAP: how we came about sharing water with Maules creek- it sits inside the BTM project approval that shares water between the two mines- Sharing water with Maules Creek. We received a request from Maules Creek and facilitated that water share as it sits inside our Project Approval for the 3 mines which is included in the BTM Water Management Strategy. When we went through the Mod 5- Daisymeade- 2500ML the gap we don't use is made in accordance with those provisions- this is what we will use- there was this much room- below the Management Plan extraction limit- in our borefield.

Modification 5 for the bore field – 7 megs a day. Annual 2,555 megalitres – the remainder is available to share.

LL – Does, WHC, Boggabri and Tarrawonga have PA consent condition in their PA? What are the Project Approval Condition Numbers for this please? For all the mines?

ACTION – answer to be provided as soon as possible.

JH – Do you share infrastructure?

HR – Yes, tank (ours) - their pump. We have finished the water sharing the 410ML this month (Zone 4) with WHC from Coobooindi. BCC has enough water, and the right to water for the mine.

JH – What happens if drought persists? If you impact other water uses would you scale back?

HR –May need to revise the WMP's – adjust mining to water availability.

JHa – All the mines have the same Condition Number. ACTION: HR to provide Condition Number.

JH – So the Gap is what is left?

HR – It's a limit in my Management Plan – Extraction of 2,555 megalitres. I use a buffer and what's in storage and decide from there.

JH – What happens if the drought continues and there is too much pumping out of Zone 4 – does that mean your pumping will reflect that concern?

HR – Our Management Plans have been revised previously – you need to incorporate these conditions. In terms of allocation – we have to have a licence for everything we extract.

6.0 Presentation by Rebecca Scrivener – EPA's approach to compliance and enforcement

RS explained that the EPA have about 170 licences to manage with 5 operational staff in North West Branch (3 regional operations staff and 2 senior staff plus Lindsay Fulloon). Branch undertakes licencing, monitoring, regulation, enforcement. We believe everyone shares the responsibility to protect the environment, culture to emphasis ethical conduct and evidence-based decisions.

Compliance and Enforcement consists of:

1. Establish compliance priorities.
2. Provide information and compliance assistance.
3. Use of economic incentives.
4. Compliance Monitoring.

Appropriate Regulatory Responses may include

- Advisory Letters and official cautions
- Pollution reduction programs and notices, directions and orders
- Penalty notices, enforceable undertakings and prosecutions

The EPA evaluates the significance of the non-compliance to determine the regulatory response. Under the Protection of the Environment Operations (POEO) Act 1997 –

1. The EPA regulates all activities that require an Environment Protection Licence (EPL) as defined in Section 1 of the POEO Act.
2. The EPA also regulates all activities carried out by public authorities (including Councils) which do not require an EPL.
3. Councils have responsibility for regulating activities that don't require an EPL

The risk-based licensing system applies to all EPLs issued in NSW, ensuring that site specific risks are assessed. It considers measures the licensee has implemented to manage environmental impacts and the sites' regulatory performance over the last **three years**.

An overall risk rating of I (Low), II (Moderate) or III (High) is assigned to each licence for the reporting period, requiring that the EPA inspect licensed premises on the following minimum frequencies:

Rating Level I - once every 3 years.

Rating Level II - once every year.

Rating Level III - twice every year.

The risk level is re-calculated each year after the licensee submits the annual return to the EPA. More information on risk based licensing is available at: www.epa.nsw.gov.au/licensing-and-regulation/licensing.

PF – Do any industries go straight into Rating Level III?

RS – Petro chemical would normally go straight into this Rating Level but not sure if that has changed. We generate the licence and within 3 months we have to physically go out and visit that site.

MN – Is there a jail term at all?

RS – For some offenses, yes there is a jail term, but it is more like to be financial. For Waste- there is a gaol term. One person in Melbourne has gone to jail.

LL – With the mining industry, what level do they start on?

RS – They don't automatically start on any level. Petro chemicals are recognised within the State as being a significant risk as are hazardous materials. Everything else starts on a blank canvas, so to speak.

7.0 Presentation by Leanne Graham – Namoi Region Air Quality

Overview

1. Introduction – air pollutants, sources, national health standards.
2. How good was air quality, January 2018 to September 2019 and also 1 to 26 October 2019?
3. When was air quality poor? Why and how do we know?
4. What is the quickest way to check air quality if you have health concerns?
5. How to find out more? Where is Namoi industry data?

LG discussed the health impacts associated with PM2.5 and PM10, which include heart and lung disease. These particles are invisible to the naked eye. Greatest risk is to the elderly, children and people with respiratory conditions.

LG introduced the NSW Air Quality Index and described the monitoring stations across the region. These include: Narrabri, Maules Creek, Wil-gai, Gunnedah, Breeza, Werris Creek and Tamworth. The vast majority of the time between January 2018 to September 2019 air quality at each station has been very good to fair (96 % of days); however, there have been some circumstances where air quality has been categorised as poor to hazardous.

Also discussed when and why air quality was poor. This was predominantly due to dust storms (regional and local), smoke, wood smoke. The extent of dust storms across the region was described as was the extensive frequency of these, recently.

The quickest way to check air quality within the Namoi is by going to:

www.environment.nsw.gov.au/aqms/aqitable.htm.

The community can check the Air Quality Monitoring results from your phone or a PC.

LL – In regard to the slide about diseases – what age?

LG – The younger the more susceptible.

LL – Kids are frightened and concerned that the climate is changing – what do we tell our children?

LG – I understand and share your concerns. We've got the measurements to show them that air quality is a concern. Most of this year – 96% of the days have been within the health standards. No particles are good for our health. There are dry and wet phases – climate change is affecting the duration of those changes.

RD – Where is the monitor at Maules Creek?

LG – Industry owned – (WHC)

DS – The one at the hall.

RD – You drive to Gunnedah as we are in a horseshoe valley and you look back and you can see the dust. It is hanging in our valley. We're breathing this in, every day. The data you have mentioned, is not reflecting what we are dealing with every day. What can you do about it?

LG – There are 30 rural monitors – we can show the dust and track that now. A lot is wind-blown dust.

MN – How far back does the history go for the dust storms. Situations like this – can they shut industry down if they are contributing.

RS – Yes, we can shut down sites and we have shut them down. So, we have the power to do this, if we believe necessary.

PF – We shut our mine down over the weekend as did the other mines.

8.0 Company Updates on Strategies

Boggabri Coal Update by Peter Forbes

1. Water availability at Boggabri is still comfortable at this stage and will be for the next few years because of the bore field.
2. Early learning facility has had Council approval. Hoping for construction to start later this year.
3. Industrial Action re Enterprise Agreement which is up for re-negotiation this year. Industrial year – offer we've put on the table which we think is fair and generous, but union want expanded arbitration. Planned industrial action. Still producing coal at lower levels.
4. Hamish did a short film with local indigenous group. Won an NSW Minerals Award. It's heading for SBS.

JH, PF and HR then discussed water availability at the minute and impacts on local land holders. PF noted that, from the modelling work that we've done, we have 18 months to 2 years of pumping – real data plus modelling plus experts plus we are very conservative with the pumping.

JH – How do you believe the recharge will be as normal?

HR – We believe we've secured for the next couple of years. That's the short-term view. Water regulators have looked as well.

JH – Located land holders would be affected? Have you made good?

HR – Draw down impacts haven't exceeded 2 metres.

JH – The shallow wells are dry now and so why a 2-metre drawdown? Haven't you put down a new well?

HR – We received feedback from the property – drawdown on the well – 30cm instead of doing in depth analysis and offered to redrill a bore.

RD – Bores have been recharged? Where is the modelling and the reasons why there was a recharge? Could you please find that out? Action – HR and PF to provide information on recharge modelling.

Tarrowonga Coal Update by John Hamson

JHn – water is tight, but it'll last for a while. Dust suppressant is working. Getting new trucks and excavators.

CF – Yes, the trucks were on the road yesterday and they should be congratulated for showing respect to drivers.

Maules Creek Update by Darren Swain

Working on initiatives for water. Partnering with Boggabri Coal for 410 ML. Pumping water from Olivedene property to existing pipeline.

Trucking water to site from Brighton and Roma property. Bigger trucks coming in soon. Low volumes in total.

Dust suppressant on site and working well. Have had fires in the offsets – small areas. LRM our professional bushfire company are working on our behalf in that area at the moment.

RD – Olivedene pipeline – how long did that actually take? Did you get approval? For the TSR and when was it finalised?

DS – Took a number of months. Approvals are required for that. We drilled under the Road – TSR.

RD – Pipeline now from Brighton — what is the timeline for that pipeline to be put in? Do you have to put in a modification for that?

DS – Approvals from Narrabri Council. NRAR and approval from them.

RD – Licence from Crown Lands, and DA from Narrabri Shire Council under Section 138?

DS – Yes

MN – Water that's in the bottom of the hole – I'd like a scientist to come out and investigate what is at the bottom of the pits. What chemicals are in there. Minute particles of asbestos which gets in your lungs. The workers should be wearing masks. 'I'm no Scientist, I would like layman's terms to understand what is in the pit water. You are close to Barraba, a major asbestos mine and I am concerned about your workers – we had Black Lung years ago, we don't want the same thing in 20 or 30 years-time, all your workers should be wearing masks.'

DS – We would only provide clean water from our site – raw dam water for fire fighting if required.

EB – Those results would be in the Annual Review.

RD – Sediment in the dam on Back Creek – does that dam have treated water and then released back into Back Creek – what is the position?

EB – We couldn't treat that and put it back – even if treated. We don't discharge water from our site.

RS – They don't have a licence – if they discharge from their site and the water must match exactly the same as the creek. Authorised Section 120 – not to pollute the waters.

RD – So what happens when there is a big rain event, doesn't the sediment dam overflow back into Back Creek then, what's the difference? Where are the NRAR investigations up to?

DS – Still under investigation. It is a Department driven timeframe.

JH – Wasn't there a recommendation that there was an automatic monitor on them?

NW – We have people that actually go out.

JH – Thanked the three mines for their support with respect to the fires nearby.

9.0 General Business

Joint CCC members – are you comfortable with how these meetings are run or would you like to tweak something? It's been 3-years since we started, and we've had some great presentations from experts. An extensive conversation then followed with views shared.

DR – Action – 1 presentation only from now on. More time for discussions and Q&A to each of the mines about their operations.

LC – ACTION: DR to raise with DPIE the possibility of the Vickery CCC being part of the BTM.

RG – All the roads should be tarred. The condition of Boston Road and any road east of Boggabri.

DR then discussed the Environmental Trust, which has now resolved its future, thanks to RK and LF. BTM members were asked to start getting the word out again that the Environmental Trust is open for business for natural, social and built environmental improvement projects and within a 25 km radius of the forest precinct. Narrabri website has more details as we'd love to see more applications.

DR – Thanked Rebecca and Leanne.

9.0 Next Meeting – 14 May 2020.

Meeting closed at 4:40pm.

Appendix 1

Action List

Page No	Action No	Action to be completed	Action Owner
2	1	Follow up with ARTC re relevant actions from May 2019 meeting	David Ross
2	2	Provide condition number for water sharing	Peter Forbes
5	3	Raise with DPIE the possibility of the Vickery CCC being part of the BTM	David Ross
6	4	Bores that have been recharged. Provide information on the modelling and the reasons why there was a recharge	Hamish and Peter