

# **Community Consultative Committee (CCC) Pine Dale Coal Mine – Yarraboldy Extension**

**C/- Enhance Place Pty  
Limited**

*PO Box 202  
Wallerawang NSW 2845*

*Phone: (02) 6355 1761*

**Minutes of the Meeting of Members of the  
Pine Dale Coal Mine-Yarraboldy Extension  
Community Consultative Committee (CCC),  
Held at the Black and Gold Conference Centre,  
121 Main Street, Wallerawang NSW 2845  
On Tuesday 7<sup>th</sup> August, 2012 at 2.00pm**

Present: Mr Howard Fisher (Chairman)  
Mr Peter Barnes  
Miss Skye Ellacott  
Miss Jessica Heath  
Mr Hilton Goldfinch  
Mr Mark Frewin  
Mr Denis Frew

Apologies: Mrs Sharon Brown (Gundungurra Aboriginal Tribal Council)

The Chairman declared the meeting open. It was acknowledged that a notice of the meeting had been received by all members present.

## **1. Enhance Place Welcome and Report**

The Chairman invited Enhance Place representatives to address the meeting.

Mr Denis Frew formally introduced Mr Mark Frewin, Senior Commercial Manager of the TRUenergy Group of companies. He advised that CLP Australia Energy Holdings Pty Limited, a wholly owned subsidiary company of the TRUenergy Group, had acquired, on 1<sup>st</sup> June 2012, all the issued shares in Enhance Place Pty Limited. He emphasised that the entity remains as Enhance Place Pty Ltd and would continue as the owner and holder of the various mining titles.

Mr Frew then invited Mr Frewin to address the meeting.

Mr Mark Frewin briefed the meeting stating that TRUenergy was involved in the region primarily via a gentrader contract with Delta Electricity. Specifically he advised that as part of the contractual arrangements with Delta, TRUenergy was responsible for the sourcing of fuel for the two local power stations, and also the purchasing of the electricity produced by the stations for trading in the electricity market. The requirement to acquire coal was influential in the purchase of the Enhance Place Company with the intention of continuing to operate the Pine Dale Mine as a fuel supplier to the power plants.

The Chairman thanked Mr Frewin for his comments.

Mr Hilton Goldfinch advised that the management and daily operations of the mine site would remain the same and that TRUenergy had given an undertaking to uphold the project approval conditions.

Mr Fisher asked if TRUenergy would source all coal required for Mt Piper and Wallerawang power stations. Mr Frewin confirmed and advised that the requirement was part of the outcome of the privatisation process in which the gentrader contracts were constructed by the former New South Wales government. Mr Fisher then asked if TRUenergy owned any other coal mines. Mr Frewin advised that TRUenergy owns and operates Yallourn coal mine in Victoria, which is associated with the Yallourn power station. It is an open cut brown coal mine and has many similarities to Pine Dale.

The Chairman thanked Mr Frew for his past contributions to the committee, stating that his commitments were always forthcoming and appreciated. He expressed the hope that the same commitment will be shown in the future.

## **2. Minutes of the Previous Meeting**

The Chairman referenced the minutes of the previous meeting held on 19 January 2012 which had been distributed to all members of the committee and posted on the company's website. Following discussion and on the motion of Mr Peter Barnes, supported by Miss Skye Ellacott, the minutes were unanimously accepted as a true and accurate record of the meeting.

- **Business Arising**

Mr Barnes advised that he had spoken to Mr Frew regarding the required minimum number of community representatives stating that "*whilst the committee had voted on one representative, being the minimum, he noted that the actual guidelines, from the government, is two such representatives, as recommended in the business papers of the initial meeting of the committee members, so we have gone outside the guidelines*". Mr Barnes suggested that the Chairman allow the matter to be further considered at the next meeting.

The Chairman then asked “*Where are we actually up to with trying to source a replacement for Mrs Renson?*”

Mr Frew advised the committee that some canvassing of neighbours had taken place, in seeking to replace Mrs Renson as a community representative, however no-one had volunteered. It was noted that Mrs Renson did put forward a nominee, namely Mr Bob Taylor. Mr Taylor’s nomination, which was supported by Mr Peter Barnes, as being an appropriate replacement and endorsed by two local residents, namely Mr Chris Brackenrig and Mr Graeme Jenkins, was submitted to the NSW Department of Planning on 20<sup>th</sup> July 2012 and whilst Departmental officers were understanding of the company’s initiative, it was recommended that the company advertise the vacancy. Mr Frew further informed the meeting that following discussion with the Chairman and others an advertisement was placed in the public notice section of the Lithgow Mercury on Saturday 28<sup>th</sup> July 2012, but no response had been received to date.

It was noted that the advertisement allowed for consideration and submission up until 25<sup>th</sup> August 2012.

Following discussion the committee agreed that in the absence of other nominees on the closing date, the company would formally submit the nomination of Mr Robert Taylor as being the recommendation of the committee, and forward his acceptance together with correspondence from referees as contained in the business papers.

Further it was agreed that in the presence of other nominations being received, that details of such applicants, would be forwarded to the current committee members, and considered in a telephone hook up, to be arranged by Enhance, rather than at a formal meeting, and resolve as to who would be recommend to government, albeit that government would be informed of all the nominations or applications.

The committee was in agreeance with this process.

There being no further matters arising from the minutes of the previous meeting the Chairman signed the minutes as a true and correct record.

### **3. Ground Water, Depositional Dust, HVAS and Meteorological Monitoring Report**

The environmental report as included in the business papers, for the month of May 2012, as compiled by RCA’s Ms Karen Tripp, detailing groundwater, depositional dust and meteorological monitoring, highlighted that there have been no exceedances and all aspects of the project approval conditions and environmental protection licence, being licence number 4911, had been complied with.

Mr Barnes then queried Mr Goldfinch’s statement relating to compliance asking specifically about the reporting of blast monitoring including air blast pressure and vibration monitoring. He then questioned as to whether Enhance Place had been carrying

out vibration tests. Mr Goldfinch reassured Mr Barnes that every blast was monitored in accordance with the parameters defined by the appropriate authorities for air blast pressure and vibration. Mr Barnes then stated that he had never seen a vibration monitoring report and stipulated that vibration was a real problem for some of the residents. He also advised of his understanding that if there was a problem on the mine site with a blast, the residents only have 72 hours to notify their insurance company to have anything done about it. Mr Barnes expressed his disappointment that management had not included any monitoring reports relating to vibration, in the business papers for the committee members. Following discussion Mr Goldfinch was invited to include the latest available report in the business papers of future meetings. Mr Goldfinch agreed and undertook to post the most recent, and future, vibration results on the company's website.

Mr Barnes then noted that most of the complaints as recorded in the business papers were related to blasts. *Mrs June Weekes on 27th June had complained about the blast as had others.* Mr Barnes then added "if you had a vibration report you should have handed it to them and you could have said, quite simply, here is a vibration report".

Mr Frew in response, advised that all neighbours who had introduced comments and or complaints by way of correspondence had in fact been afforded discussions with management, and noted that this approach was exactly along the lines previously recommended by Mr Barnes and pleasingly, in all instances, management were able to advise compliance. Mr Goldfinch then confirmed that in response to complaints received by management, albeit on some occasions via the company's enquiry line, responses had been made to the complainant and specifically the levels of vibration or overpressure, that being noise, had been supplied to the individuals seeking same.

Mr Frew thanked Mr Barnes for the suggestion that reports, addressing vibration, be made available to future meetings of the consultative committee.

Miss Ellacott then suggested that the environmental report should have a summary page simply stating that it is in compliance or otherwise. She then stated that whilst the air quality and dust reports include such a statement, the water reporting was difficult to understand and that a summary page would be beneficial. Mr Barnes then informed Miss Ellacott that the suggestion of a one page summary was made many years ago. Mr Frew acknowledged that this suggestion had been made and that the consultant was then requested to provide same, and were of the view that the report, that is in the business papers, and which is supplied to Council on a monthly basis, is indeed only a pracie of the full report supplied to management and therefore satisfied the request.

Mr Goldfinch was requested to seek the provision of a more precise summary from the consultants, addressing the issues discussed.

#### 4. Correspondence

- It was noted that no correspondence had been directly received by any committee member.
- Mrs Rensons Resignation – previously discussed.
- Various residents

The Chairman then asked how Enhance had dealt with the complaints received, as included in the business papers, regarding noise, dust, etc. Mr Goldfinch advised that any comments or complaints made in relation to Stage 2 development, had previously been agreed as not being the subject of discussion by the CCC members, however emphasized that all such complaints and comments were being noted for future consideration if and when Stage 2 is granted the status of a project approval by the NSW Government. However he restated, with reference to the consultant's report included in the business papers, that the company had been compliant in all environmental and operational matters and all the complaints had been advised of same.

Mr Frew advised, in response to a question of the Chairman that the company's policy had always been that if a complaint or enquiry is received, the complainant is invited to the office or invited to speak with management to address their concerns. He emphasized that this committee has previously agreed that it is not its province to consider Stage 2 development matters however in relation to matters of concern to neighbours relating to the Pine Dale Mine, they have been and will continue to be afforded the opportunity of a discussion.

It was noted however that a call to the company's enquiry line by Mr Barnes, in relation to his observation of foam in Neubeck's creek, had wrongly been considered as an advice to management rather than a complaint.

The Chairman then specifically enquired as to the response by management to the correspondence of Ms Julie Favell. Mr Frew confirmed that management had corresponded with Ms Favell in the terms discussed at the last CCC meeting and that a copy of the response dated 25 January 2012 was included in the business papers. Following discussion it was resolved that the Secretary note that the company had corresponded with Ms Favell and had not received any further communication in relation to same.

- Mr Peter Barnes

The Chairman invited Mr Peter Barnes to address documents, which he had sought leave to table, regarding blasting problems in mines in Queensland and NSW with noxious gas. Specifically, Mr Barnes summarized a "Safety Alert" paper prepared by the Queensland government, advising what happens when there has been a "burn" and provided details of what needs to be done. Mr Frew informed the committee members

that following discussion with Mr Barnes concerning the referenced publications tabled he had copied, from the website, the 149 pages of the report and included them in the Secretary's copy of the business papers. He also confirmed that all reports introduced by Mr Barnes had been reviewed by management and referred to Mr Goldfinch for further consideration.

Mr Goldfinch stated that an independent expert in blasting, Mr Thomas Lewandowski of Enviro Strata Consulting carried out multiple sensor gas analysis on occasions during the blasts that have occurred on the Pine Dale site investigating the procedures and analysing the process that is deployed for blasting at the Pine Dale Mine site such being covered by the Blast Management protocols and blast management plan as displayed on the company's website for anyone's perusal. In short the analysis from the blasting is that with the correct selection of explosives used on site and the appropriate use, there is no exposure to the workers, or to the people about the area due to the methodology that is adopted on site.

The Chairman then recommended that the minutes reflect that committee member, Mr Peter Barnes had tabled a document from Queensland Government, being "Safety Alert" which addressed the prevention and management of blast fumes, and that Mr Barnes had requested that management, include the "Safety Alert" brochure in the business papers of the next meeting for further review by the committee.

Following discussion Mr Goldfinch undertook to provide advice of Enhance Place Pty Ltd's obligations with regard to duty of care, to the members, at the next committee meeting, together with a report detailing the policies and protocols implemented in blasting at Pine Dale noting that gas is a necessary and natural byproduct of any combustion.

- Correspondence to Sara Wilson, NSW Department of Planning

The meeting noted that this was previously considered in the discussion regarding the resignation of Mrs Renson.

## **5. General Business**

- Complaints Register

Mr Goldfinch advised the committee that the complaints register which was included in the business papers, is kept up to date on a monthly basis and can be referenced on the company's website. All complainants had received a response from the company.

The Chairman then asked if the complainants were happy with the responses received. Mr Goldfinch stated that the complainant's are given an opportunity to seek any further clarification needed, or, if they want to have their home inspected raising a dilapidation

report to be done by an independent building inspector. Such offers made to date, have not been taken up.

The Chairman then raised the complaints regarding noise from Ms Favell and Mrs Vincent, asking if there had been any abnormal levels of noise.

Mr Goldfinch stated that in regard to the initial construction phase of the Yarraboldy development an amenity bund was established and as soon as comments were received about the noise from the machinery being utilized, the machinery was moved and a seven day unattended noise monitor was put in place and analysed by independent consultants RCA laboratories. Bunds were and have been substantial in the construction however advised that because further development is to the north (further away from residents), and the lower the operations go into the mine, the impact on amenity will reduce.

The Chairman then enquired if the noise monitoring results had been forwarded to the complainants, Mr Goldfinch stated that to his recollection the report had been on forwarded however he would review and advise the members at the next meeting.

Miss Ellacott then asked, accepting that all monitoring was within compliant levels, if there had been an increase in noise and dust, given that there was an increase in complaints. Mr Goldfinch stated that there had not been an increase in noise and dust, although Stage 1 (Yarraboldy) is closer to the residents than the previous mine site (Pine Dale) however stated that the mining activity was slowly moving away from the residents.

- **Next meeting**

The committee agreed that the next meeting would be held in January 2013.

Mr Frew recommended a telephone hookup in the presence of the need to consider applications that may be forthcoming regarding the replacement of Mrs Renson as the community representative, otherwise if no other nominations are received management would put forward to the Department of NSW Planning, Mr Taylor's nomination as having the support of the committee. It was resolved to accept the recommendation.

The Chairman then discussed with Miss Ellacott that he was of the view that he was Chair of the committee following the nomination of the Lithgow Council and as he was not contesting the next Local Government election he was unsure of his status going forward, as Chair, however he would discuss it with Enhance Place's new management and indicate to them that they might want to get another chairman to fulfill the role.

Mr Frew, however, advised the meeting that the company in nominating Mrs Sharon Brown of the Gundungurra Aboriginal Tribunal Council together with Mr Howard Fisher, Mr Peter Barnes, and Mrs Sabina Renson as community representatives they, out of courtesy, and not by way of obligation, advised the Lithgow Council of the nominations to the NSW Government Department of Planning and coincidentally had

invited Council to nominate a representative to the committee. Subsequently Miss Skye Ellacott was nominated as the representative of Council, which therefore confirmed that Mr Fisher, in being accepted by the NSW Government as a community representative, was therefore not a Council nominee.

- **Closure**

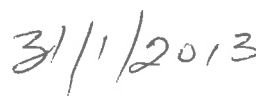
The Chairman thanked Mr Frew for his past contribution to and support of the committee and acknowledged his efforts as a management member of the committee.

There being no further business the meeting closed at 3.35 p.m.

Signed as a true and correct record.



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(Chairman)



.....  
(Date)