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**MINUTES OF THE ASHTON COAL PROJECT  
COMMUNITY CONSULTATIVE COMMITTEE  
TUESDAY 30 SEPTEMBER 2008  
1:00PM - ASHTON COAL PROJECT SITE OFFICE**

**ATTENDEES:**

Godfrey Adamthwaite	(GA)	Singleton Council (Chairman)
Sarah Roberts	(SR)	Singleton Council (Environmental Officer)
Greg Summerhayes	(GS)	Dept. of Primary Industries
Paul Ashford	(PA)	Community Representative
John McInerney	(JM)	Community Representative
Thelma DeJong	(TD)	Community Representative
Deidre Olofsson	(DO)	Community Representative
Peter Barton	(PB)	Company Rep (General Manager)
Lisa Richards	(LR)	Company Rep (Environment & Community Relations Mgr)
Adam Spargo	(AS)	Company Rep (Environmental Co-ordinator)
Alan Wells	(AW)	Wells Environmental Services (Observer)
Jonathan Berry	(JB)	Wells Environmental Services (Observer)
Sherry Russell		Minute Taker

**1. OPENING OF THE MEETING BY THE CHAIRPERSON**

The Chairman opened the meeting at 1.10pm.

The Chairman (GA) introduced himself to the meeting and provided a brief overview of his background. The Chairman stated his previous business dealings with Ashton as a photographer and asked CCC members if they had an issue with his appointment as chairman of the CCC. DO questioned the particulars of his work, GA replied that he had acted in a previous role as a photographer subcontracted to Ashton to undertake on-site photography, and declared he may conduct further work at Ashton in the future. Once GA stated the details of his services provided to Ashton, DO commented that she did not believe that this was a problem. All CCC members were in agreement that GA did not have a conflict of interest to Chair the CCC meeting. Each Committee member also provided a brief introduction.

LR introduced Alan Wells and Jonathan Berry and advised they are undertaking consultancy works on the SEOC project.

**2. APOLOGIES**

Brian Thomas from Singleton Council. Sarah Roberts was in attendance as Council's representative.

**3. DECLARATION OF PECUNIARY INTEREST BY COMMUNITY REPRESENTATIVES**

PA advised he was in negotiation with Ashton with regard to the purchase of his property.

#### 4. MINUTES FROM PREVIOUS MEETING

Minutes from the meeting held on 17 June 2008 were accepted as a true and accurate record:

**Moved:** John McInerney

**Seconded:** Paul Ashford

#### 5. BUSINESS ARISING FROM PREVIOUS MINUTES

AS updated the meeting with the outcomes of the meeting held with Council regarding the Section 94 contributions. It is believed that the \$30,000 will cover the cost of installing two signs. Council will re-quote the signs. Council has agreed to undertake the maintenance of the area surrounding the signs, but not maintain a garden. Council will conduct a site visit on the 14 October 2008 to identify a proposed location for the Camberwell village signs. PB suggested members of the CCC attend the site visit with Council to ensure the location is suitable and agreed on by Camberwell residents. JM, TD and PA to attend site visit with Council.

#### 6. REPORTS AND OVERVIEW OF ACTIVITIES

##### 6.1 ENVIRONMENTAL

LR provided the meeting with a presentation and overview of the site operations with regard to environmental issues. PM10 dust results at each site were discussed. Issues concerning Site 1 results were raised. DO pointed out exceedances of criteria in July and August and discussed their impacts on the community. DO also expressed she believed the exceedances were not acted upon by Ashton.

LR informed the meeting of the trigger levels and management strategies that were implemented on the days in question which were:

- 1 July, staged action, all 4 water carts in operation, operations relocated, shut down all operations for the afternoon as the 24hr levels increased. Ashton Contribution was 53µg/m<sup>3</sup> at one of the 4 community sites against a criteria of 50 µg/m<sup>3</sup>. All other gauges were within criteria; and
- 20 August staged action, all 4 water carts in operation, operations relocated. It was thought that the dust levels were in control to achieve criteria at this point. Ashton Contribution was 54µg/m<sup>3</sup> at one of the 4 community sites against a criteria of 50 µg/m<sup>3</sup>. All other gauges were within criteria.

LR explained how the 24-hour data trend and the 10 minute frequency is analysed. JM queried the wind speed trigger levels. LR advised him that at wind speeds of 10m/s, operations would cease, and at 8m/s a modification to operational changes would be based on the wind speed and wind direction data at the time. This was an error noted later in the meeting, at 10m/s no blasting will be undertaken and all operations are moved to lower levels of the open cut and at 8m/s a modification to operational changes would be based on the wind speed and wind direction data at the time.

PA enquired about the inversion factor affecting the dust. PB replied that inversion does not affect dust levels. LR advised that dust can be held down on to gauges and not blow off during an inversion.

Discussions took place regard the Site 2 dust results. PA questioned the results, LR highlighted the location of each of the dust monitors and explained the localisation of dust distribution within the village. It was also stated that the monitors were calibrated regularly. PA argued that calibrations completed on monitoring equipment may be incorrect as he has had a large amount of dust on his roof and in his tank.

Site 8 results were discussed and actions introduced to manage dust for the exceedance on 1 July. As GA was new to the CCC meeting, LR explained how the Ashton Contribution criteria works. DO disagreed with discussions that an exceedance did not occur in August. DO claimed that it still funnels through the village. PA confirmed that there have been two exceedances already for the 07-08 AEMR reporting year and questioned the rolling average for the last 12 months considering these current exceedances. LR explained the seasonal changes, particularly as the weather conditions at this time of year contributed to exceedances occurring. DO questioned what was going to be done about the exceedances that had occurred. LR confirmed that all exceedances and associated data reports are published in the AEMR, which goes to all relevant Government Agencies.

#### **WATER MONITORING**

LR advised the pH changes in Glennies Creek, the Hunter River and Bowmans Creek are mainly due to rainfalls. SR added that the Hunter River pH for the last three (3) months has been at an acceptable level.

#### **NOISE MONITORING**

For the full reporting year, there was one exceedance in November 2007 which was due to trucks and dozers.

#### **COMPLAINTS AND ENQUIRIES**

LR explained to GA the classification of complaints and enquiries process. LR went through the Complaints and Enquiries for the previous three (3) months.

Environmental operational changes log – the reoccurring issue of light relocation on the top of dumps which occurred on 17, 26 & 27 July was discussed. GA asked the CCC members if the lighting from the Open Cut causes major disturbances to residents. DO replied that lighting from Ashton is an issue for Camberwell, and that residents had contacted her on previous occasions to get Ashton's complaints line number as the lights were too bright. DO questioned if risk assessment criteria was in place for the position of lighting equipment.

LR described how the process for positioning the lighting plants worked and that the area of the pit the lights were set up on for that period was difficult for positioning considering impacts on the New England Highway and the Village. The details of the operational changes were from inspections undertaken by the Environmental Officer which is part of the onsite operational controls. They were not triggered by complaints.

JM highlighted the operational change of relocating trucks to a lower level made on 15 September in response to wind speed of 10m/s. JM and DO pointed out that there was an allocated wind speed that would require operations to be ceased, and had been informed that it was 10m/s. JM said he had discussed this with Mike Chapman. GS confirmed that Ashton's trigger levels, as previously discussed by LR, was that once wind speed of 10m/s was reached as set out in the MOP, it was a requirement to remove equipment working at top levels to lower areas. GS confirmed LR's response that wind speeds of 10m/s is not a requirement to shut down operations as previously thought by members of the CCC. DO and JM still believed that there was a shut down level detailed in an Ashton management document and that the existence or not of this trigger level should be confirmed.

DO queried how the noise reporting system is undertaken and asked if Ashton operate a real time noise unit. DO advised that Xstrata had visited her residence and provided information with regard to the noise complaint made by her to Ashton and Glendell. Xstrata had done this by directly downloading the information from the noise logger, located within her property, onto a laptop. DO advised that Xstrata confirm the noise was caused by three trucks operating at Ashton, and not their operations. DO advised she had called the ACOL hotline about the same noise issue and spoke with AS with regard to the noise complaint. AS advised that Ashton's Open Cut was not operating at the time.

PB, LR and AS disagreed with Xstrata's finding with respect to three trucks running at the time of the complaint (given it was prior to the Ashton start time of 7.00am). Ashton requested that DO provide specific information ie. dates and times, to allow Ashton to conduct an internal audit. It was agreed that DO will provide the specific details to Ashton to enable follow up and provide a response to the accusation.

JM also queried the status of the OGM trials and if they were continuing. LR advised they would be and explained that drawings are currently being completed by Pegasus to find a suitable stockpile location for the OGM. DO raised the issue of the odour of the OGM and LR replied that the areas being assessed as suitable for the stockpile are isolated which should remove any issues associated with the odour of the material. JM questioned the amount of trees that were to be planted as part of Ashton's rehabilitation process. JM enquired as to the rehabilitation program and whether or not there was a percentage of land that had to be rehabilitated back to forest or trees. LR discussed the planned rehabilitation and the establishment of tree corridors and why cover crop has been planted to manage Galenia. LR discussed the plan to return the mining area to woodland and pasture area suitable for grazing post-mining. LR advised there was not a percentage but it was based on the plans proposed in the EIS which were developed in-line with the Hunter Valley Synoptic plan and accepted in the issuing of the Development Consent. GS supported this explanation. GS discussed how an increase in mine rehabilitation of native tree systems was an outcome agreeable to stakeholders and could complement post-mining land uses. The review process for Ashton's rehabilitation plans is covered as part of the development application process.

GS also discussed issues arising from increasing the number of trees planted, eg. increased biodiversity and environmental offsets, need for fire control, and the fact that there had been a 100% increase in land rehabilitated to native vegetation systems planted by mine sites. GS also touched on the coverage of land shaping and land reform addressed in the next site MOP which has just been approved by the DPI (MOP 2007-2012).

The final output planned for the rehabilitation is a land form integrated for pastoral use and for biodiversity connectivity. GS addressed CCC members concerns of the land being unsustainable for agriculture once mining had ceased and informed meeting attendees that research completed has shown reclaimed mining land has the ability, in most instances, to support grazing more effectively than the pre mining lands.

## **6.1 OPERATIONS OVERVIEW**

### **SOUTH EAST OPEN CUT AREA**

LR provided an overview of the proposed SEOC project. The planned life of mine for the SEOC is 7 years.

GS explained that preparations for an Environmental Assessment (EA) (formally known as an Environmental Impact Statement (EIS) is currently underway.

The location of the proposed SEOC was shown on a plan. JM queried the final land form of the SEOC area and questioned what it would be used for post-mining. LR replied that the final landform will be designed through the consultation process for the EA (which had not yet been finalised). SR brought up the issue of the location of the alluvial flats being within close proximity of proposed mine boundaries. LR advised that these issues will be addressed as part of the assessment process and discussed the requirements of the SEOC environmental assessment.

PB discussed each stage of the approval process and advised the meeting of September 2009 as the target date for achieving development approval from the Department of Planning. Additional approvals prior to construction will then be required, pushing construction start back six (6) months after the approval process date.

During the consultation process "Open Days" will be held to allow "one on one" consultation with local residents and other agencies. JM queried the proposed location for the overburden. LR discussed planned dump areas. SR commented on the advantages of having an exclusion zone and bund wall along the highway similar to that planned for the SEOC. PB mentioned that a landscape architect would be consulted in the SEOC design phase.

GS mentioned ACOL participation in an application for an Australian Coal Association Research Program to be carried out on landscape design and its potential to improve current land form designs. The research is proposed to be completed over the next 12 months and ACOL is one of two participating coal mines in the Hunter Valley. JM queried if the commitment to the rehabilitation project would remain in place if ACOL was sold. GS confirmed his expectation that it would.

LR discussed the key environmental issues of the SEOC project and the future community vision of Camberwell.

PB discussed the aim of this presentation was to provide the CCC members with information on the SEOC proposal not to solve concerns raised. DO requested a hard copy of the SEOC presentation. PB requested that the CCC members not discuss the details of the SEOC presented in the CCC meeting with the Community until Ashton had a chance to commence the formal community consultation process.

It is aimed to have public advertisements published in the *Singleton Argus* and the *Sydney Morning Herald* newspapers week commencing 13 October 2008. If this could be the cut-off date for the CCC members discussing the information provided in the meeting it would be appreciated. Copies of the presentation would be provided to members of the CCC at that time and put on the ACOL website. All CCC members agreed with this request.

### **6.3 ACTION ITEMS FROM PREVIOUS MEETING**

#### **SECTION 94 – LIST OF PRIORITISED WORKS**

As detailed above in Section 4.

## **7. GENERAL BUSINESS**

GS provided feedback on the Annual Environmental review which has recently been undertaken. There are 3 main issues DPI are working with ACOL on at the moment:

1. drafting of subsidence management plan, four panel design;
2. Mining lease variation; and
3. drafting of the Mine Operations Plan (MOP).

MOP approved in around the middle of the year. Security review undertaken and bond increase ie. \$5.6m.

#### **General findings:**

1. actions from last inspection had been addressed;
2. DPI are pleased with rehabilitation works over the last 12 months they are up to MOP requirements;
3. OGM trial – asked for interim report on the OGM trial;
4. Weed control and establishment of native tree species is also pleasing; and
5. Action to be taken on the tailings dams with regard to Ravensworth Void including spontaneous combustion issues.

DO asked if the cleaning of roofs on houses in the village will be undertaken. LR advised that no roof cleaning has been scheduled, although tank cleaning is being undertaken. DO asked if any landowners wish to get filters for their tanks are they still available? LR advised that this is still the case – residents wishing wish to get filters can call the environmental section. LR advised that preliminary results on lead levels in the water in the Village has indicated there is no increased lead levels at Camberwell due to coal mining.



JM enquired as to the study that has to be undertaken by the Department of Planning regarding the cumulative dust impact report. DO advised that she had contacted the DoP with regard to the study – it is aimed the report will be completed within the next couple of months, although it may be delayed due to current Ministerial changes occurring within the NSW government.

#### 8. DATE FOR NEXT MEETING

Tuesday 2 December 2008

#### 9. SITE INSPECTION OF THE OPERATIONS

No inspection of the site was undertaken.

**MEETING CLOSED AT 3.31PM**

#### **ACTION ITEMS**

ITEM	RESPONSIBILITY
The SEOC Presentation will be uploaded onto the Ashton Website after the consultation process with all stakeholders has been undertaken. DO to be provided with a hard copy of the presentation.	LR / AS
Review of EIS and site Management Plans to determine the trigger levels for the shut down of all mining operations.	LR/AS Review undertaken by LR and AS no trigger levels found.  <i>Subsequent to the meeting - JM comment via phone that he could not find the levels in his documents at home which included the EIS. JM was then provided with a copy of the Air Quality Management Plan.</i>  <i>DO commented subsequent to the meeting that she was unable to find reference to the trigger levels for cessation of mining.</i>
Deidre to provide details on the noise complaint made ie. findings of Xstrata.	DO  <i>DO contacted AS on 1 October 08 and advised she was unable to identify the dates for the noise complaint referred to in the CCC meeting.</i>