

Meeting Minutes
Duralie Coal Community Consultative Committee Meeting
Wednesday 7 August 2019

Attendees:

Margaret MacDonald-Hill	CCC Chairperson	Michael Plain	Duralie Coal Pty Ltd
Brian Eastoe	CCC Member	Gavin May	Duralie Coal Pty Ltd
Rod Williams	CCC Member	Tom Kirkwood	Duralie Coal Pty Ltd
Noel Smith	CCC Member	John Cullen	Duralie Coal Pty Ltd
Ryan Fenning	MidCoast Council	Cr Karen Hutchinson	MidCoast Council

Guests:

Lyndie Hepple	MidCoast Council
Drew Morris	MidCoast Council Catchment Officer

1. Site Tour

A site tour was undertaken at the conclusion of the meeting. The site tour included the rehabilitation works completed in 2018 and the proposed rehabilitation area for 2019.

2. Welcome and Apologies

The Chair opened the meeting at 12:40pm.

Apologies: Alan Fisher-Webster, Paul De Szell (MCC).

3. Declaration of Pecuniary and Non-Pecuniary Interests

Ms MacDonald-Hill declared that she is the Independent Chair, approved by the Secretary of the Department of Planning & Environment.

The declarations of the Duralie CCC members remain current.

Mr Williams declared he is the Deputy Chair of Advance Gloucester (Item 6 correspondence Stratford East Dam Water Release).

4. Confirmation of Minutes of Previous Meeting

The Minutes of the Meeting held on Thursday 21st February 2019 were confirmed.

Moved: Rod Williams; Seconded: Brian Eastoe.

5. Business Arising from Previous Meeting

1. **New Action Item 1:** The May 2019 meeting will be postponed and the next meeting held in August 2019. The Chair to confirm with all Committee members changing to 6-monthly meetings.

The Chair confirmed meetings will now be scheduled every six months as agreed with by all Committee members.

2. **New Action Item 2:** The Chair to investigate options for biodiversity offset security mechanisms and provide for consideration by the CCC members.

The Chair advised the matter raised at the previous CCC meeting regarding biodiversity security mechanisms had been raised with DPIE. The Department advised the conditions of the Public Positive Covenant (PPC) mechanisms apply in perpetuity and are attached to the land titles. The Department indicated an additional security mechanism was not necessary. Accordingly, the Chair advised she did not invite the BCT to attend a CCC meeting as the current options post-date the Duralie Consent Conditions, which the Department has confirmed cannot be varied.

Mr Eastoe reiterated his previous statements regarding the use of the Biodiversity Conservation Trust agreements under the Biodiversity Conservation Act. Mr Eastoe suggested that a future owner/developer of the lands constrained by a PPC could apply to the courts to modify conservation restrictions that it believed would prevent the reasonable use of the land for “intensive livestock agriculture” or “open cut mining” under existing land use zoning. Mr Eastoe also noted that if Duralie was to enter a Voluntary Conservation Agreement under the BCT Act, future owners could apply for Trust Fund contributions to conservation initiatives like fencing and rate relief.

Mr Plain advised the conditions of the PPC and Restriction on the Use of land mechanisms preclude certain land uses and override those lands uses which may be permitted by the underlying zoning. Mr Plain advised details of the security mechanism conditions could be provided prior to the next CCC meeting.

New Action Item 1: SCPL to provide details of the conditions included in the PPC and Restriction on the Use of Land instruments.

3. **Annual Action Item:** MidCoast Council to provide an annual report each August on the spending of the Gloucester and Great Lakes components of the Duralie contributions made to Council.

Lyndie Hepple attended the August 2019 meeting. Mrs Hepple advised the Council’s annual report had been delayed due to changes to Council’s systems. Mrs Hepple advised the full report could be provided at the next meeting.

Mrs Hepple tabled a short report containing an update on the community enhancement component of the Duralie Coal Mine contributions to Council and the Duralie Community Enhancement Fund. Funding was approved for four projects and one project was still pending.

4. **Ongoing Action Item:** DCPL to include updates and progress on the potential final land use options and mine closure and rehabilitation plans in the quarterly reports to the CCC.

A slide on mine closure planning has been included in the CCC quarterly presentation. This information will be progressively updated each meeting.

5. **Ongoing Action Item:** The CCC's print media to be drafted following each CCC meeting and provided to the committee for comment prior to finalising and submission by DCPL.

A CCC print media was prepared and published. The topics discussed included the leasing of rural lands and the ceasing of mining at Duralie in late 2018.

6. Correspondence

Correspondence is listed in the CCC meeting agenda.

MidCoast Council Update - Karuah River Catchment Management Plan

Drew Morris (MidCoast Council) was invited to the meeting to provide an update on the Karuah Catchment projects. Mr Morris advised grants had been confirmed from Landcare Australia and partnering with Local Land Service. The grants will match the Duralie Coal funds for the Karuah River Catchment Management works to provide approximately \$600,000 for catchment projects. Further funding is also proposed from the Marine Estate Management Fund.

The Chair thanked Mr Morris on behalf of the Committee.

Stratford East Dam water release

The Chair advised correspondence had been received from Advance Gloucester requesting consideration by the Stratford CCC for controlled water releases from the Stratford East Dam. The correspondence advised Advance Gloucester would support the controlled release of waters contained in the Stratford East Dam for use by downstream landholders in the Avon catchment.

The Chair advised this was only for the information of the Duralie CCC and it had been discussed by the Stratford CCC.

7. Company Reports and Overview of Activities

DCPL presented the Company Reports and Overview of Activities.

1. Progress at the Mine: DCPL advised operations at the Duralie Mine had temporarily ceased at the end of 2018 and no further works had been undertaken during 2019.

The Committee discussed the ongoing rehabilitation works and the rehabilitation schedule.

2. Environment & community activities including monitoring and community programs: (*refer to CCC presentation available on website for further detail*). Items discussed by exception.
 - a. The Committee discussed the mine closure planning progress as detailed in the presentation. The Committee discussed community consultation and involvement in the mine closure planning process.

8. General Business

1. Mr Eastoe advised he had received a query from a community member regarding burning of the rehabilitation area. Mr Eastoe had received no further detail on the matter. Mr Plain suggested the query may relate to the self-heating materials on the PAF waste emplacement. Mr Plain explained that water vapour generated from the PAF waste emplacement can be visible especially on cool mornings. No burning has taken place.
2. Mr Williams asked if any employees were currently working at Duralie. Mr May advised operations had ceased at Duralie and no personnel were based at Duralie. My May advised a rehabilitation crew would be starting at Duralie in September and continue through to the end of 2019.
3. Internal Environmental Assurance Audit
DCPL provided information on the Internal Environmental Assurance Audit program implemented by Yancoal. Mr Plain provide a summary of the results from the audit undertaken in February 2019.
4. Duralie Coal Mine Nest Box Program
Mr Plain advised DCPL had recently received the NSW Minerals Council award for Environmental Excellence for the Duralie Coal Mine Nest Box Program. A short film on the project was played to the Committee. The Committee congratulated DCPL and suggested the Nest Box Program would be an ideal topic for the committee's media release.

No further business.

Next Meeting date: Proposed 12:30pm on Wednesday 5th February 2020 at the Duralie Mine Site.

Meeting closed at 2:31pm.

Summary of Action Items from this meeting

1. ***New Action Item 1:*** SCPL to provide details of the conditions included in the PPC and Restriction on the Use of Land instruments.
2. ***Annual Action Item:*** MidCoast Council to provide an annual report each August on the spending of the Gloucester and Great Lakes components of the Duralie contributions made to Council.
3. ***Ongoing Action Item:*** DCPL to include updates and progress on the potential final land use options and mine closure and rehabilitation plans in the quarterly reports to the CCC.
4. ***Ongoing Action Item:*** The CCC's print media to be drafted following each CCC meeting and provided to the committee for comment prior to finalising and submission by DCPL.