

**RIXS CREEK NORTH & RIXS CREEK SOUTH
COMMUNITY CONSULTATIVE COMMITTEE
EXTRA-ORDINARY MEETING**

MEETING: 13/06/2019

PRESENT: Independent Chairperson - Lisa Andrews (LA)
Community Representatives – Reg Eveleigh (RE), Michelle Higgins (MH), Patricia Bestic (PB) & Deidre Olofsson (DO)

Company Representatives – Geoff Moore (GM), Brendon Clements (BC), Chris Knight (CK), Chris Quinn (CQ) and Damien Butler (DB).

APOLOGIES: Councilor Sarah Lukeman (SL) and David Moran.

The meeting was formerly opened at 9:09am at Rixs Creek South Training Room.

• Welcome and Introductions

- The Chair opened the meeting, welcomed and thanked attendees for attending the extraordinary meeting, particularly at short notice.
- The Chair outlined why the extraordinary meeting had been called, including recapping on the previous CCC meeting. The Chair noted the determination on the Rix's Creek MOD10 had been made late in the afternoon of the previous day (Wednesday 12 June 2019).
- The Chair asked all attendees to sign the meeting attendance sheet.

• Apologies

- The Chair confirmed Councilor Sarah Lukeman was an apology for the meeting. In the supporting correspondence, Councilor Lukeman noted she had been briefed at Singleton Council and kept informed of relevant developments.

• Declarations

- The Chair advised that there were no changes to her previous declaration, approved Independent Chairperson, engaged by Bloomfield to chair this CCC. No changes to members' declarations.

• Business Arising from Previous Minutes

- The action items from the previous meeting were discussed and their status noted.

Item	Action	Responsibility
1	Provide complaints versus Complainants breakdown for future presentations. (October presentation)	CQ
2	Include explanatory notes on fume blasting ratings in future (October presentation)	CQ
3	Continuation information to be uploaded to Bloomfield website (When received)	DB
4	Link to Singleton Argus Article (Emailed 12/6/19)	CK
5	Liaise with CCC members regarding extraordinary meeting (Meeting Notice sent on 6/6/19)	LA

- DO advised of concerns regarding discussion and actions from the previous meeting. This was in relation to a complaints versus complainant breakdown, whereby it could be determined if complaints were coming from a single source without revealing the identity of the complainant.
- DO asked if complainants are told their name will be recorded and if they give permission for their complaint to be discussed at the CCC.
- CK gave an overview of the complaints process. DO asked if people can make anonymous complaints. CK advised that they can and that they do make anonymous complaints.
- DO asked if Bloomfield complies with the Privacy Act 1988. MH said that the CCC do not discuss who made individual complaints. MH spoke about her own experience with complaints which MH noted she had shared previously. MH advised that this breakdown of complaints versus complainants keeps being raised because it impacts how an issue is potentially managed.
- CK said he can deliver the complaints information as requested by the CCC. CK advised the CCC had asked for the changes.
- The Chair explained that other CCCs request these details so that they can understand where the issue is occurring. The Chair noted names and addresses are not disclosed in any other CCC meeting.
- CK brought up the Bloomfield website and showed a complaint register. He described how complaints are displayed in their anonymised form. The complaints CK referred to were for 2019.
- The Chair asked DO if that satisfied her concerns. DO reiterated that the Privacy Act was important. DO advised that she had called previously and did not receive any information about not having to disclose identity. CK confirmed that a complaint may be lodged anonymously.
- CK confirmed all complaints have an investigation and that the complainant is asked if they want a follow-up call.
- MH said that the display and categorisation was important and described how she became involved in the CCC. MH said it is an important process that shows the person that the mine is doing all it can to keep the negative impacts to a minimum. She said the complaints process was beneficial. PB said she agreed and that members need to remember the role on the CCC is to represent the community. PB said that she feels the mine is extremely open, but they still keep personal details private.
- The Chair asked if DO was satisfied. DO said that she was but that people need to be clear about what will and will not be recorded.
- MH asked if the complaints process should be described in more detail. CK noted the process is in the Environment Strategy and available on the website.
- MH recommended that complainants are advised of this when lodging complaints.

- **Correspondence**

- 22/5/19 - Email to members with the draft minutes from 8/5/19 for review.
- 30/5/19 - Email to members with the finalised minutes.
- 29/5/19 – Letter to RE with the minutes.
- 31/5/19 – Email to CCC members with the proposed extra-ordinary meeting date.
- Responses received back.
- Same information delivered to Reg Eveleigh.
- 6/6/19 – Email to CCC members with the Meeting Notice & Agenda for this meeting.
- 12/6/19 – Email to members with a reminder for this meeting & link for Action Item 4 from the previous meeting.

- **Contingency Plan/ MOD10 Update**

- CK thanked the CCC for attending at short notice. In doing so he noted that it was 3:44pm the day prior when Bloomfield became aware that a determination on Mod 10 had been made, but by that time it had already been decided to proceed with this meeting regardless.

- CK noted the MOD10 approval and spoke about what that means. He explained that it would be business as usual for the immediate future. All current aspects remain the same and that Rix's is mining in the same approved footprint.
 - CK advised that Bloomfield remains in the process of the larger extension project. He recommended another extraordinary meeting if the overall project is approved or if there are other major developments.
 - DO asked if the IPC determination can be challenged in court. GM remarked that he believed this was correct but that operations continued until a court decision was reached. The Chair mentioned her previous CCC experience where some approvals had been challenged.
 - RE advised he heard about the MOD10 approval on the radio.
 - DO asked about the Department of Planning and whether they require further information on the overall Continuation project. CK advised he believed they did not.
 - CK advised of the newsletter going to neighbours communicating the MOD10 decision and update on the Continuation project.
 - DO asked about 'Plan D', Bloomfield's contingency plan. DO asked if Rix's gained approval from one of the neighbours to proceed mining in Falbrook pit? GM responded that approval of the neighbor was not required. DO asked if Rix's will ever mine in Falbrook or if the decision means Rix's will now never mine there. CK advised Rix's can still mine in Falbrook and that will be determined as and when required in the future. DO stated that Rix's were required to obtain approval from a neighbor; this was stated to IPC. GM responded that this was incorrect. He spoke about Falbrook being currently in Care and Maintenance, however, there is current approval until 2035. CK advised that the MOP was submitted for the Contingency Plan. This MOP has an allowance to be retracted if MOD10 was approved. DO asked if the MOP had been approved? CK confirmed the MOP was withdrawn at about 4pm the previous day. He advised that this was done through a letter to the Resources Regulator.
 - CK referred to the map in the presentation to describe 'Plan D'.
 - CK then referred to the map in the presentation to discuss MOD10 and what was approved. GM gave an overview of the image.
 - DO asked what happens about if the Continuation Project is not approved. CK said a Plan D type scenario is possible, but that this will be assessed at the time. GM advised that we could submit another MOD and he reflected on why the MOD10 was submitted. He advised it was purely about allowing time for the determination. He said there was opportunity for another extension if the continuation is not approved in the timeframe of MOD10. CK said this was about the process and allowing the operation to continue. He said we could have applied for a five year extension but this was simply about allowing the process to determine the Continuation Project.
 - DO asked if the application was refused, would the company stop operations. CK confirmed that operations would cease whenever required to do so.
 - GM thanked everyone again for making themselves available for the extraordinary meeting.
 - PB said she heard on the radio a comment that the process had been going since 2013. PB said a lot of people don't realise this period of time has passed.
- **Q&A**
 - There were no additional questions on the MOD10 update.
 - **General Business**
 - DO queried where Bloomfield were up to regarding the 2,716 biodiversity requirements under consent orders from the Land and Environment Court. DO advised she had not heard anything about this.
 - GM confirmed the required credits were purchased through the biodiversity conservation fund. GM advised Bloomfield had also purchased some properties. He described the process with the Office of Environment and Heritage and the biodiversity conservation fund. He said that Bloomfield were not confident in the process so purchased the required credits. He noted the last application was made on the 4th of June and that Bloomfield was waiting on the credit certificate to be provided. DO asked what a credit was. GM described what he said was the very

complicated process and the calculator used. DO asked if the credit is land. GM said here are a number of ways of dealing with the credits and he spoke about these including three avenues. DO asked if we went through the fund. GM said that they are required to go that way. GM said it was a new process and the systems are not well established and that it takes an enormous amount of time. DO sought confirmation the credits had been purchased. GM confirmed that they had. GM encouraged DO to go to the Biodiversity Conservation Trust website for the process. MH asked for BCT added to the acronym list. CK volunteered to send out a link to the website.

- DO stated that the end date was 11 July and that the Bloomfield submission said it purchased land and but that it now say credits.
- DO asked if Singleton Council received the \$25,000 as part of the Enforceable Undertaking. GM confirmed it had, about 18 months ago, if not longer.
- DO asked if there is a confirmed case of black lung at Bloomfield. BC confirmed there was not a case of black lung; there is a person with a lung issue, but it is not black lung. BC explained (order 41) chest X-rays that are conducted at the mine sites. DO said this claim of Black Lung was in a submission to IPC. BC said he believed this to be untrue.
- DO asked about cumulative air quality, consent condition 1V(6) and if there is a Management Plan, as this was a non-compliance in 2017. CK queried if DO was referring to a cumulative protocol. CK confirmed this was in place. DO asked if the management plan is on the Bloomfield website. CK confirmed it is not on the site and that it was currently being updated. The Chair asked once the management plan was updated if CK can let the CCC know.
- CK advised that they held a meeting last month with surrounding mines, including Glendell and Ashton. Moving forward, they will be held quarterly.

Next Meeting

- The next meeting will take place on 16 October 2019 unless there is another extraordinary meeting. DO asked if we can change this to a Monday. CK advised Rix's could not do Monday due to clash of standing meetings. MH advised she would need to leave early on that day.
- The meeting was declared closed at 9:50am with the Chair thanking all for their attendance.

Action items

Item	Action	Responsibility
1	Send link to BCT website	CK
2	Advise CCC once updated management plan with cumulative protocol is added to the website	CK