



## WATERMARK COAL MINE COMMUNITY CONSULTATIVE COMMITTEE Meeting No 3

**Date:** Wednesday 13 February 2019  
**Time:** 10.00am  
**Location:** Shenhua Conference Room, Gunnedah

**Attendance:** Independent Chairperson  
Garry West

Council Representative  
Councillor Owen Hasler (Gunnedah Shire Council) - Alternate  
Councillor Andrew Hope (Liverpool Plains Shire Council)

Community Members  
Patricia Duddy  
Ron Fuller  
Mark Kesby (Environment Representative)

Shenhua Watermark Representatives  
Debbie Watson (Community Liaison Officer)  
Gerry McDonald (Human Resources Manager)  
John Trotter (Environment Manager)  
Zhao Liang

**Meeting Opened:** 10.00am

### 1. Opening of Meeting by the Chairperson

The Chair declared the meeting open and thanked everyone for their attendance. He advised of the following apologies.

### 2. Apologies

Councillor Murry O'Keefe  
Malcolm Heath  
Greg Griffiths (Indigenous Representative)  
Kevin Gong

### 3. Overview of CCC Guidelines

The Chair advised that there are new Community Consultative Committee Guidelines that have just been released. He will circulate to all members for information.

### 4. Declarations of Pecuniary or Other Interests

The Chair asked if there were any Pecuniary and Non-Pecuniary Interests to declare.

*None were declared.*

**5. Business Arising from Previous Minutes – 4 July 2019**

Nil

**6. Correspondence**

The Chair tabled a letter received from the Buritja Traditional Custodians Aboriginal Corporation Breeza (BTCACB) dated 28 August 2018 but received by the Chair on 23 October 2018.

The BCACB stated that:

- Shenhua must respond to two letters sent on 10 October 2016 and 20 February 2018.
- They were disappointed that the Company has not consulted with them in relation to cultural heritage.
- Shenhua accept an invitation to attend their next General Meeting to be held on 23 September 2018.
- All cultural work should be given to BTCACB.
- Shenhua recognise that BTCACB are the only traditional custodians with the right to make decisions about Aboriginal cultural heritage in and around Breeza.

G McDonald advised that the Company had responded to the 20 February 2018 correspondence that was received by mail on 5 March 2018. The letter invited Shenhua to a General Member's meeting but no date was advised. The Company responded to them on 12 March 2018 thanking them for their letter and that they were also very interested in developing a good relationship based on integrity, respect and working together. Shenhua advised that there were still outstanding issues to be addressed but were prepared to meet with BTCACB informally to explain the current status of the Project. No further correspondence from BTCACB was received.

G McDonald advised that a Draft Heritage Management Plan will be developed and consultation will take place with Indigenous Groups and OEH, with the final Plan being approved by DPE. The Company has no rights to choose a specific group and that two other groups have made the same request. There is a formal sequence for consultation and the CCC role will have to be determined.

The determination process of the Traditional Owners was questioned and J Trotter advised that the Company had employed a very experienced Archaeologist, Dr Mathew Whincop, who has been endorsed by the Department to prepare the Plan. He will convene a community meeting with registered parties and make a presentation on the Draft Plan. Written comments will be invited and feedback taken into account for further development of the Plan. P Duddy asked if the Minister would be attending the presentation. G McDonald advised that the Minister would not be attending.

Cr Hope asked if the parties that have indicated an interest were registered Land Councils making native title claims. G McDonald advised that this site is different as there are virtually no Crown Lands involved in the Licence Area. A final search will be completed prior to issuing of the Mining Lease.

P Duddy asked if any incentives had been offered to any groups. G McDonald responded that none had been made at this point and there has been an impartial approach to all enquiries. There has only been one person involved and that is Greg Griffiths through his membership on the CCC. He advised that G Griffiths was the only person that nominated for the indigenous position on the CCC.

G McDonald noted that it is more beneficial for these groups to come to a consensus otherwise if no determination can be resolved the plan is forwarded to the Government for approval. He stated that throughout the process heritage and culture issues will be well respected by the Company.

The Chair stated that we should allow the consultation process to occur in regard to the preparation of the Heritage Management Plan.

## 7. Shenhua Watermark Reports

G McDonald provided an update on the Project to the Committee:

### Land Management

- K Gong is currently on leave so unavailable to provide a report.
- Z Liang noted that he has spoken to Chris Donoghue at Tambar Springs and due to the drought there is not much work that can be done other than maintenance. Cattle numbers have been reduced and feral animal control has been undertaken.

### Quarterly Newsletter

A Company Quarterly Newsletter that contained most information was distributed by the Chair on 1 November 2018:

- **EL Renewal**  
Exploration Licence 7223 was renewed by Minister for Resources, Don Harwin MLC, on 13 July 2018. EI 7223 will now expire on 22 October 2021 unless otherwise renewed.
- **Stock Water Supply Pipeline**  
A licensee of a Shenhua property has approached Shenhua for approval to replace a previous water pipeline that supplies water to properties for stock. All required applications have been provided to Council and DPI, and heritage impacts will be assessed and managed. Shenhua has supported this request.
- **Koala Technical Working Group**  
A Koala Technical Working Group (KTWG) is a requirement of the Watermark Coal Mine Development Consent. The stated purpose of the KTWG is to provide advice on project-related koala management issues and the Koala Plan of Management (KPoM).

The composition of the KTWG is to the satisfaction of the Secretary of the Department of Planning and Environment. The KPoM must be prepared by suitably qualified, experienced koala experts whose appointment is approved by DPE in consultation with OEH, Gunnedah Shire Council and the KTWG. Minutes of the KTWG meetings will be available on the Company website.



The EIS data stated Koala numbers of 262 within the proposed mine area and recent research by the University of Sydney over the last four years has indicated that there are 215-260 Koalas in the area.

- **Biodiversity Offset Area 6 Dwelling Fire**  
Recently one of the Company's houses in Boori Road, Curlewis was burnt down in the early hours of the morning. The house was unoccupied at the time with tenants in the process of moving possessions. The cause of the house fire is currently being assessed by the insurer.
- **Environmental Management Plan**  
The preparation of Environmental Management Plans is progressing.
- **Development Consent Modification 1**  
Shenhua obtained a minor modification to the Development Consent (DC). This application is referred to as 'Modification 1'.

The application is looking to link dates within the DC to the commencement of construction. All date linked obligations currently contained within the DC will carry forward to the modified DC.

In addition, the modification is seeking to allow geotechnical drilling and topographical survey to occur outside the DC. Information from these activities will inform the detailed design for mining infrastructure, such as the rail loop and CHPP. The level of ground impact caused by these activities is very minor and any impact caused will be the subject of rehabilitation works. This Modification helps clarify pre-construction, construction and development.

The Modification was approved on 21 December 2018.

Prior to pre-construction the Modification requires two plans (one additional) to be submitted and approved to the satisfaction of the Secretary. The two plans are a Pre-Construction Works Management Plan and an Interim Koala Habitat Plan. Once the Interim Koala Habitat Plan is approved by the Secretary the Applicant must commence the planting of suitable Koala habitat species within 2 months.

P Duddy asked what is considered to be pre-construction. J Trotter advised that the definition of pre-construction from the Development Consent states,

*"Pre-construction works that may be required for the development, including surveys, acquisitions, fencing, investigative or geotechnical drilling or excavation, minor clearing, minor access roads, minor adjustments to services/utilities, works which allow isolation of the site so that access for construction can be provided (including service relocations)".*

G McDonald added that the geotechnical drilling is only located on Shenhua owned land where construction will occur and it avoids known environmental or heritage areas.

The Chair asked if a copy of the Development Consent Modification could be made available to CCC members. G McDonald advised that it is available on the Department website and also contains reasons for the approval.

Cr Hasler asked how often Compliance Officers inspected these requirements. J Trotter advised that their role is to ensure the Company complies. G McDonald stated that the Company must report on compliance but cannot guarantee inspections time frames. Non-compliance now has hefty penalties so it is in the best interest of the Company to comply.

P Duddy asked if any offers had been made to purchase offset land. J Trotter advised that Shenhua is still looking to obtain 30 hectares of suitable Grey Box Grassy Woodland. ZOA land has been investigated but still awaiting confirmation of the species of trees. No offers have been made.

Cr Hasler noted concerns in regard to biodiversity offsets as some mining areas have not returned them to their original use. It also an issue for Councils that contain mines as if offset areas are located outside their LGA as they are missing out on revenue from rates.

The Chair noted that there are anomalies between State and Federal Government requirements and J Trotter stated that the only way to address this issue is to change policy.

## 8. General Business

C Hope recently attended a presentation from the NSW Business Commissioner where information regarding planning zone changes to legislation was provided. He asked if further information could be obtained to assess if there will be any impacts on mining that may be of concern to the CCC.

## 9. Next Meeting

Wednesday, 8 May 2019 at 10.00am.

**Meeting Closed:** 11.25am

## Action Items

Item	Action	Requested by	By Whom	Due Date
1	That the new CCC Guidelines be forwarded to Watermark CCC members.	Chairperson	Chairperson	
2	The Buritja Traditional Custodians Aboriginal Corporation Breeza letter received by the Chair to be forwarded to Watermark CCC members for information.	Chairperson	Chairperson	
3	The response from Shenhua to the Buritja Traditional Custodians Aboriginal Corporation Breeza letter to be forwarded to Watermark CCC members for information.	Committee	Chairperson	
4	Further information to be obtained regarding the changes to planning zone legislation.	Cr A Hope	Chairperson	