



LDO Workplace:	Chain Valley Colliery		
Venue:	Mannering Colliery - Conference Room		
Date:	18 / 11 / 2014	Time:	12:05pm
Meeting Topic:	Community Consultative Committee		
Participants:	<p>Margaret MacDonald-Hill (MM) – Chair Ian Carr (IC) – Community Chris Ellis (CE) – LakeCoal Peter Campbell (PCA) – LakeCoal Ben Johnston (BJ) - LakeCoal Bob Corbett (BC) - LakeCoal Daniel Wallace (DW) – Lake Macquarie City Council Paul Maky (PM) – Community John Oakes (JO) – Community Bart Vanderzee (BV) - Community</p> <p>Apologies: Peter Cripps – Community, Tanya O’Brien – Wyong Shire Council, Andrew Whitbourne - Community</p>		

Agenda Items

No	Item	Action Whom	By When
1.	MM opened meeting at 12:05pm.	Note	
2.	MM declared interests (unchanged) associated with; appointment as Independent Chair of the committee, member of Mine Subsidence Board and member of the Ministers' Arbitration Panel.	Note	
3.	PM moved minutes from last meeting (10/06/14) and seconded by JO. CE to upload final minutes to website	CE	24/11/14
4.	CE detailed business arising from previous minutes (VPA) and gave an update on VPA progress.	Note	
5.	Note that copies of the draft agreements were distributed prior to CCC meeting. Andrew Whitbourne had provided comments on the draft	Note	

	agreements; these were distributed and discussed in detail.		
6.	<p>JO queried how much council would be taking out regarding administration costs for the VPA.</p> <p>CE advised that this question was asked of Council in LakeCoal's prior comments on the agreement, however no response was received so this remains undefined.</p> <p>LakeCoal to amend agreement to reflect no payment to Council for administrative and facilitative support and discuss with Council.</p> <p>Community members identified that one of the major concerns was being unable to see where the payments under the VPA will be allocated/spent.</p>	CE	Provide update at next CCC meeting
7.	<p>The members noted concerns with changed wording for the Advisory Committee Operating Rules and Terms of Reference, which would permit Council to amend the Operating Rules and Terms of Reference and/or dissolve the advisory committee.</p> <p>This was not seen as acceptable and both these actions should need PRIOR consent of LakeCoal or the Secretary of the Department of Planning and Environment (DP&E).</p> <p>LakeCoal to discuss with Council and amend condition to ensure prior consent from LakeCoal or the Secretary of DP&E is required.</p>	CE	Provide update at next CCC meeting
8.	<p>Committee members raised concern that Council may be able to expend funds received under the VPA on any projects, i.e. not those specifically recommended by the Advisory Committee.</p> <p>CE noted that the VPA requires that Council expend contributions in accordance with the Funding Deed and that the Deed requires that Council expend the contributions only in accordance with recommendations made by the Advisory Committee.</p> <p>DW discussed the purpose of internal and external restricted accounts, which may be suitable as it enables the funds to be accounted for as a specific item in Council's financial statements.</p>	Note	
9.	<p>MM raised concerns that maybe council drew up the agreement as if was a Council Advisory Committee rather than a Community Advisory Committee.</p> <p>CE agreed, in the most recent review by Council this appears to have occurred, perhaps a misunderstanding as there has been more than one legal council review the documents at Council.</p> <p>LakeCoal will raise this in its response to Council</p>	CE	Provide update at next CCC meeting
10.	<p>JO raised concern that council would always appoint the chairperson for the committee.</p> <p>CE responded that this will be further considered. However, the voting members determine which projects to support, of which the majority will be community members.</p>	Note	
11.	<p>JO, PM, DW discussed criteria for advisory committee members.</p> <p>CE to ensure relevant agreements are updated to ensure community members for the Advisory Committee must be from local areas as per the development consent conditions (i.e. Summerland Point, Gwandalan, Chain Valley Bay or Mannering Park) prior to sending back to Council</p>	CE	Provide update at next CCC meeting

12.	PM raised concerns re the mandatory review period. CE to amend this clause to remove mandatory requirement and just have the ability to review, prior to sending back to Council.	CE	Provide update at next CCC meeting
13.	CE briefly summarised additional points on the draft VPA and associated agreements to the CCC.	Note	
14.	DW discussed how restricted funds are treated within councils and how they can provide more certainty and clarity for monies assigned for specific projects/areas.	Note	
15.	JO discussed experiences trying to obtain funding and approvals through WSC for community projects and identified significant delays and overall frustration with the bureaucracy imposed for relatively simple projects.	Note	
16.	PM enquired if there was a funding limit that any project could receive. CE replied there was no limit DW commented that if there was a major project, contributions could be accumulated. CE confirmed that there was now over \$100,000 to be paid under the VPA when established.	Note	
17.	MM detailed correspondence <u>In</u> 23/10/14 – copy email to WSC re coal levies from Secretary Chain Valley Bay Progress Association and WSC response 13/11/14 – email from CE attaching Rehabilitation Management Plan & Letter 14/11/14 – email from CE attaching Draft VPA and associated documents 17/11/14 – email from Andrew Whitbourne commenting on Draft VPA and associated documents <u>Out</u> 13/11/14 – email to CCC members forwarding Rehabilitation Management Plan and Letter 15/11/14 – email to CCC members forwarding Draft VPA and associated documents	Note	
18.	CE continued with presentation giving overview of current mining operations	Note	
19.	PC provided details of miniwall move and new method employed, utilising a pre-driven recovery roadway.	Note	
20.	DW excused himself from the meeting due to other commitments.	Note	
21.	JO identified that Trinity Point Marina would be close to proposed workings. CE confirmed the interaction was identified in the EIS process, they had been consulted and LakeCoal has conditions to manage any potential subsidence impacts, however mining in the area may be complete prior to the development.	Note	
22.	CE detailed with monitoring results and complaints received.	Note	
23.	CE provided an update on the approvals process for the linkage project between Chain Valley and Mannering. Noted the Department is currently undertaking their assessment and	Note	

	hopefully a determination will be made prior to the end of the year.		
24.	CE detailed the draft Rehabilitation Management Plan for consultation to the committee and discussed some key points of the current rehabilitation plan.	Note	
25.	Date for next meeting confirmed as 9am on the 24 th February 2015.	Note	
26.	Location of next meeting to be confirmed. LakeCoal will endeavour to obtain access to the virtual reality simulator at the Newcastle Mines Rescue Station in Argenton for members, and next meeting may be able to be held at this location. PC to confirm and CE to advise CCC members once confirmed	CE	Prior to next CCC meeting
27.	MM thanked the committee for their contributions and wished all a Merry Christmas and New Year.	Note	
28.	MM declared meeting closed at 1:34pm.	Note	