

MT ARTHUR MINE COMPLEX
Community Consultative Committee
Iterative Q&A Meeting 7 May 2020
Community Response Line: 1800 882 044



Due to COVID-19 social distancing restrictions, the meeting was held as an Iterative Q&A meeting with the proponent and committee members via the Chairperson. This is in-line with the DPI&E options.

Committee

Chairperson

Wej Paradise (WP) Independent Chair

Company Representatives

Leah Scheepers (LS)	Specialist Corporate Affairs
Jimmy Nixon (JN)	Principal HSE
Damien Perkins (DP)	Manager Mine Scheduling
Kim Carlson (KC)	Specialist Corporate Affairs

Community Representatives

Mark Bowditch (MB)	Muswellbrook Shire Council representative	
John Bancroft (JB)	Community Representative	0411 068 670
Di Gee (DG)	Community Representative	0448 448 346
Jennifer Lecky (JL)	Community Representative	0419 268 130
Tony Lonergan (TL)	Community Representative	

1. Business Papers and correspondence

The Chair emailed MAC CCC members copies of business papers for the meeting

- 1 May 2020 - Agenda, Pre-read Report and Minutes of previous meeting
- 7 May 2020 - Meeting presentation and CCC member report and community complaint from JB

Correspondence/communication post meeting

- 19 May 2020 – Email from Chair with response to meeting questions and actions
- 5 June 2020 – Email from MAC with response to CCC member report from John Bancroft
- 29 June 2020 – Email from JB with further questions regarding complaint Greyhound bus and 2019 Lighting Report
- 8 July 2020 – face to face meeting JB, WP, General Manager Adam Lancey and LS to discuss JB’s questions with regards to Greyhound bus complaint and Lighting Report

2. Standing Declaration of pecuniary interest:

WP receives payment for his role as Chairman

4. Minutes of the previous meeting:

The Chair has authorised the previous minutes as a true and accurate record.

5. Question and Answer Iterative meeting key points

The Chair provided three email communications from CCC member John Bancroft to Mt Arthur Coal for response. No other responses or questions were raised by MAC CCC members pertaining to the pre-read or meeting presentation.

Below is a copy of the Report from John Bancroft and MAC's response to the email communications, addressing the following points:

- A) Report to MAC CCC members from John Bancroft (7 May)
- B) Community Complaint email (7 May, response 8 May)
- C) Inclusion of associated material in CCC Minutes (4 May)
- D) Additional Greyhound bus questions and 2019 Lighting Report questions (29 June 2020)

A) JB's Report to MAC CCC members 7 May 2020

Members of Mount Arthur Community Consultative Committee

Dear Members,

I attended the local voices breakfast community meeting on the 27 Feb 2020. I sat for two hours listening to the CSIRO's Mr Kieren Moffat talking about the two biggest problems that MAC faces. One is 'lack of trust by the community' and the other is 'lack of two way communication' or is that one way communication?

When the meeting was ended and I was leaving I was handed a letter (attached) by Mr Adam Lacey. This letter advises, myself and the CCC, that he is not prepared to discuss new questions concerning lighting complaints from the 2016 – 2019 report as he feels the issues were adequately discussed at our meeting and the proposed site tour will address all our concerns.

This response is totally inadequate as it fails to answer the questions asking for an explanation of how these lighting infringements occurred and why they were not adequately addressed. It also gives no indication of when the site tour is to take place.

I believe this is a critical moment in time for this CCC. The questions to be asked are: -

1. 'Does MAC have the right to refuse to answer any relevant questions, asked by any member of this committee, in a timely manner?
2. 'Does MAC have the right to choose what questions it will or will not answer?'
3. How will a site visit, in the future, provide answers to questions related to misleading information provided to this CCC from 2016 – 2019?

This committee noted that there has been a change of senior management and now a change of middle management. We are optimistic that there will be a change of policy where trust and two way communication would be reinstated and lack of trust and cover up would be a thing of the past.

In the past we have had major problems with the minutes and we will not and cannot return to those days without a major protest.

It is my view that if MAC continues to refuse to answer all question, asked by the committee, then there is no point in asking any further questions until this current problem is sorted. If MAC continues on this path I will submit all further questions to the Department and ask they be submitted to MAC on behalf of the CCC.

John Bancroft

MAC's response to JB's Report to MAC CCC members 7 May 2020

Local Voices Conversation Cafe

Thank you to John Bancroft and Jennifer Lecky for attending the Local Voices Conversation Café held in Muswellbrook on Thursday 27 February 2020. More than 50 community members attended the Muswellbrook session. Three sessions were held over the two-day period, one in Muswellbrook, on-site at Mt Arthur Coal and in Singleton. Dr Kieran Moffat from the CSIRO shared key findings from the CSIRO Local Voices Anchor Survey with participants and discussed ways of how the community, BHP and CSIRO could work together to understand and progress challenges identified from the data. A copy of the Local Voices Anchor summary was provided to CCC members (refer CSIRO Local Voices website for further details).

MAC CCC members are encouraged to participate in the on-line Local Voices pulse surveys, as this is another way of providing feedback to the business on a range of matters. To register for Local Voices, search for ‘BHP Local Voices’ online or contact localvoices@csiro.au.

Letter from MAC General Manager / MAC Lighting Report 2016-2019 (JB’s report)

The letter provided to JB by the MAC General Manager Adam Lancey, thanked JB for his time to compile the MAC Lighting Report 2016-2019 (dated 8 September 2019) and present it at the MAC CCC meeting in November 2019. The letter acknowledges the MAC Lighting Report 2016-2019 issues were discussed by the Committee at the November 2019 meeting (a copy of the letter was provided to CCC members).

As an outcome of the discussion, the Committee agreed to a tour of the operation in 2020, so that MAC could show the Committee the steps they are taking to further mitigate lighting issues and also provide the opportunity for discussion around how lighting is being managed by the MAC team.

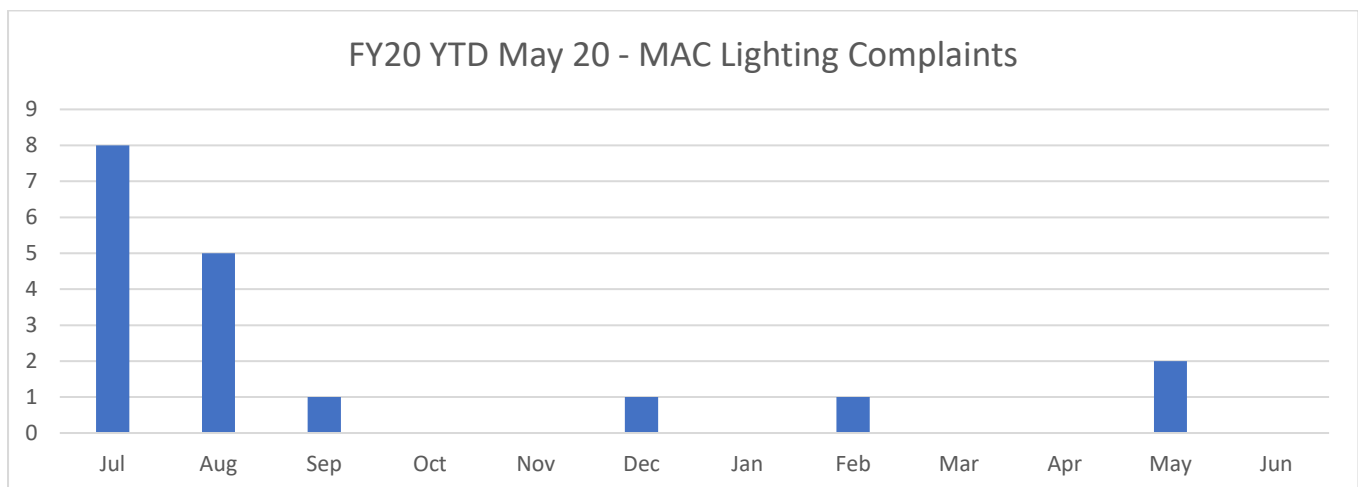
At the February 2020 MAC CCC meeting, the Committee discussed a site tour date and agreed Thursday 7 May 2020 meeting was suitable.

Due to COVID-19 restrictions the tour was postponed. MAC is committed to providing a tour of the operation and will do so in-line with COVID-19 social distancing restrictions and site procedures. A date and time for this tour will be arranged.

Lighting Complaints

The MAC team acknowledges that lighting does cause impacts to residents if not managed correctly, and the team is committed to addressing the issues associated with lighting complaints. In FY20, our performance has shown an improvement in the reduction of the number of lighting complaints throughout this period. See graph below for details.

As part of our complaints management process, complaints are discussed on a weekly basis by the MAC Senior Leadership team and with their respective teams, complaints are tracked on the site’s performance scorecard, the Stat OCEs provide coaching to production teams on how to orientate work lights so not to impact on residents and they conduct a nightly drive-around to assist with identifying any potential issues.



Department of Planning Industry & Environment (DPI&E) response to MAC Lighting Report 2016-2019 (JB's report) – MAC is complying with the commitments in their approval

At the September 2019 MAC CCC meeting, JB advised the Committee that he had sent a MAC Lighting Report 2016-2019 to the DPI&E on the 8 September 2019, regarding his lighting complaint concerns. An action from this meeting was for JB to provide a copy of the Report to the Chair. At the November 2019 MAC CCC meeting the Report was discussed by the Committee and key points and actions recorded in the minutes.

The DPI&E had provided a written response to JB on 4 October 2019, advising they had investigated JB's concerns outlined in the MAC Lighting Report 2016-2019 and concluded that MAC is complying with the commitments of their approval. The DPI&E's response outlines the procedures and actions taken by MAC when installing lighting plants and handling of repeat complaints, along with addressing the other key concerns in the report (a copy of the correspondence was provided to CCC members).

Communication and Engagement

MAC will continue to actively communicate and engage with the MAC CCC members and respond to questions raised through the Committee meeting process.

MAC representatives respect the different views and opinions of the CCC members and looks forward to continuing to work with the Committee.

B) Community Complaint raised by JB in his email dated 7 May 2020

JB raised a community complaint in his email correspondence dated 7 May 2020, details below.

Community Complaint: A BHP Greyhound Bus, for MAC fly in fly out contract staff, is taking a short cut and travelling along Skellatar Stock Route, which has a load limit of 10T. Information I have received is that this bus would not comply with the limit set.

MAC response: The complaint has been raised with the Greyhound Bus Service, who immediately amended their bus route to exclude the Skellatar Stock Route. The Greyhound Bus Service team were under the assumption that buses were exempt from the load limit.

- Note - the employees who utilise the Greyhound Bus Service are BHP employees and are not contracted fly in-fly-out workers.
- As a reminder – MAC has a dedicated Community Response Line which is operational 24 hours a day, seven days a week. We encourage the community to direct their enquires and complaints via this number.

8 May 2020 – email response from JB in relation to complaint feedback from MAC

- The problem is that some members of the community don't trust making complaints directly to MAC. That's why they do it through a CCC member. Just a note, I did not go out and canvas for complaints, if that's what MAC is implying? The people came to my house to make the complaint because they were concerned about their children's safety. Is MAC suggesting that I should use the Community Response Line rather than raising it with the CCC which I have always believed is meant to represent our community.
- What information did MAC have, that allowed the team to assume the bus was exempt from the load limit? My understanding, as I stated in my statement, is the BHP Greyhound bus transports BHP employees (contracted to MAC) to and from their workplace at MAC and to their accommodation, somewhere south of Muswellbrook. Is my assumption incorrect?
- Please include these emails in the minutes and the complaints register.

4 June 2020 - MAC response

- The complaint JB raised via email was addressed immediately upon receipt of the complaint. MAC thanks JB for raising the complaint with the company
- All community members are encouraged to direct community complaints via the Community Response Line (free-call number: 1800 882 044) at the time of the complaint, as this enables MAC to address the complaint immediately
- CCC members are welcome to raise the complaint at the CCC meeting for further discussion as required
- Community complaints received by MAC, are recorded on the complaints register in-line with the company’s procedure.

C) Inclusion of associated material in CCC Minutes

On the 4 May, JB sought clarification from the Chair if his Lighting Report would be included on BHP Mt Arthur Coal’s website.

Response: MAC CCC meetings are minuted by a minute taker and from November 2019, the minutes are recorded electronically to ensure accuracy of the meeting.

Key points pertaining to Report/s tabled by members (both MAC and community members) at meetings, are captured in the meeting minutes and are the meeting record of the Report/s.

The Independent Chair circulates minutes of the meeting to the Committee for review and to raise issues with the meeting minute records. Following feedback from the committee, the Chair approves the minutes for upload to the Company’ website. At the next meeting the minutes are ratified by the Committee.

D) Additional Greyhound bus complaint questions and Lighting Report emailed dated 29 June 2020

A face to face meeting was held between MAC General Manager Adam Lancey (AL), JB, WP and LS to further discuss JB’s email communication of 29 June and address questions raised in this communication. AL verbally addressed a number of JB’s additional questions with regards to the Greyhound bus complaint and some of the lighting report questions. AL advised that he would commit to attending future CCC meetings, when his schedule permitted.

Greyhound Bus complaint additional questions

JB question	MAC response
I asked, if my assumption is incorrect concerning these workers? Would you please define who and what they are? Are they contracted to MAC (a) does MAC need to pay BHP for their work or (b) is their labor free to MAC? Do these workers reside in Queensland and just fly/bus in for their shifts?	Employees utilising the bus service are directly employed permanent BHP workers, who work for Operations Services (OS). Employees reside in a range of locations including Muswellbrook, Singleton and surrounds and some of the employees live in Queensland and other States of Australia. The OS model provides employees from across BHP’s national footprint the option to work flexibly across BHP’s operations where OS is deployed.
I understand that MAC had knowledge of this problem, with the bus, prior to my voicing a complaint from the community. However, as MAC had not taken any action, it was my view that MAC would not take any action in this case, as has happened with many complaints in the past. I was talking to Muswellbrook Council's traffic committee and understand they would be talking to you. Did you get a report from that committee?	We had no prior knowledge of this issue, until JB raised as a complaint on the 7 May 2020. We did not receive a report from that committee.

What information did Greyhound bus service have to make an assumption that this bus was exempt from the load limit?	The Greyhound bus driver made the incorrect assumption that the Skellatar Stock Route could be used.
Has this bus stopped using the Skellatar Stock Route every night?	The Greyhound Bus Service advised they ceased using Skellatar Stock Route once the matter had been brought to their attention on the 7 May 2020.

Questions from JB Lighting Report 2016 – September 2019

JB question in Lighting Report	MAC response
MAC refused to include the report on their website. Why ? I believe it shows MAC in a poor light in the community's eyes. Lots of words but no action!	It is common practice that there are no external organisations detailed reports on the NSWEC Mt Arthur regulatory website page. The reports on the regulatory page are BHP MAC reports, which are required to comply with MAC's development consent conditions.
I asked additional questions when I gave the report to MAC, but again MAC refuses to answer these new question . WHY? Is there a limit to how many question I may ask on a subject or only on questions MAC does not want to answer?	Nothing deliberate. All reasonable questions were addressed at the November 2019 CCC meeting and minuted in the meeting's minutes.
The last time I asked a question about the close association between the DPI&E and MAC it took many months and much drama, including 2 resignations, before it was included in the minutes. This has again taken many months because of MAC's uncooperative attitude to this committee. My job is to ask questions on behalf of the community and MAC's job is to (a) answer the questions; (b) give accurate information to this CCC; (c) put it on their website; and (d) not to censor statements and reports for their benefit.	There is a process to deal with the minutes of meetings, which is facilitated by the Independent Chair. Should members of the CCC committee have issues with minutes, the Chair is the point of contact to resolve these matters. All reasonable questions will be addressed. Would also like to state that MAC does not have an uncooperative attitude towards the committee and seeks to ensure a constructive working relationship with the CCC members.
I ask, if my report gave them a glowing report would we be having this problem?	Yes, the outcome would be the same. As stated the only reports on NSWEC Mt Arthur regulatory website page are BHP MAC reports and are required to comply with MAC's development consent conditions.
Why is information, recorded in MAC's Complaints Register, not available to this committee or the local community? Without access to this register, how can the community know the information, that is supplied to the CCC, is exactly the same as what is written in the register? If the committee/community is only given an outline of the complaints this may lead to a misunderstanding of the true problem and the extent to the harm to the complainant.	Community Complaints are listed on NSWEC Mt Arthur regulatory website page and provided to CCC members in the Pre-read Report prior to each CCC meeting. Due to BHP's procedures, personal information about complainants is not shared with external parties.
Does MAC dispute any of the above information? When did your senior leadership team at their weekly meeting decided not to adhere to the above assurances. MAC stated "you ensure the lights is facing away from incoming views and sensitive locations including Racecourse Road". Then you state "work of known light exposure to sensitive locations to be limited at night where possible". Could you please explain which of the above statements is true as you cannot ensure and do the opposite.	AL explained to JB, that he cannot provide a response to questions relating to decisions/statements made prior to his appointment as the General Manager in November 2019, as AL has no prior knowledge of these discussions. AL also advised he will address all reasonable questions. Noting, JB may not agree with the response. AL advised that there has been an improvement in the management of lighting on site, which is evidenced by the reduction in lighting complaints in over the past year (refer to lighting complaints graph on page 3).

<p>When MAC states they are talking to people in the business around lighting does that mean you were just sub-contracting the light plant place out to another business and not addressing the lighting complaints.</p>	<p>Lighting plants are not sub-contracted. Lighting plants are a core part of the business.</p>
<p>MAC keeps saying they are training their staff to overcome these complaints but after 2 years can you explain why it is not working.</p>	<p>As stated above, MAC has made considerable improvement in the management of lighting, which is demonstrated in the reduction of lighting complaints over the past financial year (refer to lighting complaints graph on page 3).</p>
<p>Is the following true? MAC would rather have a lighting complaint than a dust complaint?</p>	<p>No not true - all complaints are treated equally and immediately to address the issue.</p>
<p>What does proactive mean to MAC ? Does it mean you will continue to do the same thing night after night knowing you get a complaint and then adjust your procedures for that night only. My view of being proactive is to assess a potential problem and take action so you don't have a problem. Is my view incorrect?</p> <p>In the above statement mac states “that are set up with light facing away from the external edges and sensitive receivers.”</p> <p>So when I said I sat under McLeans Hill for half hour and stated the light were facing out over Denman Road. Are you suggesting I was lying?</p> <p>So, again we wait to see if this delaying tactic will work, giving that it have taking over 3 year to take some action to fix a problem. Could you please explain what is Plan B if this does not work? I note that the light have never been mentioned till I mentioned it in 2019.</p>	<p>AL addressed the meaning of proactive with JB during the face to face meeting held 8 July 2020. JB's view of proactive is not incorrect.</p> <p>MAC makes considerable effort to avoid and minimise impact on the local community. There has been improvement in the management of lighting, which is demonstrated in the reduction of lighting complaints over the past year (refer to lighting complaints graph on page 3).</p> <p>The majority of MAC's workforce reside in the local community. Employees do not come to work to cause impacts on the community. MAC has a rigorous process in place to control lighting, however we do note that we are human and issues do occur, which when we are notified of the issue, we rectify immediately.</p> <p>It is not suggested that JB is not telling the truth. We do however encourage JB or any member of the community to contact MAC immediately on our Community Response Line (1800 882 044), should any issue arise where there is an impact on the community. This allows the MAC team to address the matter immediately.</p>
<p>Could this committee see a copy of your internal register of complaints which includes specific information in relation to the complaints and your response.</p>	<p>As addressed above - Community Complaints are listed on NSWEC Mt Arthur regulatory website page and provided to CCC members in the Pre-read Report prior to each CCC meeting. Due to BHP's procedures, personal information about complainants is not shared with external parties.</p>
<p>Could MAC please explain how in September 2019 you still did not have July 2019 or August 2019 community complaints on BHP website ?</p>	<p>Due to resourcing constraints at the time, there was a delay in uploading community complaints data to the NSWEC Mt Arthur regulatory website page. The July 2019 and August 2019 community complaints reports were uploaded to the website in September 2019.</p>
<p>My and the community view is that MAC will only do what they are forced to do under their conditions of consent and nothing additional to reduce the problems association with mining so close to town.</p>	<p>Disagree with JB's comment and with respect JB doesn't have the authority to speak on the behalf of the whole community. JB has a democratic right to share his opinion, however he is not an elected member or the voice of the Muswellbrook community.</p>

6. Actions from previous meeting/s

The actions from previous meetings are listed below.

Action	Status
Actions from 13 February 2020 meeting	
Action 1: At the top of the CCC minutes the mobile contact information is to be added.	Complete. Mobile contact numbers have been included on February 2020 minutes.
Action 2: MAC to seek further advice as to confidentiality issues that may result from providing information regarding the number of complaints from individuals.	Work in progress.
Action 3: JN to update CCC with information regarding what recent rainfall has meant for water use and availability on site.	Complete. From the 1 January 2020 – 30 March 2020 MAC recorded 250 mm of rainfall. This was a positive change but the rainfall has not been significant enough for MAC to change any of its ongoing water management practices. The site continues to focus its energy on water saving initiatives such as; processing plant water saving optimization works; use of dust suppression additives; and optimization of its water storage inventories.
Action 4: WP to provide the template for the CCC annual report to CCC members and to liaise with DT and LS about content.	Work in progress.
Action 5: WP to organise a letter of thanks to Rosemary Munn.	Complete. WP emailed letter to Mrs Munn.
Action 6: Adam to give a response to JB regarding the lighting report and inform WP after completion.	Complete. Letter of response provided to JB 27 February 2020.
Actions remaining open from previous meetings	
Action 2 (Feb 2019): Col to get in touch with the DP&E to ascertain if the Department representative could attend a future CCC meeting to speak about the cumulative impacts of dust. The DP&E have been contacted.	Site visit presentation by department representatives to be rescheduled in-line with COVID-19 requirements for site visits to Mt Arthur Coal.
Action 4 (Sept 2019): DP to enquire about the approvals process and share with the CCC to clarify the required timeframes. Hold over to August meeting.	On hold until August 2020 meeting.
Action 5 (Nov 2019): MAC to arrange a site visit to MacLean's Hill for the CCC to gain a better understanding of the lighting issue. [Noted: JB continued to ask for a definition of 'offensive lighting'] Site visit to also include a visit to rehabilitation areas as requested Feb 2020. Note – Mine tour to be undertaken at May meeting.	Site tour to be rescheduled in-line with COVID-19 requirements for site visits to Mt Arthur Coal.
Action 6 (Nov 2019): WP to arrange a department representative to discuss the lighting issue and associated community impacts particularly through the provision of defining offensive lighting.	Site visit presentation by department representatives to be rescheduled in-line with COVID-19 requirements for site visits to Mt Arthur Coal.

Next MAC CCC meeting:

- 9am, Thursday 13 August 2020, proposed changing to 9am, **Friday 14 August**, to allow for MAC General Manager Adam Lancey to attend the meeting. The Chair has contacted all community members and while one member will be an apology the next meeting will be **9am Friday 14 August 2020**.