



Mt Arthur Coal (MAC)
Community Consultative Committee (CCC) Meeting
Wednesday 17 May 2023

Attendance

Chairperson

Dr. W.E.J Paradise (WP)

Independent Chair MAC CCC

Community Representatives

Lavinia Hutchinson (LH)

Community Representative

Jennifer Lecky (JL)

Community Representative

John Hobden (JH)

Community Representative

Muswellbrook Council

Theresa Folpp (TF)

Muswellbrook Council

Company Representatives

Damien Williams (DW)

Acting General Manager; on behalf of Grant Coulton G.M.

Sarah Bailey (SB)

Manager Land Access, Approvals & Cultural Heritage

Ray Marten (RM)

Principal, Approvals

Amanda Walker (AW)

Manager Corporate Affairs NSWEC

Claire Killeen (CK)

Specialist Community

Jono Deacon (JD)

Principal, Environment

Jimmy Nixon (JN)

Environmental Superintendent via teleconference

Guest Presenter

Daniel Holm (DH)

Director of Square Peg - via teleconference

Minutes

Sarah Purser

1. **Welcome & Apologies**, WP welcomed all and thanked members for their attendance at today's Site Tour of the Pit and this meeting held on site at Mt Arthur. Acknowledgement of Country by SB.
2. **Safety**; There had been a significant motor vehicle collision involving two cars, the conditions had been foggy and wet this morning, and it may also have been dark, therefore a reminder to take care getting around in these type conditions both on the road and in the pit.
3. **Declaration of pecuniary interest**; *Standing*; WP is remunerated for Chairing the meeting, as is SP for taking the minutes.
4. **Minutes of the previous Meeting held 8 February 2023**; WP confirmed the minutes for this meeting had been circulated and were accepted at today's meeting as being a true and accurate record.
5. **Matters Arising - Actions from the 8 February 2023 Meeting**

Action Arising; Biodiversity Offset Conservation Land Management Update by Sarah Bailey

MAC holds a comprehensive portfolio of 2,500 hectares of land linked with mining and on title. There are strict obligations to manage this land including but not limited to; fencing, feral animal control and ensuring the right species are planted. MAC are tracking well in meeting their obligations, there has been a substantial amount of planting conducted, SB noted that a more successful period had been seen in relation to regeneration of native vegetation and dry natives that she attributed to wet weather conditions. The Biodiversity Conservation Trust (BCT) administer the conservation areas, response from BCT's site visit and audit is that they are happy that MAC is implementing and meeting their obligations in accordance with their Management Plan.

ACTION 1: Mark Nolan to present a detailed update on Biodiversity Offset Land Management at a future CCC session.

Action Arising; In response to a query from TF, GC to investigate if MAC is conducting exploration in regard to Licence 5965.

DW confirmed there is no exploration at this point, MAC are conducting works that are required to manage this primary licence area, the main focus being on a remediation program whereby MAC is reviewing sites that have been historically rehabilitated to ensure they are appropriately rehabbed.

Actions remaining open from previous meetings:-

Long Term Action (Feb 2019); Chair to contact the DPE to ascertain if a department representative could attend a future meeting to speak about the cumulative impacts of dust.

ACTION 2: WP to make contact with Joe Fittell to confirm he is the DPE Officer contact for the MAC CCC and obtain his advice on inviting DPE representatives to future meetings to speak about specific subject matters such as cumulative dust.

SB noted that MAC had recently employed a Senior Approvals person that had come from the DPE, she offered have this person provide an overview on cumulative impacts if that was desirable to the CCC.

LH noted that she had raised a dust issue at the previous CCC, where a local business owner had seen a large cloud of dust over the town but could not attribute this to one particular source. LH queried if there are any alternative suggestions to provide him with, rather than him calling every mine in the area.

This opened a discussion around the Upper Hunter Air Quality Monitoring Network (UHAQMN). The [Upper Hunter Air Quality Monitoring Network](#) was created by the Department of Planning and Environment, in partnership with the Upper Hunter coal and power industries, the monitoring stations were established between 2010 and 2012. It was agreed that the real time data that can be accessed by anyone via the UHAQMN would be a helpful resource should a member of the community have a concern around air quality and was looking to understand cumulative impacts. In addition, there is also an Advisory Committee; [Upper Hunter Air Quality Advisory Committee - NSW EPA](#)

It was generally felt that the DPE need to create more awareness around the UHAQMN and this was the right time to publicise this monitoring network, particularly as winter tends to be a time of concern around air quality i.e. it had been noted in the past that wood smoke from domestic fires had been one of the key drivers affecting air quality.

Long Term Action - (Nov 2019); Chair to arrange a department representative to discuss the lighting issue and associated community impacts, particularly through the provision of defining offensive lighting.

WP noted that the subject of lighting had not been a current topic with CCC members and SB confirmed her offer to have a Senior Approvals person from her team attend a future meeting to provide a presentation on air quality and/or lighting.

6. Report from the Chair - Wej Paradise

WP confirmed that the review of the NSW Department of Planning (DPE) Community Consultative Committee Guidelines was still underway and that he had not seen the revised Guidelines as yet. WP provided an overview of the formation of CCC's noting that NSW Government had made them a common

institution around the State, particularly for State Significant Projects. WP provided some history of the CCC's role to date in various industry applications. WP noted that it is a large commitment for those that take time out of their day to attend these Meetings and thanked those who contribute to the MAC CCC.

7. Operations Update - Damien Williams - Acting General Manager

Reporting period: FY23 Q3 January - March 2023

Safety Overview; DW noted that whilst no one had been injured, there had been one significant event with an electric rope shovel making contact with support. MAC's investigation identified that there was a breakdown in the process, as a response collision avoidance issues are being considered and the results of these should flow across the business so that it will not happen again.

MAC conducted some shutdown work in relation to the Coal Handling & Preparation Plant (CHPP), DW described this as intensive work, with complex processes in a confined space, he acknowledged that this work had been undertaken without incident and from an organisation's perspective he was thankful to those involved in a very positive outcome.

DW confirmed that the skills base for production i.e. truck fleet has improved, MAC continue to look towards securing more skills in the maintenance space.

In terms of mining; volumes, tonnes and production, Q3 had been a strong quarter. MAC have rolled out quite a few forward projects across production and are starting to see positive results from these. There has been some significant downward price pressure coming from the market which MAC are responding to with cost management.

8. Applications, Approvals and Projects - Sarah Bailey - Manager Land Access, Approvals & Cultural Heritage

SB provided an update on the status of Mt Arthur Coal Mine Modification (MOD) 2030, confirming that MAC will present a more comprehensive overview to the CCC on the outcomes from the draft reports when they are collated into the Modification Report.

Overview of Pathway to Closure Activities

SB stepped members through the two tier processes that MAC are undertaking in relation to the Transition to Closure and Modification for four year life extension. SB identified the multiple work streams that MAC are working on for both of these tiers, explaining how they are interrelated, and estimated time lines.

Liz Watts is now in place as Head of Transition, AM and SB are part of this Transition Team who are reviewing the pathway to closure engagements for; workforce pathway plan, social and economic pathway plan, and final land use planning. The focus is on securing the four year approval of consent life to 2030.

MAC asked that it be noted by the CCC, members of community and Council, that the update at today's meeting is not the transition to closure. Since the establishment of MAC's Transition Team there has been significant work undertaken and still to happen in that space. MAC advised the MOD Approval is the greater priority and they would like the CCC to focus on the draft Modification Report prior to this being lodged in September 2023, so that they may have the opportunity to weigh in on the outcomes.

ACTION 3: Subject to the status of the Draft Modification Report for MOD 2030, this may be tabled at the CCC Meeting scheduled for 9 August 2023 or moved to an Extraordinary Meeting.

Mt Arthur Coal Mine Modification (MOD) 2030

Project Milestones; Technical studies and preparation of the Modification Report is underway, with over 20 specialists involved.

Project Status Update

- Social impact assessment consultation covering a broad spectrum of stakeholders.
- Completed biodiversity and Aboriginal cultural heritage surveys for the Modification study area.
- Completed modelling for noise and air quality impacts – reports in draft.
- Progressed modelling for groundwater and surface water impacts.
- Completed environmental risk assessment workshop.
- Completed draft reports for multiple assessments (social impact, economic, road transport, landscape and visual, baseline flora and fauna).
- Further mine plan refinements (March 2023) incorporated, enabling reduction of proposed Modification Disturbance Area and minimisation of potential impacts to Aboriginal cultural heritage and biodiversity.

ACTION 4: When they become available, MAC to present the visual images that provide a view on how the mine will progress in terms of rehabilitation .

Current Focus

There are a number of tasks currently been conducted, inclusive but not limited to; modelling for groundwater and surface water, along with completing the balance of draft assessment reports, through to progressing the draft Modification Report which will incorporate final assessments.

MAC noted the reduction of disturbance from 35 hectares to 25 hectares as being quite a substantial area and a good outcome and a current focus is on finalising the biodiversity offset liability for the area proposed to be disturbed. WP queried the calculation process and SB responded that there is a very scientific legislative process in place to follow for off-set liabilities. MAC have land that they believe is suitable to offset the 25 hectares and described the potential locations.

Another important focus point is around finalising and implementing a comprehensive pre-lodgement stakeholder engagement plan, which includes the CCC. MAC are seeking people that are interested to be provided with a voice based on the MOD outcomes, prior to the Exhibition process. The Modification report lodgement is anticipated for September 2023.

Overview Recap

Key aspects include:

- ✓ Four year extension of mining activities beyond 30 June 2026.
- ✓ Mining to occur within existing Mining Leases, no new mining tenure required.
- ✓ Reduction in the approved mining rate from 32 Mtpa ROM to a max of 25 Mtpa ROM (similar to historic production).
- ✓ Reduction in maximum total coal rail transportation from 27 Mtpa to 20 Mtpa.
- ✓ Minor extension of pit beyond the current disturbance limit.
- ✓ No requirement to develop the approved southern out of pit emplacement and other ancillary infrastructure areas.
- ✓ Net reduction of the approved disturbance by 377ha.
- ✓ Revised void configuration.

There was a general discussion around final land use, under a modification to consent MAC are required to be consistent with their current approval which is for trees and grass. There may be further opportunity down the track to engage with Community, Council and Government to look at the best final use of land from a socio-economic perspective. There would be a whole new work string attached to undertaking this analysis and subject to further approvals.

In response to a query regarding an Aboriginal Heritage Claim - Section 10 Application, SB advised that MAC do not feel that this would apply as the land is protected in perpetuity with a conservation agreement in place.

Social Impact Assessment (SIA) Update on Findings - Daniel Holm - Director of Square Peg

DH presented key findings from the SIA and potential social considerations associated with a closure, he advised MAC are seeking feedback from the CCC to get a sense if what is being described in the SIA is sensible and reasonable. DH advised that MAC have used the Impact Assessment Framework from the SIA Guidelines and each potential social impact has been assessed based on likelihood and magnitude.

Overall, most stakeholders who contributed to the SIA viewed the Modification as a positive, the main benefit associated with the MOD is the opportunity to plan and prepare for closure i.e. the additional certainty that provides to the workforce and suppliers. Most other potential impacts, both positive and negative, represent continuation of current experiences. DH noted that amenity impacts i.e. noise, dust and lighting are predicted to be at similar levels to current.

DH provided an overview of the Impact Identification and Assessment which detailed negatives and positives for both the Modification not Proceeding and With the Modification. DH handed back to the CCC to see if there was any feedback about all that was proposed and if members had any thoughts to add.

WP thanked DH for the update, WP noted that through discussions around the MOD that the transition is an area of great interest. MAC responded that the Modification comes first, then the transition, as there cannot be one without the other. WP asked for any questions from members regarding MOD 2023.

JH advised that it is his impression that the typical impacts being looked at from the mine extension do not seem to matter and that it is more so what happens afterwards, giving those associated with the mine an opportunity to plan.

JL noted that there had been in the order of \$21 million of funding to come in over four years through Voluntary Planning Agreements (VPA). JL understands there are negatives and positives however from her perspective she looked at the VPA funding as having a big impact on the town as this can contribute to amenities for the community, such as areas for picnics and water slides. JL felt it would also be interesting to see what young people want and understand their aspirations. SB noted that as a great point for consideration noting the potential for AW and the Transition Team to investigate what MAC might consider in lieu of VPA Funding when MAC does step away. SB confirmed that would be added to the CCC feedback.

It was noted that a lot of geo-technical studies are being conducted to understand the capability of the land and should the MOD be approved for four years, MAC needs to understand matters around community interest and desire. JH agreed that was a great explanation, he feels the community need to appreciate that MAC are working on these matters within the MOD now and not waiting to do those things later.

SB confirmed AM is working on framing within the established Transition Team and SB is focussed on potential final land use. SB explained it would require future approvals to look at alternative final land uses, therefore at this time MAC needs to remain consistent with their current approval.

DH acknowledged that within the SIA for MOD 2023 one main thing that stakeholders wanted to talk about was the impacts of mine closure. Whilst MAC is not currently assessing that, they can describe some things that can happen at closures and confirmed a summary will be provided in an appendix to the SIA. DH noted that nearly everyone acknowledged the importance of communication and a positive was the potential to re-imagine a vision for the long term use of the site. DH encouraged the CCC to review and provide their feedback on the SIA report when it is published, anticipated for later this year.

In response to a query if there was an EIS conducted for the Hunter electorate to understand cumulative impacts, for example should MAC get their extension -what would that look like for Muswellbrook from an overarching point of view, AM noted that might come out of some community consultation should there be interest in impacts inclusive of other operations.

LH reiterated that she advocates for the Upper Hunter to be considered as a sub-region, rather than Hunter / Newcastle driving the conversation which gives the perception that the local voice is not important. SB noted that through the community engagement that MAC sets up for transition, one key point requiring clarification is that bigger picture. Therefore if MAC fund consultation, or the Government prepare reports, what it means for the Hunter Region as far as a transition is concerned will start to come out. SB noted that some responsibilities will need to be defined, BHP is great in leading the way with their focus being on transitioning an asset appropriately. SB acknowledged the huge responsibility to community, she feels at some point in time Council and Government will need to join in the conversation on what does this mean for everyone in the future.

MAC confirmed feedback regarding the extension to 2030, is that it makes sense, particularly in relation to the impact it would have on the workforce if MAC closed in 2026. The four years would provide a transition period and it is of note that the modification is all within current mining leases.

MAC noted they will not be shutting their doors in 2030, there will still be a workforce; equipment needs to be maintained, Environmental Officers will be on site, and MAC will still have a community presence. In addition the rehabilitation stage to final could take a significant amount of years.

9. Environment Update - Jimmy Nixon; Environmental Superintendant

JN confirmed that members had received today's Meeting Pre-Read Material and asked if there were any questions arising. WP queried air quality monitoring as he understood there had been some issues relating to communication of the dust monitors JN confirmed that MAC had continued with good improvements over the last 12 months, there are new battery backups in place and there has been a reduction in down time over this reporting period. JN acknowledged that the weather conditions are drying up so air quality is a focus for MAC. JN offered to present MAC's dust control system and provide an overview on how they manage dust on a day to day basis.

10. Community Update - Claire Killeen, Specialist Community

BHP Update

CK advised that MAC were in attendance at Rock'n the Brook at Muswellbrook with good engagement there.

WP noted that in terms of complaints, lighting seemed to be the biggest concern from Roxburgh Road, he asked if this related to any particular dump. MAC confirmed that this is in relation to one resident that they are working closely with to try to mitigate any issues. MAC have conducted work with their Teams at start of production to ensure they understand how to set up lighting plants correctly. JN noted that lighting can

be a challenge with new dumps however, irrespective of that, he would prefer not to receive any complaints.

Reports from Community Members

In response to feedback from LH and JH, AM confirmed that MAC will engage with the Chamber of Commerce during the next consultation phases, she felt a face to face meeting was appropriate for MAC to have the opportunity to explain the difference between the Modification and the Transition.

JH believes it is critically important that this community be kept well aware of what is happening, he acknowledged there is a lot going on and we are hearing daily about the transition to renewables. Within the community JH has received feedback that people just want reassurance about the future and that the community as a whole is interested in relation to what is happening at MAC. JH felt it would be positive if BHP could broadcast that after 2030 there will still be a lot of people working in association with MAC and the gate won't be closed.

AM provided an overview on the business that MAC will engage with in the near future, there will also be regular BHP Supplier forums. Members were asked to provide feedback to MAC should they know of any further parties that they felt should be engaged with. CK confirmed that MAC will also circulate a Community Newsletter to the whole of Muswellbrook and surrounds.

LH feels that the majority of attendees at the Chamber breakfasts are industry related and would like to see more people from other areas attend. JL suggested that perhaps MAC could invite people to view the mine site and provide a place for people to put their closure ideas.

11. General Business - Future Meeting Dates

No General Business was put forward.

Next Meetings for 2023:-

9 August 2023;

With the options for attendance to be on site or on line, and a potential site tour to Balmoral House.

8 November 2023

WP thanked all for their attendance and closed the meeting at 1.05 p.m.

Actions Arising

ACTION 1: Mark Nolan to present a detailed update on Biodiversity Offset Land Management at a future CCC session.

ACTION 2: WP to make contact with Joe Fitell to confirm he is the DPE Officer contact for the MAC CCC and obtain his advice on inviting DPE representatives to future meetings to speak about specific subject matters such as cumulative dust.

ACTION 3: Subject to the status of the Draft Modification Report for MOD 2030, this may be tabled at the CCC Meeting scheduled for 9 August 2023 or moved to an Extraordinary Meeting.

ACTION 4: When they become available, MAC to present the visual images that provide a view on how the mine will progress in terms of rehabilitation .

Action Carried Forward; AW to make contact with the Upper Hunter Mining Dialogue (UHMD) to get a sense on how they communicate and ascertain what channels they are reaching out to.

Draft