

Mt Arthur Coal
Community Consultative Committee Meeting
14 August 2020
Community Response Line: 1800 882 044



Attendance

Chairperson

Dr. W.E.J Paradise AM (WP) Independent Chair MAC CCC

BHP Representatives

Adam Lancey (AL) General Manager BHP Mt Arthur Coal
Leah Scheepers (LS) Specialist Corporate Affairs - Community
Kim Carlson (KC) Specialist Corporate Affairs - Community
Jimmy Nixon (JN) Manager HSE

Community Representatives

John Bancroft (JB) Community Representative 0411 068 670
Jennifer Lecky (JL) Community Representative 0419 268 130
Tony Lonergan (TL) Community Representative 0428 189 585

- 1. Welcome and Apologies:** The meeting was held at Upper Hunter Community Services QEII Building and opened at 9am. The Chair (WP) welcomed members to the CCC meeting.
Apologies: Diane Gee (Community) and Damien Williams (BHP)
- 2. Safety:** COVID-19 safety measures for the meeting were explained by LS. The committee was reminded that the meeting was being recorded.
- 3. Declaration of Pecuniary Interests: Ongoing Declaration -** WP has been appointed by the NSW Department of Planning and paid by BHP to provide the role of Independent Chairperson (previously declared). The minute taker (FFR) is engaged by BHP (declared 13 May 19) on behalf of the Chair.
- 4. Approval of the previous Meeting's Minutes:** WP confirmed that the minutes for the May meeting dated 7 May 2020 had been circulated and called for formalisation of member acceptance. JB indicated that he had provided further feedback on the 7 May 2020 minutes which was provided to the committee in hardcopy during the meeting for discussion. The committee accepted the minutes from the iterative Q&A meeting dated 7 May 2020 and held via email.
- 6. Report from the Chair:** JB; WP; AL and LS had a face to face meeting to discuss JB's questions with regards to the Greyhound bus complaint and the Lighting Report as noted in the minutes dated 7 May 2020.

5. Matters Arising

It was noted that there are outstanding actions dependent on a representative from the NSW Department of Planning, Industry and Environment (DPIE) being available to attend a CCC meeting. The DPIE currently prefers to meet via an online platform to mitigate the risk of COVID-19 transmission from travel and face to face meetings. LS asked the committee members if they would be comfortable with meeting via an online platform to facilitate the attendance of a DPIE representative, which will be organised by the Chair for a future meeting. The committee confirmed that they would be comfortable with an online meeting.

Extra comments and questions from JB, received after the 7 May 2020 minutes, were circulated and discussed at the meeting. JL stated these questions weren't new and she had seen them before.

Commented [SL1]: Please delete the report from the appendix – it was discussed during the meeting (and at previous meetings), reports should not be included in the meeting minutes. The record of the meeting is the discussion and this should be captured as part of the minutes.

Refer to Appendix for further discussion points.

AL stated that he was disappointed with the lack of progress with closing the issues with JB, especially after meeting with JB for two hours to go through the lighting report and the Greyhound Bus issue, where AL discussed the key issues raised by JB. AL disagreed with JB's assertion that there is a culture of cover-up at Mt Arthur Coal (MAC). AL stated that there is no intention of disrespect toward JB but noted that while he is a community representative on the committee, MAC do not accept that his views represent the views of the entire community. JB stated that MAC only do what is required by their consent. AL disagreed and stated that BHP works with the community and MAC has provided responses on all issues raised by JB. JB stated that he is not satisfied with the responses. AL stated JB doesn't need to agree with the responses, however responses were provided to each of JB's questions in the Lighting Report. JL stated that her experience with a lighting complaint made to MAC was resolved promptly and the Greyhound bus is not a known issue for the community members she talks to. TL made no comment on this issue.

AL addressed the clarification of Question 1 in JB's submission, "Are these workers contracted to MAC?" Operations Services (OS) workers are paid by BHP, just like the BHP attendees in the room. OS is a subsidiary company of BHP, OS employees work at MAC and other BHP operations as required by the business.

JB asked where the OS workers come from and AL stated that the vast majority are from the local region with some from Queensland and Victoria. JB stated that people prefer the workforce to be local and AL acknowledged this but also acknowledged that MAC does not control where employees and contractors choose to live once recruited. JB suggested that it would not be economical for MAC to transport workers from other states and AL stated that the OS workforce is reviewed as needed to meet business requirements. WP asked about commuting workers in relation to COVID-19 restrictions and AL confirmed that workers from Qld, Vic and Sydney are not attending site. TL asked for the breakdown of the workforce. AL stated that the OS workforce is about 180 of the 1300 total workers. 75-80% of the workforce live in the immediate local community, based on the addresses provided by the employees. The remainder of employees are from peripheral areas such as Maitland and a small percentage are commuting from further afield such as Newcastle. AL confirmed that he determines the number of OS employees employed by MAC. The matter of the Greyhound bus and its current route was discussed. JB stated that the bus was still travelling on residential streets where it does not meet load limits up to two weeks ago and it has been noticed during the day outside regular shift changes. JN asked JB to encourage the community members to make complaints via the MAC community complaints hotline at the time when issues arise to facilitate investigations immediately.

ACTION 1 – AL to investigate Greyhound bus route and provide feedback to the committee regarding the route that the bus takes and the times it operates.

JB asked if MAC will consider the alternative use of a local bus company if Greyhound continue to operate on residential streets where they are over the load limit. AL stated that BHP can direct Greyhound to follow a set route and failure to do so would be a breach of contract. Another provider will only be considered if the matter cannot be resolved with Greyhound.

The process for making complaints was discussed. The community complaints line should be the first point of call. TL noted that the complaints line can be difficult to find online. LS stated that she had spoken to Melbourne office about the website issues and the Melbourne team are working on a review of the BHP site and will come back to MAC to advise of any changes. AL noted that a Google search for "Mt Arthur" will not return the complaint line but if you search "Mt Arthur Community Complaint" the number can be found. This issue has been reported to BHP Group. Advertising of the community response line was discussed, it is currently advertised in the newspaper, MAC community newsletter and looking at option of fridge magnets.

JB referred the committee back to question 1 regarding a report that was tabled for the committee at the September 2019 meeting. JB noted that the report is not on the website and was not included in the minutes of the meeting. AL stated that external reports are not typically included on the website and reports tabled and discussed with the committee are not included in the minutes in full. Reports are discussed and issues arising are recorded but the reports will not appear in the minutes.

The lighting complaints between 2016 and 2019 were discussed again. JB stated that the questions on the lighting complaints were not addressed during the meetings at the time or answered in a timely manner. AL stated that the intention is to take the CCC out and show them the processes in place for lighting placement but that COVID-19

restrictions have delayed the site tour. WP noted that the visit to site with regards to seeing the lighting set up is still outstanding (due to COVID restrictions) and the Departmental representatives attending the CCC meeting is also outstanding but that there is a plan to complete these actions.

The lighting issue was discussed further. JB stated that MAC gave a response and in his opinion MAC did not do it. At this point, JL stated that she did not agree with JB's views, that the meeting was getting nowhere and she left the meeting early at 10:15am to attend to other business matters.

WP noted that the discussion was going in circles and that MAC is making an effort with protocols. AL noted that the issue occurred 4 years ago and that if it were to happen again, there are processes in place to resolve the issue. The site visit is intended to answer any questions still remaining on where lighting plants are to be placed. JB asked who defines "reasonable questions" and AL stated the committee does.

Commented [SL2]: Wej – please ask Brooke to insert further details to support this comment.

7. Applications, approvals and projects:

AL noted the renewal of the approval to mine beyond 2026 is in progress. Environmental studies are to be undertaken and the IPC process will commence. JB asked a question about the MOP and 2026 approval process. AL explained the Forward Plan (MOP) is separate to the 2026 approval process, it is an annual requirement. The MAC 2026 Continuation Project is a major extension, so a new approval is required.

The Edderton Road realignment was discussed. AL noted some technicalities around closure of the old road still exist and are being worked through with Council. There is still a section of road yet to be upgraded but the realignment work and the recently completed upgrades to the intersections at either end of Edderton Road are a significant improvement in terms of road safety and quality.

8. Operations update:

AL presented the "business score card" to the committee and noted that this information is presented monthly to the MAC workforce. The contents were discussed. JB asked if the scorecard will be included in the minutes. It was noted that some of the information being presented to the CCC is confidential but that this information could be excluded so that the remaining items can be included in the minutes. There was discussion of what constitutes a recordable injury (RI) and the target of zero on a monthly basis verses the year to date target which reflects the reduction of RI year on year. The summary of the business performance for year ending 30 June 2020, is detailed in the table below.

Area	Measure	FY20 Target
HSEC	Recordable Injuries	Red
	TRIFR	Red
	Significant events	Green
	CCE / CCV compliance	Green
	Hazard reporting ratio	Green
	Field Leadership	Green
	Environmental events	Red
	Community complaints	Green
	Water storage	Orange
Rehab	Green	
Operations	Saleable Production	Red
	Sales	Red
	Overburden	Red
	- MAC North	Red
	- MAC South	Red
	Prime coal mined	Orange
Financial	Mine site cash cost	Green
	Profit / Cashflow	Red
People	Absenteeism (unplanned)	Red
	Diversity	Orange

The "heat map" showing pit activity was viewed by the CCC. It was noted that there was very little activity in the Roxburgh area in Q4. Increased activity and the height of the dump in the Thiess area was discussed including the conveyor corridor and Orica facilities in that area. JB asked about improved spontaneous combustion and AL noted increased capping is available for the MAC area due to Q4 activity.

Commented [NJ3]: Wej, please ask Brooke to include further details.

Any further detail here? I don't recall spon com concerns.

9. Land management:

JN presented the environment update and noted that the 81Ha annual rehab target had been achieved which is the largest target area for rehabilitation in recent years. Stem thinning and weed control was discussed. Rabbit and wild dog control activities were discussed.

10. Environment:

Air quality was discussed, and equipment spares were noted as an improvement to prevent interruptions to monitoring. Water quality triggers outlined in the pre-read have been reported to the Department. TL asked about the licence to extract water from the Hunter River. JN stated that MAC has both general allocation and high security allocation as MAC is a net water user. Monthly usage figures are reported to the Water NSW JN advised that information on MAC water usage was presented to the CCC at a recent meeting and suggested this material is reviewed.

TL noted that he had made a complaint about a blast which he had heard, and which shook the windows of his house 18km from the mine. The results from the MAC blast monitoring system for the blast in question were presented and discussed with the committee. Results were within the relevant criteria,

There were no reportable environmental incidents for the period. MAC has completed annual reporting requirements, and these are available to view on the website. JB noted that the dust graphs are not helpful to the community. AL recommended MAC to include commentary to better explain the graphs.

ACTION 2 – JN to include commentary to explain dust graphs presented to the CCC.

11. Community:

LS presented the community update to the CCC. Complaints for Q4 were viewed and details discussed. 8 complaints from 5 complainants were received for the quarter. A summary of complaints for FY20 was viewed and discussed, with complaints listed by category as well as individual complainant. In FY20, 54 complaints raised, a 36% reduction in the number of complaints from FY19. Of the 54 complaints, noise 35%, lighting 33%, blasting 13%, dust 11%, other 6% and spon com 2%. Reduction of the number of blasting, dust, lighting and other (bus route, bus parking, windscreen) complaints. Increase of noise complaints by three from FY19. 18 individual residents, with five of the 18 residents raising more than one complaint. Complainants were not identified

JB noted that the Racecourse Road study has been postponed until September. JN noted that the study is an independent review by DPIE and the Department is the best contact for questions relating to this. The timing of the study is not determined by MAC. The potential source of noise generating noise complaints was discussed, with MAC noting that some complaints were being received about noise not related to MAC activity.

KC presented an update on community engagement and support including the launch of a new monthly newsletter for community members which commenced in April, promotion of the 2021 Apprenticeship program which received 700 applications including applications from 435 locals candidates, BHP representatives attended the Muswellbrook Chamber breakfast in August, BHP sponsorship of the Women In Mining (WIMnet) professional development program in 2020, MAC's \$18M spend with local business through the Local Buying Program in FY20 and an update on CSIRO Local Voices surveys.

Representatives from Upper Hunter Community Services (UHCS) were invited to address the CCC. UHCS has received funding through BHP's Vital Resources Fund support people who have lost income due to COVID-19. This support can help with food, transport and medical bills, and also pay school fees and vehicle registrations for those who have reduced work hours or lost jobs during the COVID-19 pandemic. The process to access assistance is to call or come in and make an appointment with UHCS. 25 families have been supported through the program to date. JB asked if any UHCS employees have been stood down and if they had accessed this funding UHCS noted that some staff have been unable to maintain their regular duties. UHCS did not provide details of who accessed the funding. Note – due to strict confidentiality protocols, details of who accesses the funding is not shared with members of the community. UHCS asks that the committee respects the privacy of people who access the service.

Commented [SL4]: Note – I've changed this section due to confidentiality matters and respect for residents accessing the service.

As we all can appreciate, the people utilising the service do this in a confidential manner.

In terms of JB's request if the UHCS staff have accessed the funding, again this is not public information, and JB should be aware of privacy protocols given he runs a business.

12. Calendar of Events:

The events calendar is minimal at this stage, with many events cancelled due to COVID-19.

13. General Business:

JB stated that MAC has refused to provide data from upwind and downwind dust monitors. JN noted that this has been discussed at previous CCC meetings and that the EPA dust monitoring trial had run for 6 months and was now complete, with all data being provided to the EPA as required. JN confirmed that the upwind and downwind monitors installed as part of the trial are not compliance monitors under the Project Approval. The monitors do however form part of the MAC air quality monitoring network which provides recommendations to operations to manage dust on a day to day basis.

The committee went outside briefly for a photo opportunity (TL left directly after at approximately 11:30am and did not return for meeting close).

The process for appointing new community representative to the CCC was discussed. Up to seven community representatives can be appointed to the CCC, which is at the determination of the Independent Chair in-line with the Department's guidelines. JB noted that the time commitment and cost are likely to keep most people from nominating themselves as community representatives. The process to advertise vacant positions are advertised in-line with the Departments guidelines. Appointments are made by DPIE. WP facilitates the process and MAC undertakes the administration side.

KC noted that JL had an item to raise with AL and the committee and WP stated that he would contact JL to enquire about the item.

Commented [NJ5]: Wej, John received this response several months ago when he went to the EPA about the trial. We have discussed this several times now, I recommend that he stop re issuing the letter at meetings.

14. Next Meeting:

Monday 9 November 2020 at 9.00 am (TBC)

15. Meeting Close:

WP closed the meeting at 11:40am

ACTIONS ARISING FROM THIS MEETING

ACTION 1: AL to investigate Greyhound bus route again and provide feedback to the committee regarding the route the bus takes.

ACTION 2: JN to include an introduction to explain dust graphs presented to the CCC.

ACTIONS REMAINING OPEN FROM PREVIOUS MEETINGS

Action	Status
Action 2 (Feb 2020): MAC to seek further advice as to confidentiality issues that may result from providing information regarding the number of complaints from individuals.	Complete. Number of complaints by de-identified residents presented at 14 August 2020 meeting.

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Action 4 (Feb 2020): WP to provide the template for the CCC annual report to CCC members and to liaise with LS about content.	In progress
Action 2 (Feb 2019): Col to get in touch with the DP&E (DPIE) to ascertain if a Department representative could attend a future CCC meeting to speak about the cumulative impacts of dust. The DP&E were contacted.	Site visit presentation by department representatives to be rescheduled in-line with COVID-19 requirements for site visits to Mt Arthur Coal. Update: WP to organise department representatives attend next meeting via on-line format.
Action 4 (Sep 2019): DP to enquire about approvals process and share with the CCC to clarify the required timeframes. Hold over to August meeting.	Complete. AL explained process in this meeting – refer section 7.
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. Update: WP to organise department representatives attend next meeting via on-line format.

Correspondence with MAC CCC since last meeting:

Date	By	Type	Description
8/8/20	WP	Email	Agenda and pre-read – August 2020 meeting
28/7/20	WP	Email	Minutes of meeting 7 May 2020
17/7/20	LS	Email	MAC newsletter - July
13/7/20	WP	Email	Change to future 2020 CCC meeting dates and attendance of General Manager
8/7/20		Meeting	JB; WP; AL; LS meeting to discuss questions regarding Greyhound bus and 2019 Lighting Report
29/7/20	JB	Email	Further questions regarding Greyhound bus and 2019 Lighting Report
17/6/20	WP	Email	DPIE advice to Chairs on meetings
15/6/20	LS	Email	MAC newsletter - June
5/6/20	WP	Email	Record of Iterative Q&A meeting 7 May 2020; CSIRO Community Conversation Muswellbrook; DPIE response to JB lighting report
31/5/20	LS	Email	BHP 2021 Apprenticeship program now recruiting
21/5/20	LS	Email	MAC newsletter - May