



**Mt Arthur Coal (MAC)**  
**Community Consultative Committee (CCC) Meeting**  
**Wednesday 8 November 2023**

Attendance

**Chairperson**

Dr. W.E.J Paradise (WP)

Independent Chair MAC CCC

**Community Representatives**

Jennifer Lecky (JL)

Community Representative

Lavinia Hutchinson (LH)

Community Representative

**Muswellbrook Shire Council (MSC)**

Theresa Folpp (TF)

Muswellbrook Shire Council

**Company Representatives**

Grant Clouten (GC)

General Manager

Sarah Bailey (SB)

Manager Land Access, Approvals & Heritage

Amanda Walker (AW)

Manager Corporate Affairs

Ray Marten (RM)

Principal, Approvals

Jimmy Nixon (JN)

Superintendent Environment

**Guests; NSW Department of  
 Planning & Environment (DPE)**

Tegan Cole (TC)

Senior Environmental Assessment Officer

Steve O'Donoghue (SD)

Director Resource Assessments

**Apologies**

Di Gee

Community Representative

**Minutes**

Sarah Purser

1. **Welcome & Apologies;** WP opened the meeting at 9.00 a.m. welcoming all. WP thanked DPE Representatives; Tegan Cole and Steve O'Donoghue for their attendance at today's meeting. WP conducted a round table introduction of all attendees. Acknowledgement of Country led by SB.
2. **Declaration of Pecuniary Interest**  
*Standing;* WP is remunerated for Chairing the meeting, as is SP for taking the minutes.
3. **Minutes of the previous Meeting held 9 August 2023**  
 WP confirmed the minutes had been circulated, he asked if members had any matters to raise, nil were put forward and the Meeting Minutes were accepted at today's meeting as being a true and accurate record.
4. **Matters Arising - NSW DPE CCC Guidelines**

**MAC CCC Membership**

**Action Arising; Muswellbrook Shire Council (MSC) to confirm MAC CCC representatives.** WP opened a discussion to confirm MSC CCC members and their representation. WP advised that the NSW DPE CCC Guidelines allow for one Council representative. WP would like for TF to remain as MSC representative and for JL to continue on as a Community representative. TF advised her understanding was that MSC would like to have two representatives; herself as a staff representative, and then a second representative for community. TF advised she will discuss this with Sharon Pope (MSC) and WP confirmed that it is for MSC to decide their official representative. WP noted that other MSC members are welcome to attend as observers.

**Action Arising; WP to liaise with the proponent regarding formalising the recruitment process and advertising for new Community and Stakeholder members to join the MAC CCC.**

- ✓ Actioned by WP and AW

AW advised MAC will be hosting a Community Engagement Event on 30 November 2023 and will broadcast that the CCC is seeking new members. AW noted the benefit of face to face discussions around CCC membership and confirmed fliers will be available for attendees to take away. MAC will also let people know of the CCC vacancies at a second Community Engagement Event to be held online on 7 December 2023.

WP felt it would be beneficial to also advertise the MAC CCC vacancies via newspapers and it was proposed that the Muswellbrook Chamber of Commerce be made aware of the CCC forum and why it is important for people to get involved.

**ACTION 1: WP to make contact with Muswellbrook Chamber of Commerce to explain the role of the MAC CCC and ascertain if they could share detail of the current Community and Stakeholder vacancies via their regular Newsletter.**

### MAC CCC Terms of Reference and Code of Conduct Forms

**Action Arising; WP to circulate the DPE CCC Guidelines Terms of Reference (ToR) for member comment.**

✓ Actioned by WP

WP confirmed the draft ToR had been circulated to the CCC on 9 October, 2023. WP provided an overview of matters contained within the ToR, particularly in relation to time lines for scheduling Meetings, distribution of the Meeting Notice and Minutes. WP would like to continue the right for members to raise any matters in relation to the Meeting Minutes at the next meeting prior to their ratification.

**ACTION 2: AW to confirm MAC's official company representatives for the CCC.**

**ACTION 3: WP to circulate the Code of Conduct Form for CCC sign off and return to Chair.**

**Action Arising: MAC to provide the CCC with a link to the Visualisation Tools when available on the Mt Arthur Pathway to 2030 website**

✓ Actioned Post Meeting by AW and WP

The virtual tools can be accessed via the following link:-

[Mt Arthur Coal Modification 2 Project – future landform visualisations](#)

RM acknowledged that these future landform visualisations are a fantastic tool and encouraged members to share the link with their contacts.

## 5. Report from the Chair - Wej Paradise

WP provided an overview of the CCC Chairperson Forum he had attended. WP noted a key outcome was the agreement that Chairs meeting annually would be beneficial to exchange ideas and knowledge across different regions, particularly in relation to supporting new Chairs and Proponents. WP explained building and maintaining a panel of Chairpersons allows for the selection of a person by the DPE to Chair State Significant Project CCC's.

In response to a request by MAC, WP confirmed he had made contact with a landholder who had previously enquired about the CCC. WP provided the landholder with an overview on how the MAC CCC works. The landholder felt the CCC did not have much visibility with limited access to the Meeting Minutes. WP asked that it be recorded that he had a wide ranging discussion with the landholder and that the issue of accessing the minutes had also been raised a few years ago.

WP noted that there is quite a step through process to locate the MAC CCC Meeting Minutes on the BHP website and then there are some issues around how they are ordered. LH noted that she has heard the same feedback around a number of mines and believes this comes back to the point that access to information should be made easier and more interactive for community.

It was acknowledged that the BHP website is a global business website and MAC are limited in what they can do, they will however talk to the team about placement of the Meeting Minutes in sequential order. MAC confirmed that they are working towards setting up their own content piece on the Pathway to 2030 website and may be able to put a visible link to the CCC Meeting Minutes there. MAC encouraged any enquiries to be directed to their 24 hour Community Response Line 1800 882 044 whereby staff can point people in the right direction to find information, or access links can be provided.

## 6. Update by DPE on Lighting and Dust issues - Steve O'Donoghue & Tegan Cole

WP confirmed a long standing item for this CCC had been for the DPE to talk about dust and lighting and this had stemmed from concerns raised from a previous CCC community member. It was acknowledged that JN has done a lot of work in providing detail on where dust comes from and MAC's impact in relation to cumulative dust in the MAC CCC Meeting Pre-Read. WP noted that lighting still seems to be a cause for complaints. It was acknowledged that there is some complexity in determining if there is a point that lighting should be regarded as a specific problem for the community and how do you deal with this in relation to regulatory bodies.

### Dust

SD acknowledged that there are a number of coal mines in the Hunter Valley, therefore cumulative issues and how to deal with those are of concern. SD advised the majority of mines have contemporary operating conditions and there are best practice measures within Air Quality and Greenhouse Gas Management Plans to ensure MAC and other mines are being reactive. JN agreed that there are a number of check points in relation to dust that fall under MAC's Management Plans i.e. Trigger Action Response Plans (TARP's). In addition, the 3 Yearly Independent Audit looks over compliance for all aspects of MAC's approval and licence. JN noted there are also EPA inspections.

SD spoke about the effectiveness of mines having to report any PM<sub>10</sub> exceedances to the DPE Compliance Team, inclusive of what actions were undertaken by the company in response. As the conditions become drier, dust becomes more of an issue around the State, therefore it is important that mining companies are monitoring their local conditions and putting effective measures in place to control dust.

TF asked if Provisional Improvement Notices (PIN's) are only issued by the EPA, or does the DPE issue these as well. SD explained the dual regulation roles for the EPA and DPE in relation to dust. Should there be a case where the EPA was taking action, the DPE may get involved from a compliance perspective if there were any gaps identified in Management Plans.

SD acknowledged the complication from a compliance perspective is determining where dust is coming from. If there is an exceedance the DPE will use the information provided to demonstrate that the mine had applied reasonable and feasible management. In response to a query from TF in relation to Environmental Protection Licences, it was noted that EPL's set the criteria for the discharge point for industrial operations and that concentration limits are set by the EPA.

WP noted that LH had taken an interest in community concerns about dust. LH confirmed that she had provided an example of a community member that had observed dust, but did not know where it was coming from and in terms of perception it can be difficult for community to determine what business is responsible. LH feels that community members should not have to make multiple phone calls to determine the source and is seeking a point of reference for this type of case.

**The following contacts were put forward by SD:-**

- For a pollution incident contact the Environment Protection Authority (EPA) 131 555
- Should it be a compliance issue the DPE website has a link to their compliance portal. In addition, there is a Planning contact person listed there for every Project.
- The Upper Hunter Air Quality Monitoring Network (UHAQM) is also a valuable resource to view dust monitoring results.

JN noted that should a community member have a concern about visual/operational dust that they would like investigated i.e. coming from a haul truck, the most efficient way is to contact the company directly. MAC's Community Response Line is in operation 24 hours, 7 days. LH feels these contacts need to be broadcast to the community so they understand who best to call dependent on the type of concern.

JN noted within the Air Quality Management Plan MAC is required to record, in terms of intent, reasonable and feasible management of dust. MAC can demonstrate to the Regulators where dust is coming from and if this is coming from site, there are systems in place to demonstrate the measures that were undertaken in response.

In relation to dust management, JN noted that MAC has conducted improvements to monitoring systems resulting in 24/7 data availability with no drop outs, and has built weather stations. In addition, within MAC's consent there is the requirement to coordinate with Bengalla and Maxwell around dust issues. JN confirmed that mines catch up regularly and also coordinate blasting, particularly to ensure community do not get held up at important times i.e. collecting children from school. When there are adverse weather conditions i.e. due to bushfire and poor ambient air quality in the area, there are conditions in place for mines to reduce their emissions so as not to add to this.

**Lighting**

For context WP explained the concerns raised had been around the lighting towers. SD confirmed that lighting is controlled via MAC's protocols within their Management Plan and by complying with Australian Standards. Lighting can become a compliance issue if it is not managed and there is a requirement for mines to minimise spill and work quickly to fix something that is not quite right. JN advised in response to feedback from community MAC has changed lighting plants to minimise spill, implemented yellow lights and shading, and is ensuring towers are set up correctly on a daily basis. JN acknowledged there can be subjectivity around the perception of the lighting source, therefore MAC will phone anyone with a concern to ascertain the location and will call back after investigating.

**7. Operations Update - Grant Clouten**

GC advised that July to September had been a good quarter for the mine, MAC have been achieving good production results in relation to budget and exceeding overburden movement against plan. GC noted that dry conditions are favourable from a coal mining perspective. Increasing price pressure means the business needs to be more efficient. MAC will not compromise on key commitments, such as environmental, but are looking at greater efficiencies from people and equipment.

GC acknowledged the challenge around ongoing dust management, MAC have invested in 3 new water carts bringing their total fleet to 13 and are making sure water is being sprayed strategically based on requirement via a despatch system. MAC has on occasion shut down the northern part of the pit due to increased wind conditions.

MAC continues to fill permanent roles, GC noted the Roster change from 3/2 to 5/4 that went live on 7 November 2023 provides flexibility for the workforce.

It was noted that some people in the community still ask if MAC are sure they will close and therefore the question remains could the site continue as a coal mine. SB explained that geotechnical issues make it uneconomical to continue mining beyond 2030 and that is why MAC have decided to close. SB noted this is the reason that MAC are seeking an additional four years to finish mining and transition their workforce.

## 8. Land Management & Environment - Jimmy Nixon

JN presented an update on Rehabilitation and Land Management. MAC have a dedicated team working on weed management 7 days a week. Environmental Monitoring Results for the period July to September 2023 were provided to the CCC including Water, Blast and Operational Noise. JN noted the rehabilitation target of 145 hectares for the FY24 year is an impressive area and reflective of getting access to some areas. Members responded that they were impressed by MAC's rehab target and JL felt that the work on the Drayton area is fantastic. JN was pleased to report that uptime percentages had continued to improve on the back of several initiatives including the purchase of new TEOM's, UPS battery units and communication loggers. MAC has achieved a 100% data capture which JN noted is good for both the company and community.

JN noted in relation to the topic of dust that GC and other Mine's General Managers had met, JN wanted the community to be aware that there is an additional focus on dust and that Regulators do go out to site on a regular basis. WP confirmed he had circulated detail on the NSW EPA Bust the Dust air quality community drop in event to the CCC.

MAC has completed, and therefore complied with, all annual reporting requirements under licence conditions. These reports are available to view on the BHP website using the following link:

<https://www.bhp.com/environment/regulatory-information#>

In response to a query from LH regarding rehabilitation specifications it was confirmed that MAC will continue to work towards meeting the landform obligations within their current approvals, these also remain the same within the MAC MOD report. SB acknowledged that there may be better land uses for the final potential users of the MAC site and that is why it has been included in the Prospectus, noting that MAC will continue to work with the community to understand their needs and wants, along with land capabilities. SB noted that MAC do not want to lose the potential great opportunities for site and reiterated that remains a reason for seeking an additional four years.

## 9. MAC MOD 2030 Approval Update - Sarah Bailey & Ray Marten

The modification report is now on Public Exhibition, at period close the submissions are submitted to the DPE to collate and return to BHP. BHP then prepares a Response to Submissions (RTS) report which the DPE will assess along with the Modification Report. Any requests for information from the DPE will be responded to by MAC. SB added that MAC are proposing to refer the project to the Federal Government under the Commonwealth *Environmental Protection and Biodiversity Conservation Act* (1999) and have commenced initial meetings with the Department.

### Alternate Mine Land Re-Use Prospectus

MAC are working through land capability and what it could support. MAC acknowledged potential for renewable energy projects i.e. solar, pumped hydro and noted the benefit of the proximity to existing high voltage electricity lines. MAC have received really interesting feedback from community and stakeholders around additional areas for recreation such as a fun park, high intensity agriculture and other positive land uses. MAC acknowledged there is a long way to go to get to that point and right now MAC are focussed on meeting their obligations for safe and stable landforms with trees and grass.

There was a general discussion around other potential projects in the region i.e. Wind Farms and the Hunter Gas Pipeline. SD acknowledged there is potential for these projects in part to go through multiple land holdings including mining tenements. LH and TF provided examples of residents talking to multiple organisations around what is planned for their land and TF noted that she was collating the projects into one dataset. LH noted this again relates to the community being educated on where they need to go to find information. LH advised that Muswellbrook have lost their local newspaper and no longer have this as their main communication tool, she expressed concerned over narratives about the region and a communication breakdown in Muswellbrook.

SD advised that people can subscribe to the DPE Major Projects Portal by local government area to get notifications about new projects coming up. LH appreciated this detail being shared in this forum and JL confirmed she has subscribed to this. LH feels that she and JL are the exception in knowing this detail and questioned how this information can be shared with the wider community. SD responded that new projects are usually advertised in newspapers and notifications will be sent to residents that live in an area surrounding the proposed project. JL confirmed that she has a lot of contacts within the local community through her business so she tends to be a point of sharing information.

## 10. Pathway to 2030 Update - Amanda Walker

The Tomorrow, Together program was a targeted program of one on one engagements for the MAC workforce over a six week period from August to September 2023. This equated to 1,013 individual conversations to support people to plan for their own pathway and what they would like to do in the future i.e. undergo retraining, stay with BHP. A playback of themes and next steps is anticipated to be shared with MAC's workforce in February 2024. MAC hopes to share the outputs with the CCC around the same time.

### BHP Partnership

In September MAC renewed their partnership with Upper Hunter Community Services (UHCS) for another four years. This will provide funding for a Community Development Worker, plus administrative support for UHCS programs. Over the last 10 years UHCS has been able to support some of the most vulnerable in Muswellbrook with drug and alcohol outreach, mental health services and support programs. MAC will continue to invest in critical programs to enable responsible transition for the community when Mt Arthur Coal closes in 2030.

### BHP - Pathway to 2030 - Community Engagement Events

- Thursday 30 November 2023 - 5.30 to 7.00 p.m. at Muswellbrook Race Club
- Thursday 7 December 2023 - 12.00 noon to 1.30 p.m. Virtual Event online via Zoom

AW noted these events will provide an opportunity for MAC to share overarching information and planning for 2030, for community to talk to various work stream leads and provide their thoughts on land use. AW reiterated that MAC will advertise the CCC vacancies at those events as well.

## 12. Community - Reports from Community Members

LH advised that a lady is doing a PHD on how coal mining influences community and this report will be available in about 9 months time. LH noted there is a lot going on locally in terms of people not communicating with each other and for Muswellbrook mining is a "here and now" topic. LH noted this lady had reached out to LH and has also spoken to Councils across the region. From these discussions LH feels it would be worthwhile to get a copy of this report for the CCC and WP confirmed his interest in seeing this.

JL advised in her role as a community member that the MAC CCC had been an interesting morning. JL feels that whilst MAC is getting to an end point, this could also be described as being the start of a new beginning.

## Report from Muswellbrook Council

Following on from JN's advice TF confirmed that MSC had invited Mining General Managers for a meeting on air quality. TF said this had been worthwhile with positive discussions, it had provided an opportunity for the GM's to explain what they are doing and responding to questions from MSC. TF is pleased that this is likely to be an ongoing dialogue as Council has received quite a few calls in relation to air quality and they can now confirm there is an open communication with the mines.

### 13. General Business

WP recapped the discussions regarding the CCC ToR and Code of Conduct Forms. With regard to CCC Community Membership WP advised that there are 7 positions available and these can also be Stakeholders such as representatives from Horse Studs as is the case with the Malabar/Maxwell CCC. WP encouraged all to share detail about the CCC vacancies noting it would be valuable to have people on board given the next 7 years for MAC. LH asked for those that do not have the capacity to commit to this forum, can members still encourage them to send information to the CCC. WP confirmed that is correct, they can send in information they would like discussed or answered via the CCC members or Chair, and that is encouraged.

### 14. Next Meeting - Tuesday 13 February 2024 - Proposed to be held at Donald Horne Building in Muswellbrook

#### Proposed 2024 Meeting Dates:-

15 May  
14 August  
20 November

### 15. Meeting Close

WP thanked members for their attendance and also SD and TC for coming to today's meeting as representatives for the DPE. WP wished everyone the best for the forthcoming festive season and closed the meeting at 11.03 a.m.

#### Actions Arising

**ACTION 1:** WP to make contact with Muswellbrook Chamber of Commerce to explain the role of the MAC CCC and ascertain if they could share detail of the current Community and Stakeholder vacancies via their regular Newsletter.

**ACTION 2:** AW to confirm MAC's official company representatives for the CCC.

**ACTION 3:** WP to circulate the Code of Conduct Form for CCC sign off and return to Chair.

#### Presentations on offer for 2024 MAC CCC Meetings

- ✓ Outputs from the Pathway to 2030 Tomorrow, Together Program - Amanda Walker
- ✓ Monitoring Systems for dust management and how MAC calculate site / other contributors - Jimmy Nixon.
- ✓ 3 Yearly Independent Environmental Audit Summary Report - Jimmy Nixon
- ✓ Biodiversity Offset Land Management - Mark Nolan
- ✓ Heritage Property Update - Jimmy Nixon