



**Mt Arthur Coal
Community Consultative Committee Meeting
Wednesday 8 February 2023**

Membership & Attendance

Dr. W.E.J Paradise AM (WP)
Grant Coulton (GC)
Sarah Bailey (SB)
Amanda Walker (AW)
Claire Killeen (CK)
Jimmy Nixon (JN)
Theresa Folpp (TF)
Lavinia Hutchinson (LH)
Jennifer Lecky (JL)
Sarah Purser (SP)

Community Response Line: 1800 882 044
Independent Chair MAC CCC
General Manager
Manager Approvals, Land, Access & Heritage
Manager Corporate Affairs NSWEC
Specialist Community
Environmental Superintendent
Muswellbrook Shire Council
Community Representative
Community Representative
Independent Minute Taker

- 1) **Welcome & Apologies;** The meeting was held at 9.00 a.m. via video conference with the Chair (WP) welcoming all. Apologies had been received from Ray Marten and John Hobden. Di Gee was expected to attend, however experienced difficulty logging in. Welcome to Country by WP.

Safety; GC reported that operators had increased their permissible travel speed due to the more favourable drier weather conditions, however due to water lines in the pit as a result of water carts being run to keep dust down, there had been a number of low risk cases of some trucks veering sideways There had also been incidents where drivers had failed to see another truck approaching an intersection. In response there has been a major focus around heavy vehicles in the pit, driving to conditions and being aware of surroundings via training packages and supervision.

- 2) **Declaration of pecuniary interest; Standing;** WP is remunerated for Chairing the meeting, as is SP for taking the minutes. LH confirmed her relationship with a number of surrounding mines.
- 3) **Minutes of the previous meeting held 9 November 2022;** WP confirmed the minutes had been circulated, corrected and accepted by the Chair as a true recording of the meeting.

- 4) **Matters Arising**

Action Item 1: Chair to circulate draft of the new NSW Department of Planning & Environment (DPE) Community Consultative Committee Guidelines.

- ✓ Completed; Chair has circulated.

WP confirmed he had provided feedback on various draft versions of the CCC Guidelines and that there had been a number of positive changes. One in particular was in terms of having specific terms of reference for individual CCC's which will allow each committee to have a role in determining some of the details about how the committee is to operate.

WP will report back to members when the final version of the DPE CCC Guidelines is circulated to the Meeting Chairpersons.

- 5) **Report from the Chair;** WP welcomed CK into her role as Specialist Community and SP as Secretary. CK provided an overview of her background experience in communication / community engagement, she looks forward to continuing to engage with community regarding BHP's undertakings.
- 6) **Applications, approvals and projects**

Update on the MAC MOD 2030 Approval - Presented by Sarah Bailey

Key actions completed:

- ✓ Lodgement of Scoping Letter to DPE
- ✓ Confirmation from DPE that modification approval pathway is available for MOD2030
- ✓ Mining Development Panel (presentation to NSW Government)
- ✓ All environmental specialists on boarded for various aspects of the EIS
- ✓ Confirmation of Modification description including production rates and disturbance areas.
- ✓ Review of refinement of final landform. SB presented the final draft version via mapping.
- ✓ Review and refinement of final land uses to satisfy existing rehabilitation commitments while providing optionality for alternative post-mining land uses to support and generate more economic benefit from site.
- ✓ Social impact assessment consultation covering a broad spectrum of stakeholders received overwhelming support for the Modification.
- ✓ Completion of biodiversity surveys for the Modification study area, being 35 hectares of additional surface disturbance. SB advised this area has been historically grazed native grassland which will be incorporated into the assessment
- ✓ Completion of statutory Registered Aboriginal Party registration process.
- ✓ Updates to key environmental models (groundwater, noise, air quality) to reflect the Modification
- ✓ Completion of baseline visual assessment. SB advised that Truescape Consultants had been engaged to create visual montages with rendering on existing images and the ability to toggle in and out to allow the CCC and others to get a closer look at what this area will look like.

LH noted that MAC has reported that the modification for the extension is looking favourable and queried if that coincides with concerns put out in recent media articles that the mine may close earlier than expected. SB responded that BHP have never stated that MAC is closing early, what has been communicated is that BHP are reassessing business plans, certainly the plan as far as the modification of consent and seeking the extension of consent life to transition to 2030 is something the business is totally focussed on. It is business as usual for BHP and should there be any change then BHP would be releasing a media statement and engaging with key stakeholders.

Key upcoming actions (2023):

- Aboriginal heritage surveys of Modification disturbance area that is located near the corner of Denman and Edderton Roads, anticipated for late February 2023.
- Calculation of biodiversity offset liability for Modification disturbance area. SB provided detail on where these off-sets could potentially be located adjacent to parcels of land within existing biodiversity regions.
- Draft modelling results (groundwater, noise, air quality)
- Complete draft reports (Traffic, Social, Visual, Economics, Surface Water, Air Quality and GHG, Biodiversity).
- Draft introductory sections of Modification Report.
- Modification Report lodgement - anticipated for July/August 2023.

Project milestones:

SB presented anticipated time frames via a project step through process based on previous benchmarking, she noted that BHP will be seeking Federal approval in parallel to this process.

SB identified a tree planting area on a photograph taken of biodiversity offset conservation land, of which there are 2,500 hectares managed by her team. In response to a query from TF, SB advised that there had

been over 6,000 trees planted in that particular area, which is the Thomas Mitchell off site area located between Iron Bark Ridge and the Muswellbrook Industrial area. TH queried if BHP had conducted tree planting in other offsite areas and SB advised that she would be pleased to provide an update on the management of all biodiversity offsets at the next session.

SB added that biodiversity management also includes; bushfire management, infectious weed management and an Annual Review is submitted by BHP to the Biodiversity Conservation Trust. BHP have an obligation under their conservations agreements to manage feral animal control and have trail cameras set up, these are a helpful tool for BHP as they do not required active involvement..

ACTION 1: MAC to provide an update on the management of Biodiversity Offset Conservation Land at a future CCC Meeting.

7) Operations Update - for reporting period: FY22 Q2 October to December 2022 - Presented by Grant Coulton

GC advised as a result of the improved weather conditions there had been an increase in production from site with an overall upward trend both on overburden and coal. The market from a coal sales perspective is holding steady, however prices are starting to decline, this does not change MAC's perspective on site and they continue to press ahead towards more regular production levels.

GC advised that workforce numbers are steadily improving, though across the country it remains difficult to recruit and maintain skilled workforce such as technical, mine planning and trades. WP queried what is driving the sudden lack of skills and labour in the work force and GC responded that this is a National issue, the affect of Covid has been a key driver due to not being able have people as readily transportable across the industry. In terms of finding people to operate mining equipment BHP's efforts are focussed on rebuilding that skills base and reviewing their Graduate and Apprentice programs to see what they can do to bring new people into the business and provide them with the skills MAC needs.

In relation to dust immergence during summer, MAC have had regulator visits and unannounced spot checks resulting in positive feedback that they have been performing well and their team is doing a good job. There will be another water cart on site in March and water fill points are being changed into areas of greater need.

ACTION 2: In response to a query from TH, GC to investigate if MAC is conducting exploration in regard to Licence 5965.

LH advised she works in recruitment across the Upper Hunter and had noticed a stigma around being associated with the coal industry, she queried MAC's thoughts around that when recruiting new people and trainees. GC responded his experience is that those new to the coal industry are creating a very different culture and coming in with the view that they are not looking at it as a long term goal. Mining is broader than coal, new elements such as gold, lithium and zinc need to be mined so it would seem some people are gaining skills within the coal industry to take to those other industries in the longer term.

GC noted a lot of new to industry have come from other jobs, not straight out of school, that being the difference as they have been in the workforce for a while and seen this opportunity. GC noted that through the CCC forum it can be seen what the positivity can be with the community and the opportunities the industry can create. LH acknowledged that the question of how business could do better to bring people into this region was a big subject matter.

8) Land Management & Environment- Presented by Jimmy Nixon

JN provided an overview of the FY23 Rehabilitation update that had been detailed in the CCC Meeting Pre-Read. Overall Blast and Noise Monitoring was compliant for the reporting period. There were a few groundwater exceedances that had been reported to the Regulator that had been investigated by MAC. JN noted that it had been pleasing that Regulators had confirmed the actions MAC undertook were satisfactory. An overview of complaints was provided.

JN advised that MAC has completed a project to improve the uptime and reliability of their environmental monitoring stations for operational dust and noise, there had been an improvement since upgrading that equipment which is good for operators, community and regulatory bodies. WP had noticed there had been periods of time where instruments weren't functioning and queried if MAC were finding these instruments more reliable. JN confirmed that towards the end of 2022 MAC had started to see a positive step change and was confident that in Q1 2023 they will see data come through that is consistently better.

JL advised it had been a long time since the CCC had done a site tour, she expressed her interest in viewing what is being built in the big hole in the Drayton Bayswater area. JL sees a lot of changes when driving past and there were some areas that were of concern to her. JN offered to take JL out at her and CK offered to connect out of session to come up with a list of places JL would like to see. JL noted some of her interest was around redundant areas from years ago so was unsure if these would be of interest to other members. WP suggested that other members may well be interested and put forward that MAC conduct a site visit prior to the next meeting scheduled for 17 May 2023. **Actioned Post Meeting;** CK circulated a placeholder via WP for the next MAC CCC Meeting scheduled for 17 May 2023 to commence with a Mine Tour from 9 a.m. to 11 a.m.

TF queried if air quality exceedances were calculated so that MAC's contribution was over i.e. they were the main contributor, or was it determined that their contribution had been small as TF has seen this to be common across reporting from a number of coal mines in the Hunter. JN noted that mines have slightly different requirements which can cause difficulties in providing consistent reporting to community. MAC's Approval requires the company to make a report to the Regulator if the total dust levels exceed 50 micrograms, so that is the total regardless if it is MAC, neighbouring sites or even background dust. These are submitted along with the preventative and mitigative actions that were undertaken, which are then measured against MAC's Air Quality Management Plan.

JN directed TF to the Meeting Pre-Read regarding a dust level exceedance at DC02 on 6 December 2022 whereby the graph that breaks down MAC's daily performance and contribution against total indicated that MAC's contribution was around 20 of the 50 micrograms. WP noted this example does raise the issue of cumulative impacts, where BHP are reporting that their contribution is only a component, WP queried if there had been any further work conducted around dealing with cumulative impacts. JN explained the difficulties associated with a range of companies being able to work together seamlessly in relation to real time dust on a daily basis.

MAC adhere to their approval and licence conditions that have been in place for a period of time. JN advised that MAC is required to submit their Air Quality Management Plan for the Regulators consideration and agreement, that plan lists out all proactive and reactive measures MAC will undertake in response to operational dust on a daily basis and does include sharing some data with other operations. WP acknowledged that approvals and licences had been written in different times and therefore based on what that criteria was at the time.

TF understood that many years ago the EPA had looked to introduce a mechanism, whereby if particular up valley and down valley monitors in Upper Hunter Air Quality Monitoring Network (UHAQMN) were at a certain level, that would trigger mines to have to check their operations. TF was unable to find the report and was interested to see what happened with this initiative. JN felt that there may not have been enough confidence in the type of modelling to direct the issue on a regional scale and this project may have fallen

away. JN could confirm that MAC had never received any licensing conditions to react to this proposed mechanism.

LH advised that a local farmer and business owner, who has resided in the area for some 50 plus years, had said there had been a haze across the town two to three weeks ago that he believed was dust coming from a couple of mines. This gentleman told LH that he had never seen anything like it in his life and had been trying to work out what it could be and whether it was connected to the mines, or a weather event. LH said he was unable to tie this to a particular mine to go to one and ask, as it appeared to be more of a general issue. LH queried who would be the appropriate body to report a general air quality issue to. AW responded that if this gentleman could share the particular date that issue occurred MAC could do a retrospective search to see if there was anything that happened at their operation during that day that might of contributed. AW confirmed that MAC is always open to the community reaching out, even if it is several weeks post an event, she asked the CCC to please encourage people to make contact with MAC even if they feel they might have missed a moment.

JN recommends to everyone that they use the MAC Complaints Hot Line which is in operation 24/7, as this enables his team to look into any concerns immediately and provide feedback to the complainant. LH queried what the procedure is if a community member raises a concern that is not connected to MAC. JN advised that MAC would not go to another company on behalf of a complainant and whilst he understands there may be some frustration in contacting a number of mines, that is the most effective way should a person not be sure of the source and this would be the most efficient way of getting through to the right people as quickly as possible. JN noted that, as is the case for MAC, all mines are required to respond to concerns lodged via their complaints line, so the complainant would get a response from each operation.

WP noted that the case LH had presented was an example of a community member experiencing cumulative impacts. WP believes the issue is when somebody is looking out over the whole of the air catchment and they see an accumulation of all impacts but no individual is responsible. WP feels this was the core rationale for the EPA report TF raised, his recollection was that this work was conducted some 10 to 15 years ago when these issues were top of mind due to a lot of developments happening at one time and there was concern in the community about cumulative impacts, dust as a particular case point.

LH asked if she should direct someone with a generalised air quality concern to Council and TF responded that there would not be a great deal that Council could do to assist. TF felt if everyone continually complains to the EPA or DPE there might be a broader approach. In terms of Council authority, from TF's understanding, the Air Quality Committee did do a study about five years ago and found wood smoke was a major cause of bad air quality which led to a reduction study.

LH believes there is not a specific body to refer concerns to around cumulative impacts, whether these are in relation to air quality, job losses or that the industry is changing. TF feels some of those subject matters are being addressed individually, though not so much around air quality as yet, for example in 2012 there was a coal rehabilitation mine benchmark study where corridors were created to enable everyone to work together. In addition, TF advised she will provide more detail on the Upper Hunter Regional Plan for 2041 in regard to final land use post mining in Council's Report at today's meeting.

9) COMMUNITY

Reports from Community Members

LH had received feedback in relation to funding channels, that people had made a decision not to accept money from fossil fuels. LH said business' need some more confidence about what they are doing in their day to day operations so they can plan for the future. AW agreed with LH that the certainty is a big issue and one that MAC was certainly working to address when making their decision around 2030. It was

thought that an eight year period would be a reasonable time frame to provide some certainty and allow community, business' and those that work with MAC time to plan.

LH stressed the need to talk about the Upper Hunter as this is the area that is going to be the most impacted by mining. There was a general discussion around the committees and bodies associated with the mining industry whereby attendees contributed their knowledge around their focus and activities.

Hunter Expert Panel - For royalties for rejuvenation; It was LH's understanding that this panel is focussed on the greater Hunter region, inclusive of Newcastle, Lake Macquarie and Cessnock. LH advised discussions in her circles around this fund had noted that the money comes from the Upper Hunter region, which is a sub-region, so there was concern that there is only one local representative on this Panel. AW advised that Liz Watts has been appointed into a new Head of Transition role at BHP and that Liz was already a member of the Hunter Expert Panel. AW believes that Liz will bring a good academic perspective, along with experience from a number of successful transitions in the international forum to this panel.

Chamber of Commerce - Industry Breakfast; LH expressed her concern that matters were discussed in this forum by a relatively small number of members that predominantly work in the mining industry. JL responded that everybody is invited to this Meeting where all these types of matters, including community issues are discussed by people from various industries. JL noted the mines are supportive but in addition there are subcontractors and people from many other industries in attendance. JL noted that MP's David Layzell and Paul Toole had been along to talk about the election.

Upper Hunter Mining Dialogue (UHMD); JN noted that at a Meeting held in November 2022 there had been data presented around different approvals that are currently in place, along with the demand curve. AW added this had indicated current approved extraction rates, the potential future extraction and then the longevity of the industry in the region.

ACTION 3: AW to make contact with the Upper Hunter Mining Dialogue to get a sense on how they communicate and to ascertain what channels they are reaching out to.

JL feels there are many discussions being had within the community. JL has always been able to communicate, find out things and get any information that she needed since the time she has been watching over mining. WP presumed some of the issues raised by LH about the broader social impacts within the sub region will be addressed as part of the Social Impact Assessment Report. LH feels that BHP are somewhat leading this transition for the region and AM hopes in the next few months that BHP will be able to have conversations with stakeholders in more detail about what the role for BHP could look like.

Report from Muswellbrook Council; TF advised in the Hunter Regional Plan there is an action for Regional NSW to look at planning options for enabling final land to have other options for use rather than trees and grass. This has been referenced as "placed strategies" whereby for any site that is identified as a regionally significant growth area, there will be the requirement to demonstrate a number of things; including but not limited to; maximising employment generation, make use of voids or site infrastructure such as; rail loops, paths, dams and support the growth of adjoining industrial areas. TF confirmed that Council staff will be meeting with Regional NSW in the near future around this. TF was thanked for her update and if there could be more shared after that meeting it would be appreciated by the CCC.

10) **General Business;** No matters were raised.

11) **Next Meetings for 2023 - Wednesdays**

17 May with site tour | 9 August | 8 November 2023

12) Meeting closed at 10.40 a.m.

Actions Arising;

ACTION 1: MAC to provide an update on the management of Biodiversity Offset Conservation Land at a future CCC Meeting.

ACTION 2: In response to a query from TH, GC to investigate if MAC is conducting exploration in regard to Licence 5965.

ACTION 3: AW to make contact with the Upper Hunter Mining Dialogue to get a sense on how they communicate and to ascertain what channels they are reaching out to.

Actions remaining open from previous meetings:

<p>Action 1 (Feb 2019): Chair to contact 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</p>	<p>Chair to discuss with NSW Department of Planning</p>	<p>Ongoing</p>
<p>Action 2 (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.</p>	<p>Chair to discuss with NSW Department of Planning</p>	<p>Ongoing</p>