

**Minutes of the Mount Thorley Warkworth  
 Community Consultative Committee Meeting Q4 2022**

**Date:** Tuesday 23 November 2022

**Location:** MTW and Teleconference

**Time:** 2pm – 4pm

**Attendees**

Colin Gellatly (CG - Chair)  
 Gary Mulhearn (GM)  
 Joshua van Bezouwen (JVB)  
 David Bennett (DB)  
 Antoinette Silk (AS)  
 Barb Brown (BB)  
 Denis Maizey (DM)  
 Stewart Mitchell (SM)  
 Ian Hedley (IH)  
 Dr. Neville Hodkinson (NH)

**Role**

Independent Chairperson MTW CCC  
 MTW Environment & Community Manager  
 MTW Environment & Community Advisor  
 MTW General Manager  
 Community Representative  
 Community Representative  
 Community Representative  
 Community Representative  
 Community Representative  
 Stakeholder Rep - Singleton Shire Healthy Environment Group (via teleconference)  
 DPE Director – Resource Assessments  
 DPE Team Leader - Resource Assessments  
 DPE Senior Environmental Assessment Officer

Steven O'Donohue (SO)  
 Joe Fittell (JF)  
 Sarah Clibborn (SH)

**1. WELCOME**

- CG opened the meeting and welcomed CCC members and DPE attendees.

**2. APOLOGIES**

- GM advised apology received from Hollee Jenkins (HJ)

**3. DECLARATION OF PECUNIARY INTEREST / CONFLICT OF INTEREST**

- **Standing Declarations:** Col advised that he is engaged by MTW to provide the services of Independent Chairperson.

**4. BUSINESS ARISING**

**Action Items arising from the 28 August 2022 Meeting**

Refer to **attached** CCC presentation for previous actions, and relevant response / update made by MTW. Other notes of relevance discussed during the meeting in relation to Business Arising are below.

*Business Arising Action 8: DM discussed he has found contacting DPE is becoming more difficult with the department's portal on the internet, previously he was able to call directly to the team based out of Singleton and*

have a discussion. SO provided an overview of the departments structure. JF offered to provide his contact number for CCC members to contact him with any questions.

**Follow on Actions from Business Arising:**

**Action 1: Community Newsletter to be distributed within one month of CCC meeting**

**5. CORRESPONDENCE**

- 9/10/2022 – Chair circulated correspondence from DPE regarding draft CCC guidelines for review / comment
- 11/10/2022 - MTW CCC Meeting 16 August 2022 - Draft minutes
- 20/10/2022 - MTW CCC Meeting 16 August 2022 – Final minutes endorsed by Chair
- 24/10/2022 - MTW Community Support Program 2023 - Applications Open
- 3/11/2022 - Upper Hunter Mining Dialogue 2022 Community Forum
- 11/11/2022 - Upcoming CCC Meeting Wednesday 23 November 2022 - Agenda. DPE to attend. Annual Review Report 2021
- 15/11/2022 - Upcoming CCC Meeting Wednesday 23 November 2022 - Business Papers

**6. CONFIRMATION OF THE PREVIOUS MEETING'S MINUTES**

Confirmed at today's meeting by CG.

**7. PROPONENT REPORTS AND OVERVIEW OF ACTIVITIES**

**MTW Operations**

*Refer to presentation*

- DB provided business update regarding operations and production, coal pricing, cost increases, safety performance. DB advised that operations have been affected by wet weather this year, with a reduced production output as a result. DB advised full year production will be behind around 30% by end of year. MTW is currently only operating the dragline in West Pit and the North Pit dragline currently parked up for several weeks. the fleet of 15 new NHL Ultra Class trucks are operational and being utilised for production. MTW is carrying quite high water stocks as a result of rainfall, and has been operating licensed discharge operations to manage.
- IH asked about the progress of the filling of South Pit. DB advised that dumping will start at the northern end of South Pit, and in future would come from the southern end of South Pit. Works will take at least 4 years to complete and will depend on ability to empty the water to progress dumping.

**North Out Of Pit Dam (NOOP)**

*Refer to presentation*

- DB advised construction of the NOOP dam is continuing but has been held up with wet weather. The main excavation has continued using a mining excavator. Blasting activities expected to commence late this year or early next year 2023.

- IH asked about the water quality that will be in the NOOP and ability to control the water. GM advised the water will be mine water, the NOOP will provide additional water storage for containment during rain events.

### **Modification - WML Workshop Modification Update**

*Refer to presentation*

- GM the advised the Ultra Class workshop will allow the maintenance of the new NHL truck that do not fit into existing workshop facilities, construction commenced in November.

### **MTW Communications Tower – Charlton Ridge**

*Refer to presentation*

- GM advised the sites communication tower has been constructed as seen in the presentation. The tower will provide LTE (Long Term Evolution) communication to mining equipment back to dispatch. The LTE network will provide opportunities for other communications such as environmental monitoring equipment.
- BB asked about use of the communication tower for the community. GM advised that MTW has been communicating with providers such as TPG and Vodafone offering opportunity for providers to install their own mobiles phone cells to provide mobile coverage to the area. IH advised the government has money set aside for the "Black spot" program that could be available to improve reception in the area.
- DM asked about the red flashing light on the tower that he has noticed, and enquired why CCC wasn't advised. GM advised that although the tower construction has been advised to CCC at previous meetings, the red flashing light on the tower was completed as part of the engineering requirements during construction. GM noted this would have been communicated at previous CCC meetings if it was known at the time of those meetings.
- DM has been in contact with CASA regarding tower lights who advised lights may not be required for this situation and that CASA only make recommendations. DM noted he will understand if it's a safety issue. DM/SM also noted that overburden dumps may be higher than Charlton Ridge where the tower is located, and queried if that affects aviation warning light requirements.
- GM advised he understood it is a CASA requirement and will follow up and provide details on requirements.

***Action 2: MTW to follow up on the requirements of the red light on the communications tower.***

### **Exploration**

*Refer to presentation*

- All exploration sites for 2022 and 2023 are on MTW owned land, and within mining and exploration tenements.
- The 2022 program will be completed by end of November.
- The 2023 exploration program is expected to start in February located on Yancoal owned land.

### **Monitoring**

*Refer to presentation for data – YTD 2022*

- JVB presented equipment downtime / Community Response Officer (CRO) noise assessments and operational changes for nights above noise limits.

- DM questioned the number of CRO assessments regarding if noise readings recorded as NA are recorded in those numbers. JVB advised all individual noise assessment are recorded even when listed as NA. NA does not always mean there was no noise but could be the result of being unable to record a measurement to noise unrelated to the mine. DM questioned NA measurements being averaged. GM advised he was unsure where that reference was from and would follow this up.

**Action 3: GM to follow with Denis the reference to noise assessments being averaged.**

### **Rehabilitation / Disturbance 2022**

*Refer to presentation*

- GM advised that 50.0Ha of rehab areas have passed the “Bulk Shaped” status. 29.2Ha of this area is in the “Ready to Seed” or “Seeded” status.
- GM advised that the disturbance target for 2022 includes disturbance associated with the NOOP Dam construction in previously rehabilitated areas on Tailings Dam 1 dump area.
- SM asked about the disturbance progression, and asked if the mine is limited to a distance ahead of mining, which he thought was about 100m. GM confirmed disturbance is tracked in monthly reports and mine planning.. DB advised only one strip ahead of mining is completed at a time, only the required area is cleared to complete mining excavation, not clearing large areas and then leave it sit there. DB noted though the width will vary, he thought often this would be less than 100m. SM enquired about the clearing near Putty Road. GM/DB advised that the mine has been stood up in that area as we waited for the Wollombi Brook Aboriginal Conservation Area, and with recent wet weather, clearing was delayed for access for mulching equipment, and this area is now being advanced to a more efficient shape for highwall and benches.

### **Historic & Cultural Heritage Management**

*Refer to presentation*

- GM advised MTW now has a dedicated resource to progress historical heritage works. Quotes for works have been previously received and will be planned to progress in 2023.
- SM asked when works will commence due to minimal work completed over the last 5 years. GM confirmed that he agrees minimal work has been completed with the aim for the dedicated resource to commence works early next year.

### **Vertebrate Pest Management 2022**

*Refer to presentation*

- GM advised several control programs completed in 2022 at MTW and in the Biodiversity areas with works ongoing.
- General discussion about vertebrate pests increase sightings locally of dog, foxes and pigs. GM confirmed MTW continues to coordinate vertebrate pest programs with Local Land Services.

### **Weed Management 2022**

*Refer to presentation*

- IH asked if he could speak to MTW's land management contractor to find out what herbicide they are using to control African Lovegrass

**Action 4: MTW provide opportunity for IH to talk to MTW land management contractors regarding herbicides used for different weeds including African Lovegrass.**

## **Northern and Southern Biodiversity Area (BA) Planting Program 2021**

*Refer to presentation*

- GM provided overview of the Northern BA planting program, which includes transportation of Warkworth Sands Woodland topsoil from ahead of mining areas to the Northern BA, and planting of approximately 10,000 plants in 2022. Wet weather has delayed this work impacting haulage of the Warkworth sands.

## **Cultural Heritage**

*Refer to presentation*

- GM provided overview of the approval of the conservation agreements for Wollombi Brook Aboriginal Cultural Heritage Conservation Area and the Loders Creek Aboriginal Cultural Heritage Conservation Area. This is a significant milestone for MTW's EIS commitments and development consent condition. Heritage NSW advise these are the first cultural heritage conservation agreements signed under the NPW Act.
- GM advised under the conservation agreements no open cut or underground mining is permitted, with the exception that the section located within Wambo underground mining lease will allow underground mining due to Wambo's underground mining being approved prior to conservation agreement.
- DM asked if any mining related activities such as a tunnel would be allowed within the conservation area. GM and SO both advised that no mining related activities will be permitted in the conservation area (outside of Wambo underground mining activities).
- SM has a question regarding biodiversity area's located within the conservation area. GM provided a brief overview and offered to catch up with SM outside the CCC meeting for any further clarifications.
- IH – Asked if there is a reason the conservation area west of mining is shaped. GM advised that may be due to potential coal resource within the mining leases and that the conservation area was likely designed around the possible resource that could be subject of a future application outside of the conservation area.

## **Department of Planning and Environment**

- SO thanked the CCC members for the invitation to attend the meeting, and explained the roles of the DPE for resource assessments, post approvals and compliance.
- SO offered that DPE contact details can be provided to CCC members to contact them with any questions or concerns.
- DM expressed concerns about the height of dumps that are approved and the impact on the community due to visual and lighting.
- SM asked if there is someone he can contact at the department regarding questions interpreting consent conditions. JF advised GM will provide his contact details.
- NH discussed his view that there should be a holistic view for cultural heritage for the region and thinks there should be one document providing all details between all the mines in the area. GM advised the information is provided in the suite of Management Plans to manage meets the requirements of the development consent, but not in a single document. SO advised that heritage is complex in nature and there is no consent requirement to have one document that he was describing for all uses, there are already management plans required for individual operators to manage their lands.

***Action 5: MTW to provide contact details for DPE Sydney office for any relevant enquiries from CCC***

## **Business Papers**

Business papers were provided to CCC members prior to the meeting, including a summary of; Complaints, Incidents, Environmental Monitoring, Rehabilitation, Website Uploads and Community Investment Update. MTW Monthly Environmental Monitoring Report (MEMR) for June 2022, July 2022 and August 2022 were provided. September MEMR to be provided at a later date.

## **Management Plans / Reporting**

- 2021 Annual Review was approved by DPE 10 October 2022 – available on MTW website.

## **8. OTHER AGENDA ITEMS**

- Noise - IH requested specific noise item be included in Agenda. The emailed enquiry and MTW's response was included in the presentation.
- IH provided an overview of concerns with the increase in noise with mining operations working at ground level and asked if there was an option to limit operation to in the pit at nighttime. DB provided an overview of the current operation working on the upper passes of west pit as the mine advances west. DB advised it is not feasible to limit operation on upper benches to day time only, ideally operations would operate spread throughout the site. Impacts are managed when they are close to or above the limit with operations modified to operate compliant.
- DM agreed with IH and noise is becoming more noticeable during the daytime. GM advised operations are looking at how equipment is started back up in daytime operations after period of night downtime as raised by SM at previous meeting. GM also advised that new equipment has been purchased that will allow the community response officers to measure the low frequency noise level that has caused the exceedances this year due to the addition of the modifying factor.

## **9. GENERAL BUSINESS**

### **General Business MTW - Community Support Program (CSP)**

*Refer to presentation*

- Organizations being supported in 2022 were provided in the presentation. GM advised the 2023 Community Support Program advertising occurred over September-October 2022 with applications closing 4 November 2022.

### **General Business - CCC Members**

- BB thanked GM for the invitation to attend the Upper Hunter Mining Dialog and provided an overview of the meeting to the group.
- TS advised she was approached by members of the Bulga community with a letter raising concern regarding the Bulga Village commercial area with a request to advise the CCC meeting. TS advised that the written concerns were provided to MTW, that GM had provided a response, and GM had offered to meet with those that provided the concerns, which has been received well by the community members. Upon request from BB, GM advised the content included enquiry about the Bulga service station renovation and operations of the service station and tavern. GM gave a brief overview of the process for the service station infrastructure assessments and future renovations. CG suggested that the letter and response be shared with CCC members.

**Action 6: MTW to provide CCC members with the community letter provided to TS and MTW's response.**

- DM relayed an interaction with a local landholder about ownership and indicated difficulty in understanding land ownership from mapping previously provided, and also requested GM to meet up to explain noise measurements in Monthly Monitoring Reports.

**Action 7: GM to meet up with DM to explain measurements in Monthly Monitoring Reports, and also to discuss a land ownership enquiry.**

- DM explained that community members are finding it hard to track changes to management plans and suggested a document where this is listed. GM advised all management plans include updates in a revision table and which parties are consulted, this information is already recorded in each management plan.
- SM questions regarding noise measurements when low frequency penalties are applied to noise measurements. GM provided a brief overview of modifying factors for low frequencies and that they vary as described in the *Noise Policy for Industry*, and offered to meet up with SM if he would like. SM also queried about weather conditions in relation to noise measurement. GM advised that noise limits only apply under certain weather conditions under the consent. Regardless of this, our own Community Response Officer noise readings manage our operations to the noise limits, and feedback based on measured levels.
- SM asked about if there was any update with the underground project. GM / DB advised a decision has not been made with the project still at feasibility assessment.
- SM asked how long the current consent allows mining. GM advised until 2037.

## **10.NEXT MEETING**

CG thanked DPE for attending the CCC meeting, indicating it has been valuable for the CCC. CG wished CCC members a Merry Christmas and Happy New Year.

Next CCC Meeting: Wednesday 22 February 2023, 2pm

**MEETING CLOSED 3:50pm.**

## **SUMMARY OF ACTIONS**

**Action 1: Community Newsletter to be distributed within one month of CCC meeting**

**Action 2: MTW to follow up on the requirements of the red light on the communications tower.**

**Action 3: GM to follow with Denis the reference to noise assessments being averaged.**

**Action 4: MTW provide opportunity for IH to talk to MTW land management contractors regarding herbicides used for different weeds including African Lovegrass.**

**Action 5: MTW to provide contact details for DPE Sydney office for any relevant enquiries from CCC**

**Action 6: MTW to provide CCC members with the community letter provided to TS and MTW's response.**

**Action 7: GM to meet up with DM to explain measurements in Monthly Monitoring Reports, and also to discuss a land ownership enquiry.**