

**Minutes of the Mount Thorley Warkworth
Community Consultative Committee Meeting Q3 2023**

Date: Wednesday 23 August 2023

Location: MTW

Time: 2pm – 3:30pm

Attendees

Colin Gellatly (CG - Chair)

Gary Mulhearn (GM)

Joshua van Bezouwen (JVB)

Hollee Jenkins (HJ)

Denis Maizey (DM)

Barb Brown (BB)

Role

Independent Chairperson MTW CCC

MTW Environment & Community Manager

MTW Environment & Community Advisor

Singleton Council Representative (by video conference)

Community Representative

Community Representative

1. WELCOME

- CG opened the meeting and welcomed CCC members.

2. APOLOGIES

- Apology received from Ian Hedley, Stewart Mitchell. No response from Neville Hodgkinson.

3. DECLARATION OF PECUNIARY INTEREST / CONFLICT OF INTEREST

- **Standing Declarations:** CG is engaged by MTW to provide the services of Independent Chairperson.
- CG reminded the CCC on the requirement for members to declare pecuniary and non-pecuniary interests, with details shown on presentation screen, and asked members at the meeting if they have anything to declare. None were declared.
- GM explained that the declaration of interest requirements presented in the meeting has been updated as per the updated CCC guideline that had been recently distributed.

4. BUSINESS ARISING

Action Items arising from the 31 May 2023 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.

- GM explained MTW are still investigating options for an independent minute taker. CG asked that a follow up action to progress an independent minute taker. BB questioned how the minutes are currently completed. GM explained that MTW completes the minutes on behalf of the chair and will continue until an independent minute taker is selected.

- GM ran through the northern end of Wallaby Scrub Road which is still owned by Singleton Council, and the section that is part of the WBACHCA and committed to following up with Neville as this was his question.
- BB requested for MTW to show her around the remaining northern end of Wallaby Scrub Road and asked what Aboriginal groups are involved in this area of the WBACHCA. GM advised that not one particular aboriginal group is involved in the consultation of the area – there is a WBACHCA Plan of Management Implementation Group, who are nominated by the MTW Cultural Heritage Working Group. The term for the Plan of Management Implementation Group expires every 2-3 years, which has occurred, so the implementation group will need to be refreshed. BB asked for which groups were on the implementation group, GM advised he will have come back to BB with that information.

Action 1: MTW to progress identification of an independent minute taker.

Action 2: GM to follow up with Neville regarding the Wallaby Scrub Road and the section that is part of the WBACHCA.

Action 3: MTW to provide opportunity to take BB out to the Wallaby Scrub Road section that is part of the WBACHCA.

Action 4: MTW to confirm to BB the aboriginal groups that were part of the initial WBACHCA Plan of Management Implementation Group.

5. CORRESPONDENCE

- 1/06/2023 – Updated December 2022 Monthly Environmental Monitoring Report
- 18/07/2023 - MTW CCC Meeting 31 May 2023 - Draft minutes
- 2/08/2023 - MTW CCC Meeting 31 May 2023 - Final minutes endorsed by Chair, draft agenda for Q3 2023 meeting, and updated CCC Guideline
- 16/08/2023 - MTW CCC Meeting 23 August 2023
 - Business Papers and Agenda for Q3 2023 meeting
 - Updated CCC Guideline with Code of Conduct Forms, Declaration of Interest forms, and Terms of Reference template
 - MTW CCC Terms of Reference v0

6. CONFIRMATION OF THE PREVIOUS MEETING'S MINUTES

- Confirmed at the meeting by CG.

7. PROPONENT REPORTS AND OVERVIEW OF ACTIVITIES

MTW Operations

Refer to presentation

- GM provided business update regarding operations and production.
- GM advised that clearing and pre strip ahead of mining has been progressing with construction completed the ahead of mining sediment dams with pumping and monitoring infrastructure being relocated.
- BB asked if MTW is completing clean up works along Putty Road into Bulga. GM confirmed that MTW was completing fencing repairs and slashing in that area.

- DM asked how long does it take for a strip to be completed. GM advised that approximately a strip and a half is completed each year.

North Out Of Pit Dam (NOOP)

Refer to presentation

- An aerial photograph of the current progress was shown. GM advised not much activity in the NOOP in recent times, only small blasts are able to be completed due to the size of the work area. Planning to be working in there to complete the project in early 2024.

Modification – WML Workshop Modification Update

Refer to presentation

- GM provided update of workshop construction and advised the steel frame is progressing as shown by the photo in the presentation.

Exploration

Refer to presentation

- BB asked if the holes being drilled for exploration are used for blasting. GM confirmed that the exploration drill holes are used for geology and coal quality testing, not blasting.

Monitoring

Refer to presentation for data – YTD 2023

- JVB presented equipment downtime / Community Response Officer (CRO) noise assessments and operational downtime for nights above noise limits, with noise reduced below noise limits within 75 minutes on each occasion.
- DM passed on query received from community - requested that a presentation be prepared how noise monitoring is completed by the Community Response Officers including how noise monitors are utilised and the process operations respond to in response to high noise readings.
- DM also asked for an explanation how the monthly compliance noise monitoring is completed. GM advised that the external noise consultant does not advise MTW which night they will attend for their attended compliance monitoring. They advise upon completion of their monitoring of all sites, including if there has been any exceedance issue identified by their monitoring, so we can then react to that occurrence too.

Action 5: MTW to provide a presentation at next CCC meeting to explain MTW’s noise monitoring and management process - including how noise monitors are utilised and the process operations respond to high noise readings, and an explanation of how monthly compliance noise monitoring is completed.

Rehabilitation / Disturbance 2023

Refer to presentation

- GM advised that 90.0Ha of rehab is planned for 2023, and outlined where the areas are targeted in 2023, and discussed progress to date.
- GM advised that the disturbance target for 2023 is also 90 Ha and outlined where these areas are proposed, and discussed progress to date.

- GM advised that MTW has been transferring water to Bulga Coal as Bulga Coal has a need for water while completing a dredging project.
- HJ asked how MTW's water stock are currently coming into the dry weather. GM advised that MTW's water stock is currently still high and actively looking for ways to reduce water stocks on site.

Vertebrate Pest Management 2023

Refer to presentation

- GM advised control programs completed so far in 2023 at MTW and in the biodiversity areas with works ongoing.
- JVB briefly explained briefly how an ejector bait works for targeting dogs and foxes.

Weed Management 2023

Refer to presentation

- GM provided overview of weed management activities within operational and offset areas.
- DM asked GM to confirm the areas MTW is responsible for weed management along Wambo Road. GM confirmed MTW completes weed management on the sites biodiversity offset properties. For leased rural properties it is expected the lessee manage weeds.

Cultural Heritage & Historic Heritage

Refer to presentation

- GM provided an update on the next tasks for the approved conservation agreements for Wollombi Brook Aboriginal Cultural Heritage Conservation Area and the Loders Creek Aboriginal Cultural Heritage Conservation Area.
- BB asked if there are cultural, heritage or historic sites or areas set aside in mainly the Bulga area and Milbrodale communities. GM advised there are no historic heritage conservation areas for MTW. There are historic heritage structures managed by MTW (Springwood Homestead, Red Brick House, the RAAF structures). MTW does not have heritage items in Bulga/Milbrodale.

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 March 2022, April 2023, and May 2023 were provided. June to be provided at a later date.

Management Plans / Reporting

- **Independent Environmental Audit** (3 yearly) required by development consents – audit commenced with site visit to MTW in April 2023. Report submitted to DPE 4 August 2023.
- **Final Landform and Rehabilitation Plan and Rehabilitation Objectives Statement** – An updated Final Landform and Rehabilitation Plan, and Rehabilitation Objectives, were submitted to Resources Regulator (RR) for their approval on 14 August 2023, as requested by RR on 19 May 2023.

MTO Environment Protection Licence Variation

Refer to presentation

- GM provided overview of EPL boundary change to allow update and cross lease overburden emplacement to Bulga Coal. variation also includes waste HME tyre burial and Crushing, Grinding, Separating.

8. OTHER AGENDA ITEMS

Updated DPE CCC Guidelines (June 2023), Updated Code of Conduct Form, Updated Declarations of Interest Form, MTW CCC Terms of Reference

Refer to presentation

- GM explained the updated DPE CCC guidelines and the requirements for the CCC.
- GM explained The CCC guidelines (June 2023) require the CCC to do two things by end of 2023 (within 6 months of June 2023):
 1. have our **MTW CCC Terms of Reference** prepared and approved (a copy was prepared, endorsed for distribution by Chair, and distributed with Business Papers),
 2. Have all CCC members to **sign the updated Code of Conduct**.
- DM questioned the opportunity to review the MTW CCC terms of reference and feels as though he is being asked to sign without comment. GM confirmed that MTW is open to review and make changes if required and that the terms of reference can be signed at the next meeting once everyone has had opportunity to review. CG agreed with this approach.
- DM suggested the addition to the CCC Terms of Reference under the section purpose and scope of the CCC to include review and consultation of management plans. DM noted there is a spot in the DPE Terms of Reference template which could include 'other items as necessary' for the purpose and scope of the committee. GM advised that the CCC is able to review and provide comment on the implementation of management plans at any time, and that is already stated in the drafted terms of reference. GM noted that management plans are reviewed and approved by the department after consultation with any relevant agencies, and the CCC where specified in the consent. GM does not agree that the scope of the CCC is to provide a review and consultation step on the approval of management plans, and stated he does not support inclusion of a consultation step for the approval of management plans in the MTW CCC terms of reference. CG advised he will enquire with Department of Planning on DM's suggestion.

Action 6: CG to enquire with DPE regarding DM suggestion for the MTW CCC Terms of Reference Scope and Purpose to include "consultation on any proposed amendments or modifications to any management plan impacting on the environment or community", noting that this proposed addition to the Terms of Reference is not supported by MTW.

9. GENERAL BUSINESS

General Business MTW – MTW Amenity Resource

- Amenity works recognising air quality contribution by MTW
 - Invitation to participate remains open
- Year to Date works have included:
 - 33 tanks cleaned, further 3 pending
 - 7 new filtered water taps installed, 1 pending
 - Water deliveries offsetting usage in cleaning

- Spare & replacement filter supplies
- Works across 15 residences & 2 community buildings
- Program expected to revert to a staggered 2 year cycle in future years

Bulga Service Station / Shop update

- GM provided an update on the Bulga Service Station / Shop property. Progress has been made with Architectural Plans for redevelopment option, previously have been looking at renovation option.
- Current plan concepts were shared with CCC members which would include similar services to present (retail shop, bottle shop, kitchen).
- Plans include retention of 'Bird Cage' structure, however, this is subject to the extent of remediation of current site. If 'Bird Cage' is required to be demolished, community feedback has requested the opportunity to dismantle and remove the structure to enable erection by the community elsewhere.
- Plans are subject to change based on existing contamination which requires remediation, the extent of the remediation is not fully understood.
- HJ asked if motorbike parking could be considered to accommodate for riders passing through the area. GM advised this suggestion would be passed onto the project team.
- BB asked if there would be an opportunity for a painting or mural at the new service station. GM advised that current concept design has a space for a mural and we had already been considering that idea.
- GM indicated the proposal would be a significant investment in Bulga and would leave a positive legacy of a good facility to service the area.

General Business MTW – MTW Voluntary Planning Agreement Funding

Refer to presentation

- GM provided an overview of the projects being supported as provided on the presentation.

General Business MTW - Community Support Program (CSP)

Refer to presentation

- GM advised the list of 2023 projects are in the presentation, and were also in the previous presentation.
- GM provided an update on the 2024 Community Support Program. The MTW CSP is being advertised in Singleton Argus, Hunter River Times and the Coalface magazine. Applications close **30th September 2023**.

General Business - CCC Members

- HJ provided positive feedback on the MTW family day that was much appreciated. GM thanked HJ for her feedback and advised that it was a great opportunity to invite the sites neighbors and employees families to see what happens at site.
- GM advised that IH had provided an item to be discussed about the visibility issue due to vegetation when approaching the Bulga Bridge. GM advised he will catch up with IH to confirm the area he is referring to and if it is on MTW we see if we can do something.
- DM requested an updated list of equipment on site. GM advised he is happy to include overview of equipment on site in the next meeting.
- DM asked if all complaints received by site included in reporting or only ones through the hotline. GM advised that all complaints regarding the operation are recorded and reported. GM advised complaints come through in different methods such as hotline, email, text message or in person.

- DM asked about the surrender of the 2003 consent. GM advised this has not been finalised and is currently sitting with MTW to action.
- DM asked about monitoring completed at the biodiversity offset properties and wondered if MTW has any camera to capture fauna. GM advised there are not permanent cameras though surveys are completed that capture photos. DM suggested the inclusion of photos and monitoring results in the CCC presentation. GM thanked DM for the idea and said this can be included next time.
- BB asked if there has been an increase in employment and if statistics are available for local employees, women and aboriginal people. GM advised he is not familiar and would need to follow up.
- HJ suggested a 6 monthly financial spend report in the local area would be valuable. GM advised he would need to follow up with the site accountants and see what information is available and what can be shared. GM noted that NSW Minerals Council at times reports this information, so some of this information may be readily available.
- BB asked about the stakeholder perception survey that Yancoal is completing and who the consultant is that is completing. GM advised that Yancoal corporate is managing the survey and he is not familiar with the consultant or the survey content. GM advised that the survey has gone out to a variety of stakeholders including CCC members, and regulators.
- BB asked if Yancoal is looking at other resources and mining operations. GM explained that Yancoal has been open in their comments regarding potential investment to other resources / mining operations but does not have any information on any locations the company is exploring.
- BB commented that she appreciated receiving the Social Impact Management Plan from GM and she will review and provide comment in writing.

Action 7: MTW to provide overview of equipment fleet at next CCC meeting.

Action 8: MTW to include offset fauna photos and monitoring results in the next CCC presentation.

Action 9: GM to follow up on MTW employment statistics for local employees, women and aboriginal people.

Action 10: GM to follow up on what financial information is available for local spend to provide an update to the CCC.

10. NEXT MEETING

Next CCC Meeting: Wednesday 22 November 2023, 2pm

MEETING CLOSED 3:30pm.

SUMMARY OF ACTIONS

Action 1: MTW to progress identification of an independent minute taker.

Action 2: GM to follow up with Neville regarding the Wallaby Scrub Road and the section that is part of the WBACHCA.

Action 3: MTW to provide opportunity to take BB out to the Wallaby Scrub Road section that is part of the WBACHCA.

Action 4: MTW to confirm to BB the aboriginal groups that were part of the initial WBACHCA Plan of Management Implementation Group.

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