

**Minutes of the Mount Thorley Warkworth
Community Consultative Committee Meeting Q1 2023**

Date: Wednesday 31 May 2023

Location: MTW

Time: 2pm – 4pm

Attendees

Colin Gellatly (CG - Chair)
Gary Mulhearn (GM)
David Bennett (DB)
Bill Baxter (BB)
Alex Smith (AS)
Hollie Jenkins (HJ)
Neville Hodgkinson (NH)
Denis Maizey (DM)
Stewart Mitchell (SM)

Role

Independent Chairperson MTW CCC
MTW Environment & Community Manager
MTW General Manager
MTW Environmental Specialist Rehabilitation
MTW Environment & Community Advisor
Singleton Council Representative (by video conference)
Community Representative (by video conference)
Community Representative
Community Representative

1. WELCOME

- CG opened the meeting and welcomed CCC members.
- CG advised that Antoinette Silk had resigned from the CCC.

2. APOLOGIES

- CG advised apology received from Ian Hedley.
- Barb Brown appeared briefly by videoconference to provide an apology.

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.

4. BUSINESS ARISING

Action Items arising from the 22 February 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.*

- BB who is MTW Environmental Specialist talked through current landform compared to final landform, and including levels and final drainage. Figures of the landform and several cross sections of the landform were presented. *Refer to presentation for figures.*

- SM asked for North Pit what the final height will be. SM thought that the landform was previously approved to go to 175m RL. GM advised that the current development consent approves Warkworth overburden emplacements to go to 190m RL.
- SM commented that the final void will be about 400m below the final dumps level. GM advised that the development consent permits MTW to have a final void in the Warkworth pit.
- DM asked about Rehabilitation Management Plan (RMP) and consultation, and whether it was done properly with regard to consultation. GM advised that consultation with CCC included the process of moving from Mining Operations Plan (MOP) to RMP, the final landform has not changed from the landform in the previous mining operations plan, and the Rehabilitation Management Plan was provided to CCC for comment. DM critical of consultation method, and changes from content of previous Mining Operations Plan which had more detail. GM advised that new RMP is in accordance with new guidelines, and relates more to rehabilitation and rehabilitation outcomes. GM advised that government changed standard conditions of all mining leases to require the RMP and that is what MTW has done.
- BB gave an overview of the overall drainage arrangement for the final landform and that MTW is undertaking water quality monitoring ahead of the water from rehabilitation in future reporting to natural water courses. *Refer to figure in presentation.*
- BB pointed out the modelled final void water level, which has been predicted based on groundwater seepage, surface water ingress, and evaporation in the long term.

5. CORRESPONDENCE

- 28/02/2023 -MTW Communications Tower Light Update and Next Meeting Proposed 17 May 2023
- 2/03/2023 -2023 MTW Family & Community Day Invitation and Community First Aid Course
- 15/04/2023 –Toni Silk advised Chair of decision to resign from position as CCC member
- 24/04/2023 -MTW CCC Q2 2023 -meeting date change to Weds 31 May 2023
- 26/04/2023 -MTW CCC Meeting 22 February 2023 -Draft minutes
- 16/05/2023 -MTW CCC Meeting 22 February 2023 -Final minutes endorsed by Chair and Agenda for Q2 2023 meeting
- 22/05/2023 -MTW CCC Meeting Q2 2023 -Business Papers

6. CONFIRMATION OF THE PREVIOUS MEETING'S MINUTES

- Confirmed at today's meeting by CG.
- CG indicated that he had discussed with GM on the timing of completion of preparation of minutes. CG noted the CCC guidelines indicate it is the responsibility of the Chair to prepare the minutes, and he had asked the company to prepare these on his behalf. CG noted this occurs at other committees he is involved with. CG indicated a commitment to preparation of the minutes in a more timely manner.
- SM asked about the use of an independent minute taker, as he considered that there are some errors creeping into minutes. DM considered this could be considered more transparent. CG indicated this can be investigated, and perhaps an advertisement.

Action 1: Chair/MTW to investigate independent minute taker for CCC

7. PROPONENT REPORTS AND OVERVIEW OF ACTIVITIES

MTW Operations

Refer to presentation

- DB provided business update regarding operations and production.
- DB advised dumps progressing to enable MTW to progress to this years rehabilitation target. MTW has been sharing water across boundary to Bulga Coal. MTW currently replicating the ahead of mining sediment dams presently.

North Out Of Pit Dam (NOOP)

Refer to presentation

- An aerial photograph of the current progress was shown. DB advised not much activity in the NOOP in recent times, but planning to be working in there to complete the project in 2023 or early 2024. Blasts are small to control vibration for adjacent structures e.g. Ausgrid power towers.

Modification – WML Workshop Modification Update

Refer to presentation

- DM asked about emissions monitoring for larger trucks. DB advised the Ultraclass trucks have sound attenuation fitted. GM advised that emissions for diesel use are reported in the National Greenhouse and Energy Reporting process, and air quality emissions are reported in monthly reporting.

Exploration

Refer to presentation

- GM noted that exploration rigs would be visible from the road at times in the areas shown.

Monitoring

Refer to presentation for data – YTD 2023

- GM presented equipment downtime / Community Response Officer (CRO) noise assessments and operational changes for nights above noise limits, with noise reduced below noise limits within 75 minutes on each occasion.
- DM noted variation he has noticed with noise received on any night and also he has reviewed noise readings reported on the MTW Insite website and could see variation at some without changes in operations.
- SM noted that temperature inversions are regular occurrence in the valley, around a third of the year, and in morning daytime he has recorded noise levels higher than noise limits in the morning which is related to temperature inversions. GM advised that we are looking at return to full operations after a noise affected night based on comments received in CCC from SM. GM noted the difficulty in measuring noise in daytime due to other noise sources but we are looking at this.

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.

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.

Weed Management 2023

Refer to presentation

- GM provided overview of weed management activities within operational and offset areas.

Biodiversity Area (BA) Planting Program 2023 and Hazard Reduction Burn

Refer to presentation

- GM provided overview of the planting programs in the Northern BA (10,000 planted in May), Southern BA, and Goulburn River BA. This has included transportation of Warkworth Sands Woodland topsoil from ahead of mining areas to the Northern BA to assist the regeneration program.
- GM advised of a successful hazard reduction burn at the Seven Oaks BA in May, over approximately 97 Ha.

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. Also advised of completed salvage of cultural heritage sites in May 2023, with one culturally scarred tree remaining ahead of mining area which archaeologist recommended some additional verification and practicality of salvage prior to mining reaching the area.
- GM provided general update on Historic Heritage provided, including distribution of Annual Compliance inspection reports preceding a CHAG meeting, likely within one month. GM indicated some of the quotes previously received for heritage works will need confirmation prior to progressing.

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 December 2022, January 2023, and February 2023 were provided. March to be provided at a later date.
- DM asked about a particular house near operational boundary and whether it has personnel renting the properties. GM advised our approach is to rent properties so they are maintained. The development consent permits renting these properties and that we have to be open with the renters regarding dust

affectation especially when the properties are close to the mine, and provide additional information with the residential tenancy agreement e.g. the Mine Dust and You factsheet from the NSW Government.

- DM noted an error he found with the December MEMR, with a duplicated blasting graph which requires amendment.

Action 2: MTW to review December MEMR blasting graphs and update and redistribute to CCC members.

Management Plans / Reporting

- **Blast Management Plan** update that was submitted to DPE on 10 Feb 2023 after consultation with EPA (nil comment) on 20 Jan 2023, was approved on 24 March 2023. This updates the status of the Warkworth blast monitor to reflect there are no residences on privately owned land at this location.
- **Annual reports for Exploration Licences** (EL7712, and EL8824) were submitted to the Resources Regulator on 14 March 2023. Annual Community Consultation reports for exploration licences were also completed 31 March 2023.
- **Independent Environmental Audit** (3 yearly) required by development consents – audit commenced with site visit to MTW in April 2023.
- **Annual Review Report** submitted to DPE, and Federal Department of Climate Change, Energy, the Environment and Water (DCCEEW) 1 May 2023.
- **Annual Rehabilitation Report** submitted to Resources Regulator 1 May 2023.
- **Annual Compliance Report for Environment Protection Biodiversity Conservation Act approvals** (EPBC 2002-629 and EPBC 2009-5081) submitted to Federal DCCEEW 3 May 2023.
- **Environment Protection Licence 1976 – Annual Return** for Mount Thorley Operations 2022-2023 submitted to EPA 26 May 2023.

- CG advised that he had received correspondence from the auditors from Barnett & May requesting comment from CCC on the performance of the committee over the past 3 years. CG will circulate the correspondence for comment.

Action 3: Chair to circulate correspondence from Independent Environmental Auditor for feedback from CCC members.

8. OTHER AGENDA ITEMS

- Nil

9. GENERAL BUSINESS

General Business MTW – Singleton Council – former Wallaby Scrub Road intersection Council review 2022

- GM gave feedback on previous enquiry regarding the former Wallaby Scrub Road intersection Council review from 2022. GM noted this has been an item of enquiry for some time at the CCC, and SM had also wanted to raise it today. Summary:
 - Cr Hollee Jenkins / MTW followed up on the previous referral to Local Traffic Committee, post the February 2023 meeting.
 - Council records indicate the referral was from February 2022, and was resolved in March 2022.

- The intersection was reviewed by Council staff, which identified that there was no truck warning signs present, and they noted that trucks intermittently use the gate. Additional permanent truck turning warning signs were installed by Council in March-April 2022. Council noted that the mine puts out additional truck warning signs and Variable Message Signs when there are a lot of truck movements at a particular time.
- After the inspection, there was no other works required, and referral to the local traffic committee was not required, as the truck warning signs do not require Local Traffic Committee approval.
- Council advised that if intersection safety improvements were required, these may have been completed when this was a public road intersection. The location is now considered to be a driveway, with setback gates so that truck can be fully off road when accessing the gate.
- No further action is required.
- SM advised he raised this as he observed near miss at the intersection previously, and the mine is using the access more than for equipment shutdowns. Was concerned regarding possible accidents, and noted some intersections have turning lanes. SM noted that with the Council response, this enquiry on Wallaby Scrub Road is now completed.
- DM asked if that is where the Rural Fire Service would pass through site if needed. GM advised it is, and MTW has met with RFS regarding access via this gate.
- NH enquired on the statement that the former Wallaby Scrub Road is considered a driveway by Council. GM advised that the northern section of the Wallaby Scrub Road remains and is a public road owned by Council, and a small section of the sealed road within MTW land ownership has been included in our conservation areas as was committed to in our EIS.

Action 4: MTW to provide details to NH on which section of Wallaby Scrub Road remains as a public road, and which section, now owned by MTW is included in the conservation area.

General Business MTW – MTW Amenity Resource

- GM provided an update on MTW's Amenity Resource. The offer in our December 2022 newsletter for potable water tank cleans and under sink water filters has been taken up by some members of the community. YTD in 2023:
 - 29 tanks cleaned, including water delivery to top up tanks.
 - 7 new filtered water taps installed
 - Spare & replacement filters supplied
 - Bulga Hall and Bulga RFS included in works
 - Offer to participate remains open
- SM asked about possibility of filters being fitted to whole house system, not just under kitchen sink. SM claimed that Singleton Council has declared rainwater [in tanks] as non-potable in Bulga. SM asked how frequently tanks would be cleaned by MTW. GM advised approximately 2 yearly for tank cleans, and quite a few people have taken this up. SM asked if MTW cleans the water tanks on our own properties. GM advised we do. GM noted that the offer of tank cleans remains open presently.

General Business MTW – MTW Family and Community Day

- GM advised that MTW held family and community days on site over two consecutive Saturdays in May 2023. More than 3,500 attendees to the days, which provided a great opportunity for our employees, contractors, their families and near neighbours to visit our site and experience first hand, a large open cut mine in full production. Very positive feedback from all, and bus tours very popular.
- NH provided message of congratulations on the MTW Family Day, which he attended.

General Business MTW – MTW Voluntary Planning Agreement Funding

- GM advised that MTW made the annual payment to Singleton Council in January 2023. MTW has paid \$7.85M of the \$11M VPA funding. Projects are progressing in local area. Next VPA meeting 1 June 2023.

General Business MTW - Community Support Program (CSP)

Refer to presentation

- GM provided an update on the 2023 Community Support Program. Advertising previously occurred over September-October 2022 with applications closing 4 November 2022. 21 applications were received. The 16 organizations being supported in 2023 were provided in the presentation, and the value of the sponsorships was included in the presentation, as requested in an Action from the previous meeting.

General Business - CCC Members

- DM asked about community complaints register, which GM provided a hard copy draft to DM for the purpose of sharing the format of the complaints register to be published on the website. GM advised the intention to commence this new style of reporting of community complaints in 2023.
- DM raised issue with complaints service asking if the call is an enquiry or a complaint. GM advised at times we received other calls to the complaints line, so the question on whether the call is enquiry or complaint filters those calls. GM also advised there is a general enquiries line which is advertised on our website separately to the complaints line. DM expressed frustration that return calls from the complaints that are logged do not have caller ID. GM advised that all calls to the complaints line are responded to, and evidence of that is shown on the complaints register provided to DM.
- SM asked if the RAAF base is within the Southern Biodiversity Area. GM advised that the majority is within the SBA, but we would need to review and advise.

Action 5: MTW to seek clarification on whether the RAAF base infrastructure is within the Southern Biodiversity Area and provide feedback to SM.

- SM advised previous consultants for the mine under the previous owner, had claimed that the Warkworth Sands vegetation would successfully regenerate at Archerfield on natural sands area which is flood deposited, rather than aeolian. The claim was it was possible, SM believes the mine has proved that it is not possible. SM was of the view that the sands for the WSW area were to be stockpiled for rehabilitation works, and the mine is transporting the WSW sand to Archerfield to assist vegetation that is unique to WSW up and going. SM thought that there was a 5 year period in which success was to have been demonstrated or Department of Planning would do something about it. SM considers the claims were spurious, despite the claims being accepted to the Planning & Assessment Commission at the time. SM wanted it noted that is what has happened, and thought that it is part of the consent agreement. GM advised that the Northern Biodiversity Area offset management plan permits the transport of WSW sands

from ahead of mining, and that is what we are doing. SM noted that was not in the original approval, so may take this further.

- GM noted that there is existing WSW at the Northern Biodiversity Area which we are improving other parts of those lands around the existing. GM noted that some of those areas were former farm land and there was a heavy weed infestation on those areas which we have had to deal with.
- BB noted that transport of the sands will assist with timing of regeneration, as there is a time constraint. BB noted that regeneration of the NBA would occur without the sands but would take longer. The sands come with seed bank and microbes, and can also assist with smothering weeds, which is helping with the speed of recovery.
- SM queried that the stockpiles of topsoil are being depleted and so would not be available for rehabilitation. BB advised that as MTW does not have enough topsoil on site to do all rehabilitation works on site, other methods are employed which involve native vegetation rehabilitation using methods that do not use topsoil e.g. using compost applied to mine spoil in native vegetation areas, and we are seeing good results with that as a growth medium. BB also noted that some of the topsoil from MTW has been stripped from areas with a lot of exotic grasses growing previously, or in the past older stockpiles in the past have been seeded with exotic pasture grass species which causes a competition problem with target native vegetation community. We are using mine spoil with ameliorants added to create a growth medium on that does not have weed seed present when we are establishing native vegetation. With new topsoil stockpiles we are seeding, we seed with native grass species to avoid competition issues.
- SM asked if that is an ongoing approach and would it be self sustaining? BB advised the earliest mine spoil with compost approach was prepared in 2015, and after about 8 years of growth they are growing well, fruiting and flowering showing no evidence of insufficient nutrients. The seed mix includes native legumes in the mix which nodulates nitrogen which is good for the soil
- SM considered what we are doing at Archerfield is different to what was advised by the consultant previously. BB indicated a previous stage of the approval from 2012 proposed re-establishment of WSW on rehabilitation, and included transporting of bulk sand to the proposed rehab area. At Archerfield, there has been pre-existing WSW which was previously cleared, the sand is already there, and an underlying clay layer, which likely helps with keeping moisture in the soil, and all we are doing is bringing in up to 100mm of topsoil to the sands to bring some seed bank.
- DM asked about Social Impact Management Plan (SIMP). GM advised the SIMP is a commitment in the EIS, and is not required to be approved by Department of Planning and Environment (DPE). GM noted that MTW could be asked to provide evidence that we have a SIMP that was committed to, and this could be asked for in independent environmental audits.
- SM noted the Social Impact Management Plan went through consultation with previous mining company to get a clear understanding of where the concerns were, but MTW prepared the SIMP without consultation with the local community is that right? GM advised that was incorrect. The SIMP was finalized on the back of the consultation that had already happened flowing from the 2015 project approval and the draft that had already been subject to consultation. GM advised that when Yancoal came to operate the business, the process of finalizing the SIMP was requested at CCC meetings. There were no additional sessions held prior to finalizing the SIMP. SM indicated that the SIMP is a lot different from the draft SIMP prepared previously. SM commented that the SIMP looks more at the welfare of the employees rather than the impacts on the near neighbours. GM advised that the SIMP has only been finalized once some years ago. DM recalled when the SIMP came up at the CCC a few years ago he also went into the SIMP and noted it hadn't changed since finalizing at the time. GM noted that any comment was invited at that time from CCC, and is still able to be received.

10.NEXT MEETING

Next CCC Meeting: Wednesday 23 August 2023, 2pm

MEETING CLOSED 4:00pm.

SUMMARY OF ACTIONS

Action 1: Chair/MTW to investigate independent minute taker for CCC

Action 2: MTW to review December MEMR blasting graphs and update and redistribute to CCC members.

Action 3: Chair to circulate correspondence from Independent Environmental Auditor for feedback from CCC members.

Action 4: MTW to provide details to NH on which section of Wallaby Scrub Road remains as a public road, and which section, now owned by MTW is included in the conservation area.

Action 5: MTW to seek clarification on whether the RAAF base infrastructure is within the Southern Biodiversity Area and provide feedback to SM.