



Australian Pacific Coal

MINUTES OF THE DARTBROOK COMMUNITY CONSULTATIVE COMMITTEE MEETING HELD AT DARTBROOK – 15th May 2019

PRESENT:

Cnr Kiwa Fisher	KF	CCC Chair and Upper Hunter Shire Council Representative
Sharon Pope	SP	Muswellbrook Shire Council Representative
Tony Lonergan	TF	Local Community Representative
Andrew Roach	AR	Australian Pacific Coal (AQC) Representative
Gavin Foster	GF	Stella Natural Resources (SNR) Representative
Mick Avery	MA	SNR Representative
James Bailey	JB	AQC Environmental Consultant
Dorian Walsh	DW	AQC Acting Dartbrook Environmental Officer

APOLOGY:

Jennifer Lecky	JL	Local Community Representative
Paul Smith	PS	Upper Hunter Shire Council
John Robinson	JR	AQC

VISITORS:

Nil		
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1. INTRODUCTION & APOLOGIES:

- 1.1 The meeting was opened by KF at 10:00am.
- 1.2 Apologies as per above list.

2. DECLARATION OF PECUNIARY INTERESTS

- 2.1 Nil

3. CORRESPONDENCE

- 3.1 Nil

4. PREVIOUS MINUTES

- 4.1 Confirmation of previous minutes from February 2019 meeting as true and correct.

5. BUSINESS ARISING FROM PREVIOUS MINUTES

- 5.1 DW confirmed that the latest community newsletter had been sent out in March as per previous minutes.

**MINUTES OF THE DARTBROOK COMMUNITY CONSULTATIVE COMMITTEE
MEETING HELD AT DARTBROOK – 15th May 2019**

6. COMPLAINTS SUMMARY

- 6.1 DW noted community enquiries since the last CCC meeting:
- One enquiry in March regarding impacts on water levels in a private bore to the south of the site. A meeting was held with the landholder and additional testing of the bore was completed in April. A review of monitoring data from Dartbrook bores suggests that prevailing drought conditions are causing a drop in the water table. An external water consultant is being commissioned to confirm whether historic mining site activities have caused any recent impact on the bore;
 - An enquiry from a resident to the east of the site regarding lighting impacts on 25 April. There have been no changes to lighting and no contractors or consultants were working at the Dartbrook East Site on that night. Investigations on the night confirmed that the event was not related to Dartbrook.
- 6.2 An incident also occurred since the last CCC meeting, with one of the monitoring bores installed in 2018 found to have been vandalised. This damage has blocked the bore. A work program is being put in place to reinstate the bore and allow monitoring to continue at this location.

7. BUSINESS ARISING

- 7.1 SP confirmed that Martin Rush has resigned from the CCC. SP will continue to represent MSC at future CCC meetings.
- 7.2 AR questioned the adequacy of local distribution for hard copies of the latest Dartbrook newsletter (March 2019). No issues were raised by those present.
- 7.3 SP noted that the Independent Planning Commission (IPC) had contacted MSC regarding the Hunter River flood levels relevant to MOD7, particularly the potential for impacts to the proposed shaft site. JB confirmed that Upper Hunter flood study numbers had been used in the MOD7 environmental assessment. Additional assessment had also been completed to respond to Office of Environment and Heritage enquiries regarding maximum probable flood impacts. JB noted that, as a further mitigation commitment, the shaft would be designed to enable it to be temporarily sealed to prevent inflows of water during any extreme flood events.
- 7.4 The status of the Dartbrook MOD7 application was discussed. This included the following items:
- KF noted the supplementary information provided to the IPC on MOD7 and the subsequent request from the IPC to the Department of Planning and Environment (DPE). KF asked why Scope 3 greenhouse gas emissions were not originally considered for MOD7 despite being required under SEPP Mining. JB noted that under DPE guidelines, Scope 3 emissions were typically addressed by the receptor of the coal produced from a project. KF also discussed the legal precedent for assessment of Scope 3 emissions for mining projects and the recent Rocky Hill Mine Land and Environment Court Decision.
 - KF also questioned the assumption in the ERM assessment of Scope 3 emissions for MOD7 that the destination of coal from the project would be split 50/50 between Korea and Japan, given the quality of coal. AR confirmed the assumption and noted that Dartbrook grade coal would be able to meet Korean and Japanese requirements.
 - JB and AR both confirmed that they had no indication on timing for the determination of MOD7 from the IPC.

**MINUTES OF THE DARTBROOK COMMUNITY CONSULTATIVE COMMITTEE
MEETING HELD AT DARTBROOK – 15th May 2019**

- 7.5 KF noted the announcement to the ASX regarding the Strategic Partnership between AQC and SNR being pushed out to July 2019 and asked whether the agreement was contingent on the approval of MOD7. AR stated that he couldn't provide further comment to what was in the latest ASX release, but did note that the timeline for closing the partnership agreement had been impacted by the NSW state election cycle.
- 7.6 KF asked where the response from JR to questions provided from the Friends of the Upper Hunter (from a community meeting in Aberdeen) was up to, noting five prompts from the group for a reply. AR took the question on notice and will follow up. SNR to assist with the response if required.
- 7.7 DW provided a general update on environmental monitoring results (for meteorology, air quality and surface water) and land management undertaken since the last CCC meeting. This update included a summary of elevated air quality monitoring results during the period, including ongoing results from depositional dust gauge 897 and elevated PM₁₀ 24-hour results from all five High Volume Air Samplers on 13 February. DW confirmed that these results were not a result of care and maintenance activities on site.
- 7.8 TL raised several land management issues to follow up, including:
- Responsibilities for land management. JB confirmed that Licensees had some responsibility for the management of weeds and feral animals on AQC land managed under agricultural licence;
 - Weed management program required for blue heliotrope (large areas on AQC land near Sandy Creek) and prickly acacia; and
 - Over stocking of the ex-McIntyre property, Kayuga. Appears that the property is being heavily overgrazed by leaseholder. AQC to follow up.
- 7.9 SP noted that MSC will be reviewing their Mine Affected Roads Strategy to reflect recent Modifications to mines in the Shire and network performance issues. The Strategy review is going to be put out to tender, with notifications to be sent out to mine owners later in the year when a draft goes on exhibition.
- 7.10 Next meeting scheduled for Wednesday 14 August 2019. KF noted meeting to be moved if required following determination of MOD7 application.

8. MEETING CLOSED

- 8.1 The meeting closed at 10:50 am.
- 8.2 DW to send out copy of the meeting presentation slides to all CCC representatives.