

**MINUTES OF THE DARTBROOK COMMUNITY CONSULTATIVE COMMITTEE  
MEETING – 16 MARCH 2022**

<b>ATTENDEES:</b>		
Lisa Andrews	LA	Independent Chairperson
Tony Lonergan	TL	Community Representative
Theresa Folpp	TF	Muswellbrook Shire Council (MSC) Representative
David Conry*	DC	AQC Representative
John Swan	JS	AQC Representative
James Bailey*	JB	James Bailey & Associates Pty Ltd
Dorian Walsh	DW	James Bailey & Associates Pty Ltd
Michael Mapp	MM	PBE Technologies representative (guest)
<b>APOLOGIES:</b>		
Arthur Mitchell	AM	Community Representative
Wanaruah LALC		Wanaruah Local Aboriginal Land Council Representative
Jennifer Lecky	JL	Community Representative
<b>ABSENT:</b>		Upper Hunter Shire Council Representative
Annette Rahn	AR	Community Representative

\* Attended the meeting remotely via Zoom.

### 1. INTRODUCTION & APOLOGIES:

- 1.1 The meeting was opened by LA at 9:05am, acknowledging those attending on site at the Dartbrook offices and remotely via Zoom.
- 1.2 LA confirmed the apologies for the meeting per the above list.
- 1.3 JB introduced MM to the CCC. MM gave an overview of PBE Technologies and the mining methods being trialled by the company in Queensland.

### 2. DECLARATIONS

- 2.1 LA made a declaration in relation to her appointed role as Independent Chair to the CCC.
- 2.2 LA noted that TF had completed her required declarations since the previous meeting, as a new member representing MSC.

### 3. CORRESPONDENCE

- 3.1 LA confirmed the CCC correspondence distributed since the previous meeting in December 2021, sent with the meeting notice on 4/3/22 with one additional item:
  - o 16/12/21 – Email to members with the draft minutes for review. Also attaching the presentation.
  - o 24/12/21 - Email to members with the finalised minutes together with the powerpoint presentation.
  - o 18/1/22 – Email to TF MSC with governance forms to be completed & returned.
  - o 19/1/22 – Email from TF with completed forms. Acknowledged by LA.
  - o 4/3/22 - Email to members with the meeting notice and agenda for this meeting.

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- 14/3/22 – Email to members with the video-conference link for this meeting and advising that the NSW L&E Court has handed down its decision in relation to MOD 7

**4. PREVIOUS MINUTES**

- 4.1 There were no comments or changes on the minutes from the meeting of 8 December 2021.

**5. BUSINESS ARISING FROM PREVIOUS MINUTES**

- 5.1 LA reviewed the two actions arising from the previous meeting:
1. John Swan to confirm contact details for site office and land managers to TL. (Complete.)
  2. Dorian Walsh to add plans to the updated CCC presentation slides that shows the extent of Dartbrook mining authorities. (Complete and sent on 24/12/21).

**6. PROJECT UPDATE – MODIFICATION 7**

- 6.1 JB provided an update on the status of MOD7, noting that the LAEC had handed down its judgement on the AQC appeal on Friday 11 March 2022. JB confirmed that the decision had the effect of extending the period of approval for mining operations under the Dartbrook development consent [DA 200-5-2003] to 5 December 2027.
- 6.2 JB also noted that the LAEC had provided additional conditions of approval as part of the MOD7 judgement, however these were relatively minor changes to the draft conditions of approval initially recommended for MOD7 by the NSW Department of Planning, Industry and Environment [DPIE]. The updated conditions included:
- Changes to the conditions of approval relating to the Dartbrook Voluntary Planning Agreement;
  - Transfer of coal from the West Site mine workings to the East Site infrastructure area via the existing Hunter Tunnel conveyor alignment. JB noted that the Hunter Tunnel would therefore need to be reinvigorated prior to commencement of mining. It was also confirmed that the proposal for truck haulage of Run of Mine coal from the West Site mining areas to a new shaft to be developed adjacent to the site access road from the original MOD7 application had been surrendered;
  - Conditions will be uploaded to Planning Portal.
- 6.3 JB will send links to the LAEC MOD7 judgement and updated development consent conditions to LA, for distribution to the CCC representatives. **Action.**
- 6.4 TL questioned whether flaring rather than passive emission of gas from the underground workings would be used and asked whether the bord and pillar mining methods [as approved for MOD7] would allow for gas drainage to take place? JB confirmed the general regulatory expectation for AQC to minimise greenhouse gas emissions from site and noted that further assessment would need to be completed by AQC on the requirement to pre-drain gas before restarting mining within the Kayuga Seam. JB also stated that AQC will need to meet all requirements of the DPIE-Resources Regulator prior to any recommencement of mining on site.
- TL referred to the variable gas volumes that had been encountered in the Kayuga Seam during Dartbrook operations prior to the site going into care and maintenance.
- 6.5 MM confirmed that bord and pillar mining methods would not result in the underground ‘goaf’ feature that occurs after longwall mining methods are used.

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**7. PROJECT UPDATE – ENVIRONMENTAL & LAND MANAGEMENT**

- 7.1 DW provided an update on environmental monitoring and land management undertaken on site since the previous meeting. All monitoring data were within approved criteria, with no exceedances recorded.
- 7.2 DW noted that High Volume Air Sampling site ESMS had experienced a fault in mid-November 2021 and was currently offline while the issue was being investigated. Representative air quality at the East Site representative of the site was being collected via the monthly depositional dust monitoring in proximity to the ESMS location.
- 7.3 DW confirmed that no environmental complaints had been received since the previous meeting and that no environmental incidents had occurred.
- 7.4 DW provided a brief update on the Trepang Associates (Trepang) offer to AQC to acquire Dartbrook that had been made since the previous CCC meeting. DC stated that AQC were going through the process of evaluating the proposal. In the event that the proposal was acceptable to AQC and accepted by shareholders, then Trepang would acquire the asset.

**8. PROJECT UPDATE – REHABILITATION AND MINE CLOSURE PLANNING**

- 8.1 JB provided an update on the status of the Rehabilitation Management Plan (RMP) and Mine Closure Planning (MCP) processes under way for Dartbrook, noting that this was a process that all mines in NSW were required to go through as a consequence of the implementation of the Mine Rehabilitation Reforms Initiative.
- 8.2 AQC are in consultation with DPIE-RR during the processes to update the RMP and MCP.
- 8.3 TL asked what the final objective for rehabilitation of the Staged Discharge Dam (SDD) would be. JB noted that a risk review of the SDD was currently being completed as part of the RMP process to identify options for the area, ranging from backfilling to retaining the storage to support post-mining land uses.
- 8.4 TF questioned the assumptions that were being used for the Mine Closure Plan. JB stated that both the RMP and MCP updates will be based on a closure case, however there was flexibility to update these documents in consultation with regulatory agencies as plans for the future of the site develop.
- 8.5 TF enquired as to whether there was any decision from AQC at this stage on the timing and viability of recommencement of operations on site. JB confirmed no decision had been made yet, with AQC to determine following a review of the LAEC decision.
- 8.6 TL asked whether there would be a reduced workforce on site compared to typical mining operations, if the PBE Technologies method was to be used. MM confirmed this would be the case, however the PBE Technologies method of operations would need to be approved for site.

**9. PROJECT UPDATE – STAKEHOLDER ENGAGEMENT**

- 9.1 DW provided a summary on stakeholder engagement since the previous CCC meeting.

**10. GENERAL BUSINESS**

- 10.1 LA stated that no questions had been raised by CCC representatives in advance of the meeting.

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10.2 No general business items were raised by the meeting attendees.

**11. MEETING CLOSED**

11.1 LA confirmed the intention to continue to schedule CCC meetings on a bi-annual basis, with the next meeting to be held on Wednesday 14 September 2022, commencing at 9:00am. LA noted that there was the flexibility to hold an extraordinary CCC meeting, if required (eg a decision on the recommencement of mining, etc).

11.2 The meeting was closed at 9:37am with LA thanking all for their attendance.

**Action Item**

<b>ITEM</b>	<b>ACTION</b>	<b>RESPONSIBILITY</b>
1	Send links to the LAEC MOD7 judgement and updated development consent conditions to LA, for distribution to the CCC representatives.	JB