

**MINUTES OF THE DARTBROOK COMMUNITY CONSULTATIVE COMMITTEE
MEETING – 8 DECEMBER 2021**

ATTENDEES:		
Lisa Andrews	LA	Independent Chairperson
Paul Smith	PS	Upper Hunter Shire Council (UHSC) Representative
Sharon Pope	SP	Muswellbrook Shire Council (MSC) Representative
Theresa Folpp	TF	MSC Representative
Tony Lonergan	TL	Community Representative
Arthur Mitchell	AM	Community Representative
David Conry	DC	AQC Representative
John Swan	JS	AQC Representative
James Bailey	JB	James Bailey & Associates (JBA)
Dorian Walsh	DW	JBA
APOLOGIES:		
Kiwa Fisher	KF	Outgoing Upper Hunter Shire Council (UHSC) Representative
Annette Rahn	AR	Community Representative
Jennifer Lecky	JL	Community Representative
Wanaruah Local Aboriginal Lands Council (WLALC)		WLALC to appoint a replacement delegate to the CCC

1. INTRODUCTION & APOLOGIES:

- 1.1 The meeting was opened by LA at 09:04 am. LA welcomed all representatives to the meeting (held virtually on MS Teams) and noted that TF would be replacing SP as the MSC representative on the CCC. LA thanked SP for her contribution during her time on the CCC.
- 1.2 TF introduced herself to the CCC.
- 1.3 LA noted that she had received notification that KF had chosen to stand for the local government elections and resigned as the Upper Hunter Shire Council delegate on the CCC. LA advised that she had thanked Kiwa for his contribution to the committee over many years.
- 1.4 LA noted that she had been in contact with the WLALC whom confirmed that they have not yet appointed a new delegate to the CCC. It was indicated that this would mostly likely occur early in the New Year.
- 1.5 LA mentioned the apologies for the meeting as above. (Post note that JL had tried to connect, however, had technical difficulties.)

2. DECLARATIONS

- 2.1 LA confirmed that she is an approved Independent Chair with DPIE, appointed by the Secretary and engaged by AQC to chair the CCC.
- 2.2 There were no changes to members previous declarations. LA will send a declaration form for TF to complete as a new member of the CCC.

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3. CORRESPONDENCE

- 3.1 Correspondence since the previous meeting:
- 07/07/21 – Email from LA to members with the draft minutes for review. Also attached was the AQC land sales map and a photo of the blue heliotrope.
 - 15/07/21 – Email from LA to members with the finalised minutes and presentation from June CCC meeting.
 - 16/09/21 – Email from LA to members postponing the meeting scheduled for 22 September 2021 meeting.
 - 18/11/21 – Email from LA to members with the meeting notice and agenda for this meeting.
 - 19/11/21 – Email from KF noting that he would no longer be a representative of the CCC at the time of the December meeting as he was not standing for re-election to UHSC.
 - 02/12/21 – Email from LA to members with the meeting notice and agenda for this meeting.
 - 06/12/21 – Email to members with a reminder for this meeting

4. PREVIOUS MINUTES

- 4.1 There were no comments or changes on the minutes from the meeting of 23 June 2021.

5. BUSINESS ARISING FROM PREVIOUS MINUTES

- 5.1 There were no actions from the previous minutes.
- 5.2 There was no other business arising raised by members from the previous meeting.

6. PROJECT UPDATE – MODIFICATION 7

- 6.1 DW noted that the DA 231-07-2000 Modification 7 application was still before the NSW Land and Environmental Court (LAEC). The next LAEC hearing was scheduled for 15 December 2021.

7. GENERAL BUSINESS

- 7.1 DW provided a summary of environmental monitoring results (for meteorology, air quality and surface water) and land management undertaken since the last CCC meeting.
- 7.2 DW noted that no environmental incidents had occurred and no community complaints had been received since the previous CCC meeting in June 2021.
- 7.3 DW provided an update on the sale of land by AQC to Trepang (and Trepang associates) that was confirmed in November 2021. It was noted that AQC have retained the mine infrastructure areas at the East Site and West Site, as well as the site access road, with the remaining land holdings to be managed by Trepang. A plan was presented to highlight the areas retained by AQC.
- 7.4 TL noted that he had recently had difficulties in contacting the site office and sought clarification on land management arrangements under the new ownership (for weed management activities, etc). DC stated that all areas transferred from AQC would be managed by the new owners, however TL can continue to contact the Dartbrook site offices, if needed. It was noted that the

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- site office would remain open. JS offered to get in touch with TL to confirm contact details for the site and to determine with TL the appropriate land managers for weed spraying etc.
- 7.5 LA asked that AQC provide to her the appropriate details of the relevant land managers and that these be included with the meeting minutes.
- 7.6 DW noted the following items in relation to the Mining Operations Plan (MOP) / Mine Closure Plan review process since the previous meeting:
- DPIE-Resources Regulator (DPIE-RR) has requested that AQC seek an extension to the term of the current Care and Maintenance MOP until July 2022, to align with the date when the new NSW Government Operational Rehabilitation Reforms (Rehabilitation Reforms) come into effect;
 - DPIE-RR have issued AQC with a Notice under Section 240 of the Mining Act, requiring AQC to:
 - Update the Dartbrook Mine Closure Risk Assessment, by 08/04/22;
 - Revise the Dartbrook Rehabilitation Cost Estimate, by 20/05/22; and
 - Provide a progress report to DPIE-RR on the above items by 31/03/22.
- 7.7 TF questioned whether the new Rehabilitation Reforms would apply to exploration activities. JB responded and confirmed that the rehabilitation reforms do apply to all rehabilitation in mining authorities, including exploration. However, the need for approval to conduct exploration activities (including in mining leases) require separate approvals and different rehabilitation cost estimate security arrangements from the approvals required for mining activities.
- 7.8 DW summarised recent consultation with regulatory agencies, including with:
- NSW EPA over the proposal to surrender the Dartbrook Environment Protection Licence (EPL 4885).
SP questioned the extent of EPL 4885 and the reasoning why AQC would seek to surrender the licence at this time? Further was this an indication that there was no intention to recommence mining? JB noted that EPL 4885 applied to the whole Dartbrook site (or EPL “premises”) and that a range of monitoring and reporting to EPA was required under the licence (e.g. HRSTS, sewage treatment, etc). JB confirmed that AQC are largely seeking to surrender the EPL to reduce ongoing costs for activities that aren’t currently required under Care and Maintenance, however there was always the potential for this position to change, pending the outcomes of the Modification 7 court proceedings;
 - DPIE-RR over submission of an update MOP and action items requested in their Section 240 Notice;
 - LAEC and IPCN over the appeals process for Modification 7; and
 - DPIE-RR over submission of annual reporting for Dartbrook Exploration Licences and renewal of Mining Lease 1497.
LA requested that DW add a plan in the updated CCC presentation slides that shows the extent of Dartbrook mining authorities subject to reporting and renewal applications.
- 7.9 LA asked whether there were any questions from the community? No further questions were tabled by the CCC representatives.
- 7.10 LA asked each attendee whether they would like to raise any general business? TL requested that AQC confirm contact details for land management enquiries and actions and JS confirmed he would get in touch with him to provide this information. LA requested that she be copied in on this correspondence to confirm it had been provided.
- No further general business was raised by the other attendees.
- 7.11 LA thanked SP for her contributions to the CCC during her time as a MSC representative.



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8. MEETING CLOSE

- 8.1 LA proposed to hold bi-annual CCC meetings again in 2022, noting the potential to call extraordinary meetings, if required. Tentative meeting dates scheduled for the next calendar year were:
- 16 March 2022; and
 - 14 September 2022.
- 8.2 LA thanked all CCC representatives for their time and contribution during the year and closed the meeting at 09:32 am, wishing all members a safe and happy festive season.

9. MEETING ACTIONS

- 9.1 JS to confirm contact details for site office and land managers to TL, LA; and
- 9.2 DW to add plans to the updated CCC presentation slides that shows the extent of Dartbrook mining authorities.