



# MAXWELL PROJECT

## SECTION 5

### Engagement



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## 5 ENGAGEMENT

Malabar is committed to continuing open and constructive dialogue with the local community and stakeholders.

This section describes the consultation feedback obtained prior to and during the preparation of this EIS and how this feedback has been considered by Malabar. This section also outlines the ongoing community initiatives and consultation programs that Malabar has established in the region.

### 5.1 ENGAGEMENT APPROACH

Open communication with stakeholders has been encouraged by Malabar during consultation. The key objectives of Malabar's ongoing consultation with stakeholders are to:

- engage with Project stakeholders about the progress and nature of the Project;
- recognise and respond to local interests and concerns regarding the Project; and
- continue the dialogue between Malabar and local landholders and neighbours.

Feedback obtained through engagement with key stakeholders has provided the opportunity to identify issues of concern or interest, and to consider these issues within the Project design and this EIS (Section 5.2).

The consultation undertaken during the preparation of this EIS is in accordance with the SEARs (Attachment 1) and is adequate and appropriate for a State Significant Development under Part 4 of the EP&A Act.

### 5.2 RECOGNITION OF STAKEHOLDER FEEDBACK

Malabar has carefully considered the feedback provided by the local community, government agencies and other stakeholders on projects previously proposed by other companies at the Project site (Section 2.1), as well as feedback received since Malabar announced its intention to acquire the Project site in early 2017.

**Malabar has sought to address stakeholder concerns and perceptions through a commitment to underground mining, other significant Project design measures, genuine community engagement and successful environmental management over time.**

Primarily, Malabar is committed to developing the Project solely as an underground mining operation capable of producing predominantly coking coal products. Underground mining methods significantly reduce environmental impacts, including dust, noise and surface disturbance, in comparison to open cut mining methods.

Malabar's commitment to an underground mining operation has been reaffirmed through:

- a public statement in May 2017, when Malabar first announced its intention to acquire EL 5460 and the Maxwell Infrastructure, that the resource would only be developed as an underground mine;
- voluntary acceptance of conditions that prevent any open cut development that were imposed on EL 5460 as part of the licence renewal process in December 2017;
- a public submission in December 2017 in support of changes to the Mining SEPP that prohibit any development application for open cut mining in EL 5460;
- consistent communication of Malabar's intentions through interactions with stakeholders and public statements;
- Malabar's significant investment in technical and environmental studies into the development of the site solely as an underground mining operation; and
- Malabar's recent addition to the team of a highly experienced underground mine manager to take responsibility for the delivery of the Project.

In addition to the proposed mining method, the following key Project design measures and constraints have been incorporated by Malabar in response to stakeholder feedback:

- limiting the requirement to develop new infrastructure through the use of the substantial existing Maxwell Infrastructure;
- placement of the MEA in a natural valley, and reducing the height of infrastructure components, to restrict direct views of the MEA from the Golden Highway and neighbouring horse studs;
- use of the existing site access to the Maxwell Infrastructure from Thomas Mitchell Drive, to limit Project traffic movements on the Golden Highway and Edderton Road;
- sealing the extended site access road to the MEA during the first year of mining operations;



- use of a covered overland conveyor to transport coal extracted by longwall mining machinery to further reduce potential dust and noise impacts;
- voluntary relinquishment of the portion of EL 5460 that extended south of the Golden Highway beneath the neighbouring Godolphin Woodlands Stud;
- avoiding direct subsidence impacts on the Hunter River, the Hunter River alluvium and Saddlers Creek by imposing constraints on the design of the mine layout;
- limiting the extent of the underground mine layout to beneath freehold land owned by Malabar (i.e. there would be no direct subsidence impacts to land owned by neighbouring horse studs);
- use of water treatment systems that maximise the re-use of water on-site and remove any requirement to source water externally for mining operations (e.g. from the Hunter River); and
- development of a site water management system that avoids the need for controlled release of mine-affected water to the Hunter River.

Further discussion on the consideration of feasible alternatives and justification of the Project design are provided in Section 9.

In response to stakeholder feedback, Malabar has also implemented the following additional initiatives:

- making key senior Malabar personnel approachable and available for consultation to allow for direct consideration of stakeholder feedback;
- being a positive contributor to the local community through community contributions, assistance programs and sponsorships (Section 5.4.4);
- proactively progressing rehabilitation of previous open cut mining areas at the Maxwell Infrastructure (Section 7);
- actively improving Malabar’s agricultural properties and viticultural operation (e.g. the Merton Vineyard, Plate 5-1), so that these will be long-term sustainable and productive businesses that can co-exist with underground mining operations;



**Plate 5-1 – Malabar’s Merton Vineyard (Not Impacted by the Project)**

Source: Muswellbrook Chronicle (2019).

- inviting the community and other stakeholders to propose uses of Malabar land or infrastructure that can co-exist with the Project; and
- given the strong positive feedback from many community and government leaders and other stakeholders, continuing to progress the approval process for a 25 MW solar farm on a rehabilitated open cut disturbance area at the Maxwell Infrastructure (Section 2.3.2).

Consultation activities with stakeholders are described in detail in Section 5.3. Where relevant, references are provided to the EIS sections and/or specialist appendices where the issues raised are considered and addressed.

### 5.3 ENVIRONMENTAL IMPACT STATEMENT CONSULTATION

#### 5.3.1 State Government Agencies

Malabar has consulted with a range of State government agencies in relation to the EIS to obtain feedback on the proposed assessment approach, potential impacts and proposed mitigation measures for the Project.

Malabar continues to consult with relevant State government agencies on a regular basis in relation to the Project and its ongoing rehabilitation activities at the Maxwell Infrastructure.

#### ***NSW Department of Planning and Environment (now NSW Department of Planning, Industry and Environment)***

The DP&E has been regularly consulted during the preparation of this EIS. A summary of consultation conducted with the DP&E is provided in Table 5-1.

Malabar will continue to consult with the DP&E throughout the EIS assessment process to respond to any issues raised during the public exhibition process.

#### ***NSW Division of Resources and Geoscience (now within the NSW Department of Planning, Industry and Environment)***

Malabar presented a Conceptual Project Development Plan (CPDP) to the NSW Division of Resources and Geoscience (DRG) on 23 May 2018, prior to the lodgement of the Request for SEARs with the DP&E. No particular matters requiring attention during the EIS phase were raised in the CPDP meeting.

The DRG provided input to the SEARs on 24 August 2018. The input from the DRG has been considered in this EIS including:

- a comprehensive description of the Project (Section 3);
- a summary of the local and regional geology and the physical dimensions of the coal resource (Section 3.1);
- an assessment of constraints on resource recovery and potential impacts on future resource recovery (Section 3.1.3);
- a production schedule for the life of the Project (Section 3.5.1);
- an assessment of the economics of the Project (Appendix M);
- consideration of potential resource sterilisation in relation to any proposed biodiversity offsets areas (Appendix E); and
- consideration of the requirement for mining titles (Section 4.5).

Malabar has provided information to the DRG to assist with the DRG's independent assessment of the Project resource. Meetings were held with the DRG on 19 December 2018 and 3 July 2019 to provide an update on the current status of the Project and to review the information provided.

Separately, Malabar submitted a resource and reserve statement to the DRG in April 2019 that complied with the current version of the *Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves* (the JORC Code).

#### ***NSW Resources Regulator***

A summary of consultation conducted with the NSW Resources Regulator is provided in Table 5-2.

#### ***NSW Office of Environment and Heritage (now within the NSW Department of Planning, Industry and Environment)***

A summary of consultation conducted with the NSW Office of the Environment and Heritage (OEH) is provided in Table 5-3.

#### ***Heritage Division***

The Heritage Division as a delegate for the NSW Heritage Council provided input to the SEARs on 21 August 2018. This input requested that the EIS include a Heritage Impact Statement, and undertake an assessment of potential impacts on cultural landscapes.

**Table 5-1**  
**Consultation Summary – NSW Department of Planning and Environment**

Date of Consultation	Consultation Context	Key Issues Raised and Relevant EIS Reference
13 June 2018	Scoping Meeting for the Project, including: <ul style="list-style-type: none"> <li>• Alternatives considered in the Project design.</li> <li>• Justification for the Project.</li> <li>• Interaction with the existing Project Approval (06_0202).</li> <li>• Community and stakeholder engagement plan.</li> <li>• Timing of Request for SEARs, Application for a Gateway Certificate and Referral under the EPBC Act.</li> </ul>	<ul style="list-style-type: none"> <li>• Importance of maintaining open lines of communication with neighbouring landholders and the community (Sections 5.3.4 and 5.3.6).</li> <li>• Preparation of an SIA in accordance with the recently released guideline (Appendix L).</li> <li>• Consolidation of the existing approval for the Maxwell Infrastructure, Project Approval 06_0202, with the Development Consent for the Project (Section 1.1.5).</li> <li>• Management of potential subsidence impacts on Edderton Road (Sections 3.15.1 and 6.3.5).</li> </ul>
3 August 2018	Submission of the Request for SEARs supported by a Scoping Report.	
23 August 2018	Submission of Application for a Gateway Certificate to the Mining and Petroleum Gateway Panel.	
3 September 2018	SEARs issued.	<ul style="list-style-type: none"> <li>• Revised in January 2019 (refer below).</li> </ul>
20 November 2018	Supplementary SEARs issued to address EPBC Act matters.	<ul style="list-style-type: none"> <li>• A description of how the assessment requirements relevant to the EPBC Act have been addressed in the EIS is provided in Attachment 2.</li> </ul>
20 December 2018	Gateway Certificate issued by the Mining and Petroleum Gateway Panel.	<ul style="list-style-type: none"> <li>• Comments made by the Mining and Petroleum Gateway Panel have been addressed in the EIS, particularly the Subsidence Assessment (Appendix A), Groundwater Assessment (Appendix B) and the Agricultural Impact Statement (Appendix Q).</li> </ul>
17 January 2019	Revised SEARs issued to align with the recommendations of the Mining and Petroleum Gateway Panel and to address strategic agricultural land more broadly.	<ul style="list-style-type: none"> <li>• A description of how the SEARs have been addressed in the EIS is provided in Section 1.2.</li> </ul>
24 January 2019	Site inspection and Project update.	<ul style="list-style-type: none"> <li>• Explanation of how stakeholder feedback has been incorporated into the Project design (Section 5.2).</li> <li>• Interaction between the Whynot Seam and Woodlands Hill Seam workings (Section 3.5.2).</li> <li>• Interaction with the Maxwell Solar Project (Section 2.3.2).</li> <li>• Layout of the transport and services corridor (Section 3.4.4).</li> </ul>
March 2019	Update on the timing of EIS submission.	
29 March 2019	Briefing in relation to the Project to NSW and Federal regulators, arranged by the DP&E.	<ul style="list-style-type: none"> <li>• CHPP reject emplacement (Section 3.8).</li> <li>• Interactions with AGL (Sections 2.3.5 and 5.3.4).</li> </ul>

**Table 5-2**  
**Consultation Summary – NSW Resources Regulator**

Date of Consultation	Consultation Context	Key Issues Raised and Relevant EIS Reference
May 2018	Attendance by a representative of the NSW Resources Regulator at the CPDP meeting.	<ul style="list-style-type: none"> <li>No relevant issues raised.</li> </ul>
10 July 2018	Site inspection and briefing on the outcomes of the Subsidence Assessment.	<ul style="list-style-type: none"> <li>No relevant issues raised.</li> </ul>
29 August 2018	Letter documenting input to the SEARs.	<ul style="list-style-type: none"> <li>No Project-specific assessment requirements provided.</li> <li>The NSW Resources Regulator's standard mining development rehabilitation assessment requirements have been considered in the Preliminary Rehabilitation and Mine Closure Strategy (Appendix U).</li> </ul>
23 November 2018	Meeting to discuss the current rehabilitation status, the MOP and the Maxwell Solar Project.	<ul style="list-style-type: none"> <li>No Project-specific assessment requirements or issues raised.</li> </ul>
28 March 2019	Attendance by a representative of the NSW Resources Regulator at a briefing in relation to the Project to NSW and Federal regulators.	<ul style="list-style-type: none"> <li>No relevant issues raised.</li> </ul>

**Table 5-3**  
**Consultation Summary – NSW Office of Environment and Heritage**

Date of Consultation	Consultation Context	Key Issues Raised and Relevant EIS Reference
17 July 2018	Project briefing meeting.	<ul style="list-style-type: none"> <li>Methodology for the BDAR (Biodiversity Development Assessment Report): <ul style="list-style-type: none"> <li>Use of the Biodiversity Assessment Method to calculate credits associated with surface disturbance (Appendix E).</li> <li>Presentation of a strategy to meet biodiversity offset credit requirements in the EIS (Section 6.7.6 and Appendix E).</li> </ul> </li> <li>Methodology for the ACHA (Aboriginal Cultural Heritage Assessment): <ul style="list-style-type: none"> <li>Use of previous archaeological surveys augmented by additional surveys (Section 7.2 of Appendix G).</li> <li>Undertaking consultation in accordance with relevant guidelines (Section 5.3.6 and Section 3 of Appendix G).</li> <li>Consideration of cultural heritage values (Appendix G).</li> </ul> </li> <li>Methodology for flooding assessment: <ul style="list-style-type: none"> <li>Use of <i>Australian Rainfall and Runoff: A Guide to Flood Estimation</i> (Geoscience Australia, 2016) (Appendix C).</li> <li>Consideration of Probable Maximum Flood (PMF) event (Appendix C).</li> <li>Assessment of potential impacts on groundwater-dependent ecosystems (Appendix V).</li> </ul> </li> </ul>
22 August 2018	Letter documenting input to the SEARs.	<ul style="list-style-type: none"> <li>No Project-specific assessment requirements provided.</li> <li>The OEH's standard environmental assessment requirements have been considered in the BDAR (Appendix E), ACHA (Appendix G), Historic Heritage Assessment (Appendix H) and Surface Water Assessment (Appendix C).</li> </ul>



**Table 5-3 (Continued)**  
**Consultation Summary – NSW Office of Environment and Heritage**

Date of Consultation	Consultation Context	Key Issues Raised and Relevant EIS Reference
14 March 2019	Meeting providing an update on the ACHA and BDAR.	<ul style="list-style-type: none"> <li>• Delineation of woodland, cleared grassland with woody regrowth and cleared grassland (Section 7.1 of the Baseline Flora Report in Appendix E).</li> <li>• Mapping of potential habitat for Pink-tailed Legless Lizard (Baseline Fauna Survey Report in Appendix E).</li> <li>• Consideration of potential ponding impacts (Appendix E).</li> <li>• Consideration of cultural heritage values (Appendix G).</li> </ul>
28 March 2019	Attendance by a representative of the OEH at a briefing in relation to the Project to NSW and Federal regulators.	<ul style="list-style-type: none"> <li>• No relevant issues raised.</li> </ul>

The Historic Heritage Assessment (Appendix H) addresses the issues raised by the Heritage Division.

A Project summary letter was sent to the Heritage Division in April 2019 to provide information on the Project and a summary of the outcomes of the Historic Heritage Assessment. The Heritage Division responded advising that it had no further comments at that stage.

#### **NSW Environment Protection Authority**

The EPA provided input to the SEARs on 21 August 2018. The EPA did not provide any Project-specific assessment requirements.

The EPA's input to the SEARs has been considered in the description of the Project (Section 3), Noise Impact Assessment (Appendix I), Air Quality and Greenhouse Gas Assessment (Appendix J) and the Surface Water Assessment (Appendix C).

A representative of the EPA was also at a briefing in relation to the Project to NSW and Federal regulators on 28 March 2019.

Malabar offered the EPA a briefing on the Project in March 2019. The EPA elected not to meet in relation to the Project, and advised that it had no additional comments beyond the input to the SEARs at this stage.

#### **NSW Department of Industry (now part of the NSW Department of Planning, Industry and Environment)**

A summary of consultation conducted with the NSW Department of Industry is provided in Table 5-4.

#### **NSW Natural Resources Access Regulator**

A representative of the NRAR attended the meeting with the Department of Industry - Water (DI – Water) on 13 May 2019 (Table 5-4).

Malabar is also undertaking ongoing consultation with the NRAR in relation to the water licences held for the existing Maxwell Infrastructure (Attachment 8).

#### **Roads and Maritime Services**

The NSW Roads and Maritime Services (RMS) provided input to the SEARs on 17 August 2018, which included a number of requirements for a traffic and transport study.

The Road Transport Assessment (Appendix K) has been prepared in consideration of the input to the SEARs from the RMS.

Malabar met with representatives of the RMS on 4 February 2019 and provided an overview of the Project and the relevant outcomes of the Road Transport Assessment and Subsidence Assessment.

Following the meeting, Malabar provided the RMS with the following additional information in February 2019:

- a draft of the Road Transport Assessment and copies of the electronic intersection analysis files (in the program SIDRA);



**Table 5-4  
Consultation Summary – Department of Industry**

Date of Consultation	Consultation Context	Key Issues Raised and Relevant EIS Reference
29 August 2018	Letter documenting input to the SEARs.	<ul style="list-style-type: none"> <li>• Identification of an adequate and secure water supply (Section 3.10).</li> <li>• Detailed and consolidated site water balance (Appendix C).</li> <li>• Assessment of impacts on surface water and groundwater sources (both quality and quantity) (Appendices B and C).</li> <li>• Proposed surface water and groundwater monitoring activities and methodologies (Sections 6.4, 6.5 and 8).</li> <li>• Consideration of relevant legislation, policies and guidelines (Attachment 8).</li> <li>• Completion of an Agricultural Impact Statement (Appendix Q).</li> </ul>
20 December 2018	Advice to the Mining and Petroleum Gateway Panel.	<ul style="list-style-type: none"> <li>• Obtaining licensing entitlement in the Sydney Basin – North Coast Groundwater Source (Attachment 8).</li> <li>• Strategy to manage predicted groundwater drawdown at privately-owned bores (Section 6.4 and Appendix B).</li> <li>• Completion of uncertainty analysis as part of the groundwater modelling (Appendix B).</li> <li>• Demonstration of compliance with the Aquifer Interference Policy (Attachment 8).</li> </ul>
28 March 2019	Attendance by representatives of the Department of Industry at a briefing in relation to the Project to NSW and Federal regulators.	<ul style="list-style-type: none"> <li>• No relevant issues raised.</li> </ul>
13 May 2019	Meeting providing a briefing on the Project and an update on the groundwater and surface water impact assessments.	<ul style="list-style-type: none"> <li>• Assessment of licensing requirements and consideration of obtaining licensing entitlements in relevant sources (Attachment 8).</li> <li>• Inclusion of an outline for future monitoring in the EIS, including monitoring of flows in Saddlers Creek (Sections 6.5 and 8).</li> <li>• Implementation of an adaptive management approach during operations, including regular review of the numerical groundwater model (Sections 6.4 and 8).</li> <li>• Productivity of alluvium along Saddlers Creek and demonstration of compliance with the Aquifer Interference Policy (Attachment 8).</li> <li>• Modelling approach for sub-surface fracturing above multi-seam mining areas (Section 6.4 and Appendix B).</li> <li>• Assessment of potential impacts on stygofauna communities (Section 6.8.3 and Appendix F).</li> </ul>
May 2019	Letter providing information on the Project and an overview of relevant conclusions in relation to: <ul style="list-style-type: none"> <li>• agriculture;</li> <li>• fish habitat; and</li> <li>• Crown lands.</li> </ul>	

- design drawings and information for the potential new intersection of Edderton Road with the Golden Highway (in the event that a realignment of Edderton Road occurs) (Section 3.15.1); and
- assessment of the predicted far-field movements at Bowmans Crossing on the Golden Highway (which are less than the movements that normally occur due to the variation in ambient temperature) (Appendix A).

No issues have been raised by the RMS in relation to the Project to date.

#### **Transport for NSW**

A Project summary letter was sent to Transport for NSW in March 2019 to provide information on the Project and the outcomes of consultation with RMS and rail service providers (Section 5.3.5).

No issues have been raised by Transport for NSW in relation to the Project to date.

#### **NSW Health**

A Project summary letter was sent to NSW Health in April 2019 to provide information on the Project and an overview of the approach to the Human Health Risk Assessment (Appendix R).

A representative of NSW Health was also at a briefing in relation to the Project to NSW and Federal regulators on 28 March 2019.

No issues have been raised by NSW Health in relation to the Project to date.

#### **Subsidence Advisory NSW**

Subsidence Advisory NSW responded to the request for input to the SEARs on 27 August 2018 and confirmed that it had no additional assessment requirements.

A Project summary letter was sent to Subsidence Advisory NSW in March 2019 to provide information on the Project and potential subsidence impacts on third-party built infrastructure.

No issues have been raised by Subsidence Advisory NSW in relation to the Project to date.

#### **NSW Dams Safety Committee**

The NSW Dams Safety Committee (DSC) provided input to the SEARs on 21 August 2018. The only issue raised by the DSC was potential far-field subsidence impacts at Plashett Reservoir, which has been addressed in the Subsidence Assessment (Section 6.8 of Appendix A).

A letter was sent to the DSC in March 2019 to provide further information on potential subsidence impacts on Plashett Reservoir and interactions with Prescribed Dams. The DSC responded noting the proposed underground mine workings would be outside the Plashett Reservoir Notification Area.

No additional issues have been raised by the DSC in relation to the Project to date.

#### **Hunter Local Land Services**

A Project summary letter was sent to Hunter Local Land Services in May 2019 to provide information on the Project.

No issues have been raised by Hunter Local Land Services in relation to the Project to date.

#### **NSW Rural Fire Service**

Malabar regularly consults with the Edinglassie Rural Fire Service (RFS) as part of ongoing activities at the Maxwell Infrastructure.

The NSW RFS provided input to the SEARs on 12 September 2018 and requested consideration of bushfire hazard.

A letter was sent to the NSW RFS in April 2019 to provide further information on existing bushfire management measures at the Maxwell Infrastructure, and those proposed for the Project.

No additional issues have been raised by the RFS in relation to the Project to date.

#### **5.3.2 Local Government Agencies**

The Project area is wholly located within the Muswellbrook LGA. The Project is adjacent to the Singleton LGA, and a portion of EL 5460 that does not form part of the Project extends into the Singleton LGA.

Malabar has regularly consulted with Muswellbrook Shire Council and Singleton Council in relation to the Project, and its rehabilitation activities at the Maxwell Infrastructure.

### **Muswellbrook Shire Council**

A summary of consultation conducted with Muswellbrook Shire Council is provided in Table 5-5.

Malabar will continue to consult with Muswellbrook Shire Council throughout the EIS assessment process to respond to any issues or concerns raised. This consultation will also involve discussions regarding community and road maintenance contributions.

### **Singleton Council**

A summary of consultation conducted with Singleton Council is provided in Table 5-6.

Malabar will continue to consult with Singleton Council throughout the EIS assessment process to respond to any issues or concerns raised.

**Table 5-5  
Consultation Summary – Muswellbrook Shire Council**

<b>Date of Consultation</b>	<b>Consultation Context</b>	<b>Key Issues Raised and Relevant EIS Reference</b>
29 May 2018	Email to the Mayor providing notification of Malabar's intention to lodge an Application for a Gateway Certificate.	
20 June 2018	Email to the Mayor providing a briefing on the current status of the Project and the SIA.	
5 July 2018	Project briefing and scoping of the SIA.	<ul style="list-style-type: none"> <li>• Beneficial use of existing voids (emplacement of CHPP reject material) (Section 3.8).</li> <li>• Integration of the Maxwell Infrastructure final landform with the surrounding landscape (Section 7 and Appendix U).</li> <li>• Importance of undertaking genuine engagement with the community (Sections 5.2 and 5.3.6).</li> <li>• Consideration of potential social impacts and opportunities in Muswellbrook (Appendix L).</li> </ul>
29 August 2018	Letter documenting input to the SEARs.	<ul style="list-style-type: none"> <li>• Design of the Project so that the principal access to the Project is via Thomas Mitchell Drive (Sections 3.4.1 and 5.2).</li> <li>• Recommendation to seal the site access road (Sections 3.4.1 and 5.2).</li> <li>• Preparation of a Road Transport Assessment to identify any improvements required to the road network (Section 6.14 and Appendix K).</li> <li>• Implementation of a strategy to maintain the safety and operability of Edderton Road (Sections 3.15.1 and 6.14).</li> <li>• Assessment of potential surface water quality impacts (Appendix C).</li> <li>• Characterisation of geology and soils and establishment of mechanisms for erosion and sediment control (Sections 3.1 and 6.6 and Appendix Q).</li> <li>• Maintenance of agricultural productivity on Malabar-owned land (Section 5.2).</li> <li>• Assessment of biodiversity impacts and consideration of landscape connectivity (Appendix E).</li> <li>• Cumulative assessment of potential air quality impacts (Appendix J).</li> <li>• Consideration of the potential to reduce visual impacts as part of the Project design (Sections 5.2 and 6.11).</li> <li>• Preparation of a rehabilitation strategy for the Maxwell Infrastructure site (Appendix U).</li> <li>• Compatibility with existing land uses (Section 9.1.5).</li> </ul>

**Table 5-5 (Continued)**  
**Consultation Summary – Muswellbrook Shire Council**

Date of Consultation	Consultation Context	Key Issues Raised and Relevant EIS Reference
29 August 2018 (Continued)	Letter documenting input to the SEARs (Continued).	<ul style="list-style-type: none"> <li>• Consideration of potential economic and social impacts and opportunities in Muswellbrook (Appendix L).</li> <li>• Consideration of cumulative impacts on water, road and rail networks (Section 6 and Appendices B, C and K).</li> </ul>
3 October 2018	Meeting to discuss key issues raised during previous consultation.	<ul style="list-style-type: none"> <li>• As outlined above.</li> <li>• No additional issues raised.</li> </ul>
21 November 2018	Meeting with Elliott Whiteing in relation to the SIA.	<ul style="list-style-type: none"> <li>• As outlined above.</li> <li>• Fatigue management and road safety risks (Sections 6.14 and 6.17).</li> </ul>
3 December 2018	Email from Council requesting a site inspection during the public exhibition period of the EIS.	
20 December 2018	Email from Council advising on the status of planned works on Edderton Road.	
8 April 2019	Briefing on Council's planned revision to the Muswellbrook Mine Affected Roads Strategy.	<ul style="list-style-type: none"> <li>• No relevant issues raised.</li> </ul>
8 May 2019	Site inspection and meeting with Mayor and Council staff.	<ul style="list-style-type: none"> <li>• Contributions to maintenance of Thomas Mitchell Drive (Sections 6.14.4 and 8).</li> <li>• Management of potential subsidence impacts on Edderton Road (Sections 3.15.1 and 6.3.5).</li> <li>• Reduced volume of existing voids through CHPP reject emplacement as part of the Project (Section 3.8.3).</li> <li>• Benefits of coking coal product and underground mining techniques in providing industry diversity in the Muswellbrook LGA.</li> <li>• Encouraging and being supportive of community and government proposals or initiatives for the use of Malabar land or infrastructure that can co-exist with the Project (Section 2.1.5).</li> </ul>
11 June 2019	Letter outlining draft terms of a planning agreement (Section 4.3.8).	

**Table 5-6**  
**Consultation Summary – Singleton Council**

Date of Consultation	Consultation Context	Key Issues Raised and Relevant EIS Reference
31 January 2018	Project overview to Director Planning and Infrastructure Services.	<ul style="list-style-type: none"> <li>• Growth opportunities for Singleton area.</li> </ul>
20 June 2018	Email to the Mayor providing a briefing on the current status of the Project and the SIA.	
10 September 2018	Project briefing to Councillors and council executive.	<ul style="list-style-type: none"> <li>• No material issues raised.</li> </ul>
5 November 2018	Site inspection and status update with Councillors and council executive.	<ul style="list-style-type: none"> <li>• No material issues raised.</li> </ul>
22 November 2018	Meeting with Elliott Whiteing in relation to the SIA.	<ul style="list-style-type: none"> <li>• Consideration of potential social impacts and opportunities in the Singleton LGA (Appendix L).</li> <li>• Potential impacts on surface water resources, particularly the Hunter River (Appendix C).</li> </ul>



### 5.3.3 Federal Government Agencies

#### ***Commonwealth Department of the Environment and Energy***

Malabar undertook consultation with the DEE in August and September 2018 as part of the lodgement of a Referral under the EPBC Act.

On 12 November 2018, the referred action was determined to be a “controlled action” in relation to the following controlling provisions:

- EPBC Act listed threatened species and communities; and
- water resources.

A description of how the assessment requirements relevant to the EPBC Act have been addressed in this EIS is provided in Attachment 2.

Representatives of the DEE attended a briefing in relation to the Project to NSW and Federal regulators on 28 March 2019. No additional issues were raised by the DEE in relation to the Project as an outcome of this briefing.

In June 2019, Malabar notified the DEE of a variation to the proposed action, to incorporate the product stockpile extension and reflect the final proposed surface development area. The correspondence also included a list of threatened species and communities being considered in this EIS. The request to vary the proposed action was accepted by the DEE on 10 July 2019.

#### ***Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development***

The Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development (IESC) provided advice on the Project to the Mining and Petroleum Gateway Panel.

The IESC advice has been considered in the Subsidence Assessment (Appendix A), Groundwater Assessment (Appendix B) and Surface Water Assessment (Appendix C).

### 5.3.4 Neighbouring Landholders and Tenement Holders

#### ***Hunter Valley Energy Coal Pty Ltd (BHP)***

Malabar regularly and actively engages with BHP regarding interactions between Mt Arthur Mine and the Maxwell Infrastructure.

Consultation with BHP in relation to the Project has included:

- sharing of environmental monitoring data, including groundwater, surface water and air quality data;
- sharing mine water between the operations (Sections 3.10.3 and 6.5);
- continued shared use of the Antiene Rail Spur, which is jointly managed by BHP and Malabar (Section 2.3.4);
- integration and interactions between the Maxwell Infrastructure and Mt Arthur Mine final landforms (Section 7); and
- obtaining access to BHP-owned land to undertake an inspection to support the Landscape and Visual Impact Assessment (Section 6.11 and Appendix N).

Malabar will continue to engage with BHP in relation to potential interactions between the Project and Mt Arthur Mine.

No issues have been raised by BHP in relation to the Project to date.

#### ***AGL***

Consultation occurs regularly between Malabar and AGL in relation to existing agreements between the parties, which include:

- an easement in favour of AGL across Malabar’s land for the existing AGL-owned conveyor, which transports coal from Mt Arthur Mine to Bayswater Power Station; and
- a lease granted to Malabar to occupy AGL’s land within ML 1531 to facilitate mining activities.

Consultation has occurred between Malabar and AGL in relation to the following Project interactions (Section 2.3):

- access to, and grant of an easement in favour of Malabar across, AGL-owned land to facilitate the construction of the transport and services corridor for the Project (including execution of an agreement);
- construction of an overpass across the existing AGL-owned conveyor for the transport and services corridor for the Project; and
- continued use of, and access to, the East Void by Malabar for the emplacement of CHPP rejects.

Malabar will continue to engage with AGL in relation to potential interactions between the Project and AGL's Liddell and Bayswater Power Stations.

Malabar and AGL also share environmental monitoring data. Groundwater monitoring data provided by AGL has been considered in this EIS.

#### ***Coolmore Australia***

Coolmore Australia owns and operates the Coolmore Stud located south of the Project.

Malabar has made senior and executive staff available for consultation with Coolmore Australia at all times. A summary of consultation conducted with Coolmore Australia is provided in Table 5-7.

Malabar will continue to consult with Coolmore Australia throughout the EIS assessment process to respond to any issues or concerns raised.

#### ***Godolphin Australia Pty Ltd***

Godolphin Australia Pty Ltd owns and operates the Godolphin Woodlands Stud located south of the Project.

Malabar has made senior and executive staff available for consultation with Godolphin Australia Pty Ltd at all times. A summary of consultation conducted with Godolphin Australia Pty Ltd is provided in Table 5-8.

Malabar will continue to consult with Godolphin Australia Pty Ltd throughout the EIS assessment process to respond to any issues or concerns raised.

#### ***Hollydene Estate Wines***

Hollydene Estate Wines operates a cellar door, winery and restaurant business on land owned by Coolmore Australia to the south of the Maxwell Underground.

Consultation with the operators of Hollydene Estate Wines as part of the SIA did not identify any concerns about potential Project impacts that may adversely affect amenity or business activities.

In June 2019, Hollydene Estate Wines entered into a long-term lease with Malabar allowing Hollydene Estate Wines to occupy Malabar's Llanillo homestead proximal to its existing business.

#### ***Dellworth Pty Limited (NuCoal Resources Ltd)***

EL 6812 is located to the north-east of the Maxwell Underground and is held by Dellworth, a subsidiary of NuCoal. EL 6812 overlaps land owned by Malabar and parts of the transport and services corridor.

A Project summary letter was sent to NuCoal in May 2019 to provide information on the Project.

NuCoal indicated it has no issues in relation to the Project to date.

#### ***Other Neighbouring Landholders***

Malabar regularly consults with other neighbouring landholders as part of its ongoing community engagement (Section 5.4). Project-specific community consultation is also described in Section 5.3.6.

During the public exhibition period of this EIS, Malabar will offer to meet with the owners of occupied properties within 2.5 km of the Project. The purpose of these one-on-one briefings will be to provide a detailed explanation of the Project, including the Project schedule, construction and operational activities and mitigation measures to address any issues of concern.

#### **5.3.5 Infrastructure Owners and Service Providers**

##### ***Australian Rail Track Corporation***

The Hunter Valley coal rail network is managed by the Australian Rail Track Corporation (ARTC). The Main Northern Railway, which forms part of the Hunter Valley coal rail network, would be used for product coal transportation by the Project.

A Project summary letter was sent to the ARTC in October 2018, and Malabar met with representatives of the ARTC on 5 November 2018. Malabar provided the ARTC with an overview of the Project and Project requirements for rail track capacity and train path availability.

ARTC provided correspondence to Malabar on 14 December 2018 that confirmed that forecast volumes for the Project form part of the 2019 Hunter Valley Corridor Capacity Strategy. As such, network capacity is expected to be available to meet forecasts for the Project.

**Table 5-7  
Consultation Summary – Coolmore Australia**

Date of Consultation	Consultation Context	Key Issues Raised and Relevant EIS Reference
12 June 2018	Project overview and introduction.	<ul style="list-style-type: none"> <li>• Project schedule and interaction with Spur Hill (Sections 3.3 and 2.3.6).</li> <li>• Location and scale of surface infrastructure and potential visual impacts (Sections 3, 5.2 and 6.11).</li> <li>• Importation of water for the Project (Sections 3.10 and 5.2).</li> <li>• Potential subsidence impacts on the Golden Highway (Section 6.3.4 and Appendix A). (It is noted that a setback is proposed from the Golden Highway).</li> </ul>
25 June 2018	Email providing an update on the current status of the Project and contact details for any queries or requests for further information.	
26 July 2018	Email offering an opportunity to participate in a bore census to identify groundwater users and determine groundwater levels.	
1 August 2018	Email from Coolmore Australia stating that, at the time of writing, no bores were used for water supply at the Coolmore Stud.	
21 September 2018	Email requesting a site inspection of the Coolmore Stud to inform the Landscape and Visual Impact Assessment.	
2 October 2018	Site inspection of the Coolmore Stud in support of the Landscape and Visual Impact Assessment.	<ul style="list-style-type: none"> <li>• Location and scale of surface infrastructure and potential visual impacts (Sections 3, 5.2 and 6.11).</li> <li>• Maintenance of Malabar-owned land (Section 5.2).</li> </ul>
12 November 2018	Site inspection at the Maxwell Infrastructure and Maxwell Underground.	<ul style="list-style-type: none"> <li>• Need for open communication between the parties.</li> <li>• Maintenance of Malabar-owned pastoral properties and the benefits of enhancing this agricultural land (Section 5.2).</li> <li>• The benefit of improving the appearance of Malabar-owned land along the Golden Highway (Section 6.11).</li> <li>• Given the fixed timeframe for Coolmore Australia to review the EIS, how Malabar can assist Coolmore Australia and its experts to review the EIS.</li> </ul>
November 2018	Written offer by Elliott Whiteing to provide input to the SIA process through either a face-to-face meeting, a phone interview or response in writing to SIA questions.	
21 November 2018	Attendance by representatives of Coolmore Australia at a community information session (Section 5.3.6).	<ul style="list-style-type: none"> <li>• Location and scale of surface infrastructure and potential visual impacts (Sections 3, 5.2 and 6.11).</li> <li>• Use of Thomas Mitchell Drive as the principal access to the Project (Sections 3.4.1 and 5.2).</li> <li>• Maintenance of the safety and operability of Edderton Road (Sections 3.15.1, 6.3.5 and 6.14).</li> <li>• Potential impacts on the Hunter River (Sections 6.4 and 6.5 and Appendix C).</li> </ul>
28 February 2019	Site inspection at the Coolmore Stud by senior Malabar personnel.	<ul style="list-style-type: none"> <li>• The inspection provided key Malabar executive and stakeholders with a better understanding of the extent of infrastructure at the Coolmore Stud and the importance of visual amenity to Coolmore Australia's business (Section 6.11).</li> <li>• Malabar confirmed the availability of key specialists and Malabar executives for consultation with Coolmore Australia following lodgement of the EIS.</li> </ul>

**Table 5-8  
Consultation Summary – Godolphin Australia Pty Ltd**

Date of Consultation	Consultation Context	Key Issues Raised and Relevant EIS Reference
28 June 2018	Project overview and introduction.	<ul style="list-style-type: none"> <li>• Potential impacts on water resources (Section 6.4 and 6.5 and Appendices B and C).</li> <li>• Potential subsidence impacts (Sections 5.2 and 6.3.4). (It is noted that no direct subsidence impacts would occur to the Godolphin Woodlands Stud).</li> <li>• Location and scale of surface infrastructure and potential visual impacts (Sections 3, 5.2 and 6.11).</li> </ul>
2 July 2018	Email providing an update on the current status of the Project and contact details for any queries or requests for further information.	
26 July 2018	Email offering an opportunity to participate in a bore census to identify groundwater users and determine groundwater levels.	
21 September 2018	Email requesting a site inspection of the Godolphin Woodlands Stud to inform the Landscape and Visual Impact Assessment.	
21 September 2018	Overview of the Project and offer for a briefing over the phone or via email.	
November 2018	Written offer by Elliott Whiteing to provide input to the SIA process through either a face to face meeting, a phone interview or response in writing to SIA questions.	
22 November 2018	Attendance by representatives of Godolphin Australia Pty Ltd at a community information session (Section 5.3.6).	<ul style="list-style-type: none"> <li>• Strength of the commitment to underground mining (Section 5.2).</li> <li>• Location and scale of surface infrastructure and potential visual impacts (Sections 3, 5.2 and 6.11).</li> <li>• Maintenance of the safety and operability of Edderton Road (Sections 3.15.1, 6.3.5 and 6.14).</li> <li>• Commitment to follow up with additional information (see below).</li> </ul>
3 December 2018	Email providing additional information on the Project and diagrams to Godolphin Australia Pty Ltd in response to queries made at the community information session.	
15 February 2019	Email providing information on the location and scale of Project surface infrastructure and the site access.	
12 March 2019	Phone conversation providing an update on the Project status and offering a briefing or site tour.	
24 April 2019	Site inspection of the Godolphin Woodlands Stud in support of the Landscape and Visual Impact Assessment.	<ul style="list-style-type: none"> <li>• The importance of visual amenity to Godolphin Australia Pty Ltd's business (Section 6.11).</li> </ul>



Malabar would continue to work with the ARTC on access arrangements to the Hunter Valley coal rail network as the Project progresses.

#### ***Hunter Valley Coal Chain Coordinator***

The Hunter Valley Coal Chain Coordinator (HVCCC) plans and co-ordinates the co-operative daily operation and long-term capacity alignment of the Hunter Valley coal rail network.

A Project summary letter was sent to the HVCCC in October 2018, and Malabar met with representatives of the HVCCC on 30 November 2018. Malabar provided the HVCCC with an overview of the Project and its proposed access to the Hunter Valley coal rail network.

No issues have been raised by the HVCCC in relation to the Project to date.

#### ***Port Waratah Coal Services Limited***

Port Waratah Coal Services Limited (PWCS) owns and manages the Kooragang and Carrington Coal Terminals, which export coal at the Port of Newcastle.

Malabar, through its subsidiaries, is also a shareholder of Newcastle Coal Shippers Pty Limited (NCS), whose principal activity is investment in PWCS.

A Project summary letter was sent to the PWCS in October 2018. Malabar met with representatives of the PWCS on 30 October 2018 to provide information on the Project and its proposed use of PWCS's coal terminals. PWCS representatives undertook a site inspection of the Project on 5 June 2019.

PWCS indicated that sufficient port capacity would be available for the Project and has raised no issues in relation to the Project to date.

#### ***Ausgrid***

Malabar lodged a connection enquiry with Ausgrid in relation to the Project in August 2018. Consultation with Ausgrid regarding energy requirements for the Project is ongoing.

In addition, Malabar provided Ausgrid with a briefing in December 2018 in relation to potential subsidence impacts on the 11 kV power line owned by Ausgrid and the interactions between the potential Edderton Road realignment and Ausgrid infrastructure. Ausgrid has indicated that mitigation of subsidence impacts on the power line (including any potential realignment of the power line) can be managed by Ausgrid under contractual arrangements with Malabar.

No other issues have been raised by Ausgrid in relation to the Project to date.

#### ***Telstra***

Telstra owns optic fibre and copper cable telecommunications infrastructure in the vicinity of the Maxwell Underground.

A Project summary letter was sent to Telstra in December 2018 to provide information on the Project. In February 2019, Telstra confirmed that it has no assets that would be potentially impacted by subsidence from the Project.

#### ***NSW Spatial Services***

NSW Spatial Services is the provider of spatial and land information services for NSW.

A Project summary letter was sent to NSW Spatial Services in April 2019 in relation to survey control marks that may be impacted by the Project.

No issues have been raised by NSW Spatial Services in relation to the Project to date.

### **5.3.6 Public Consultation**

Malabar maintains open lines of communication with the community through a number of community initiatives and local involvement. These mechanisms are described in Section 5.4.

In addition, Malabar undertook the following specific consultation activities for the EIS:

- distributing community newsletters to local residents and other stakeholders;
- conducting community information sessions;
- providing briefings to Malabar's Community Consultative Committees (CCCs);

- directly consulting with representatives of the Aboriginal community;
- consulting local community groups;
- proactively providing information through local media; and
- briefing Malabar’s locally based staff and contractors.

The above consultation mechanisms are described in further detail below.

Consultation completed as part of the SIA process is described in Section 5.3.7.

**Community Newsletters**

Malabar prepared and distributed community newsletters providing information on the Project and its status during:

- June 2018;
- August 2018;
- February 2019; and
- June 2019.

Newsletters were distributed to local residents as well as being emailed to key stakeholders, such as elected representatives, community groups and people who registered to receive updates on the Project.

Copies of the newsletters are provided in Attachment 9.

**Community Information Session**

Community information sessions were held on 21 and 22 November 2018 at Jerrys Plains and the Maxwell Infrastructure (Plate 5-2), respectively.



**Plate 5-2 – Community Information Session at the Maxwell Infrastructure**

Notification of the community information sessions was provided via:

- direct mail to approximately 150 local landowners near the Project;
- advertising in local newspapers including *The Singleton Argus*, *Hunter Valley News* and *Denman News*;
- emails to the Chairs of the Maxwell Infrastructure CCC and Spur Hill CCC, for distribution to their members;
- direct email invitations to key industry and business stakeholders (such as Councils, adjacent landholders, Chambers of Commerce and the Construction, Forestry, Maritime, Mining and Energy Union [CFMMEU]); and
- the Jerrys Plains Public School Newsletter.

The community information sessions provided an opportunity for the local community to ask Malabar, and its specialists preparing the EIS studies, any specific queries or issues of concern relating to the Project.

Forty-eight community members completed their details on the attendance sheet at the information sessions, including:

- twenty-four personnel from neighbouring equine operations;
- six residents from the Jerrys Plains area (town and surrounding properties);
- eight residents from the Denman area (town and surrounding properties);
- three residents from the Muswellbrook postcode;
- two residents from the Singleton postcode;
- a representative of the Wannaruah Local Aboriginal Land Council (LALC);
- two representatives of the CFMMEU; and
- two other interested stakeholders.

Key issues raised by members of the local community during the Project community information sessions included:

- the strength of the commitment to underground mining (Section 5.2);
- location and scale of the proposed surface infrastructure (Sections 3 and 5.2);

- management of subsidence impacts on Edderton Road and potential impacts on travel time (Sections 3.15.1, 6.3.5 and 6.14);
- potential air quality, noise and health-related impacts (Section 6 and Appendices I, J and R);
- potential for impacts on the neighbouring equine operations (Sections 6.9 and 9.1.5 and Appendix Q); and
- potential surface water and groundwater impacts as a result of the underground mining activities (Sections 6.4 and 6.5 and Appendices B and C).

A number of attendees noted that the Project mitigated a number of concerns associated with previous proposals, including potential visual, air quality, noise and health-related impacts.

Malabar has mitigated concerns about potential impacts on Edderton Road by presenting two alternatives that would both maintain the safety and operability of Edderton Road (Sections 3.15.1 and 6.14.3).

#### **Briefings of Community Consultative Committees**

Section 5.4.1 provides further information on the CCCs operated by Malabar.

Updates on the status of the Project have been provided at all meetings of the Maxwell Infrastructure CCC, Spur Hill CCC and Antiene Rail Spur CCC since March 2018.

The Maxwell Infrastructure CCC meets at the Maxwell Infrastructure site for its meetings. The Spur Hill CCC has taken a tour of the Project area.

CCC members have the opportunity to ask questions of Malabar personnel about the Project design and proposed mitigation measures.

Presentations to the Maxwell Infrastructure CCC and Spur Hill CCC were made by Elliott Whiteing on the SIA process, and the outcomes of the SIA were subsequently presented by Malabar. TAS also presented to the Maxwell Infrastructure CCC on the methodology and key findings of the Air Quality and Greenhouse Gas Assessment (Appendix J).

Key issues raised by members of the CCCs in relation to the Project has included:

- the strength of the commitment to underground mining (Section 5.2);
- location and scale of the proposed surface infrastructure (Sections 3 and 5.2);

- potential air quality and noise impacts from the recommencement of activities at the Maxwell Infrastructure, including the use of the rail loop (Sections 6.9, 6.10 and 6.15 and Appendices I and J);
- potential for impacts on the neighbouring equine operations (Sections 6.6 and 9.1.5 and Appendix Q); and
- potential surface water and groundwater impacts as a result of the underground mining activities (Sections 6.4 and 6.5 and Appendices B and C).

#### **Aboriginal Community**

Aboriginal community consultation for the Project was undertaken in accordance with *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010a) and clause 80C of the NSW *National Parks and Wildlife Regulation, 2009*.

The following Aboriginal stakeholders registered an interest and were consulted in relation to the ACHA (Aboriginal Cultural Heritage Assessment) process for the Project (in alphabetical order):

- A1 Indigenous Services.
- AGA Services.
- Alieria French Trading.
- Amanda Hickey Cultural Services.
- Cacatua.
- Culturally Aware.
- Divine Diggers.
- DNC.
- ELM Corp.
- Gidawaa Walang Cultural Heritage Consultancy.
- Gomeroy Cultural Consultants.
- Hunter Valley Aboriginal Corporation.
- Kauwul Wonn1.
- Lower Hunter Wonnarua Cultural Services.
- Margaret Mathews.
- Merrigarn.
- Muragadi.
- Murra Bidgee Mullangari.
- Tocomwall Pty Ltd.
- Ungoороо Aboriginal Corporation.

- Ungooroo Culture and Community Service.
- Wailwan Aboriginal Digging Group.
- Wallagan Cultural Services.
- Wannaruah LALC.
- Wattaka Wonnarua Cultural Consultancy Services.
- Widescope.
- Yinarr Cultural Services.

Consultation with the registered Aboriginal parties regarding the Project has been extensive and involved multiple opportunities to provide feedback and comment. Consultation mechanisms included meetings, public notices, written and verbal correspondence and archaeological survey attendance.

Table 5-9 summarises the main stages of the Aboriginal heritage consultation process undertaken for the Project. A detailed account of the consultation process (including consultation records and a detailed consultation log) is provided in Appendix G.

Of the Aboriginal parties that registered an interest in the ACHA for the Project:

- twelve parties supported the assessment and management recommendations;
- one party did not support the assessment;
- three parties responded with no comment on the assessment or recommendations; and
- eleven parties did not respond to the request for comment.

#### **Local Community Groups**

Malabar is in regular contact with local community groups through its active support of groups through sponsorships and donations (Section 5.4.4).

In addition, consultation was conducted with the Muswellbrook Chamber of Commerce and Industry and a local representative of the NSW Farmers Association through the SIA process (Section 5.3.7).

Consultation opportunities were offered to the Singleton Shire Healthy Environment Group and Landcare; however, the opportunity was not taken up by these groups.

#### **Local Media**

Malabar takes a proactive position with local media to keep the community informed of key Project milestones and Malabar's development intentions. Malabar has used both paid notices and media releases to local newspaper outlets to disseminate information about the Project to the community.

Local media items about the Project and Malabar's operations have included:

- notices in the *Muswellbrook Chronicle*, *The Singleton Argus*, *The Scone Advocate* and *Denman News* in October 2017 regarding Malabar's intention to acquire the Project site and develop it solely as an underground mine;
- notices in the *Muswellbrook Chronicle* and *The Singleton Argus* in April 2018 providing an update on the Project status;
- notices in the *Muswellbrook Chronicle*, *The Singleton Argus*, *Hunter Valley News* and *Denman News* in May, June and August 2018 of Malabar's intention to lodge an application for a Gateway Certificate;
- notices in *The Singleton Argus*, *Hunter Valley News* and *Denman News* regarding the community information sessions held in November 2018; and
- articles in *The Singleton Argus* and *Denman News* in March 2019 providing an update on the status of rehabilitation at the Maxwell Infrastructure.

#### **Staff and Contractors**

Malabar currently employs approximately 35 staff and contractors (full-time equivalent) at the Maxwell Infrastructure who reside locally within the Muswellbrook, Singleton and Upper Hunter LGAs.

Dedicated employee newsletters are emailed to staff to assist in the dissemination of information about the Project and Malabar's activities. Briefings for staff and employees have also been conducted during the development of the EIS.

#### **5.3.7 Social Impact Assessment**

Elliott Whiteing undertook consultation activities in support of the SIA for the Project (Appendix L) in addition to the consultation activities conducted by Malabar.



**Table 5-9  
Summary of Aboriginal Heritage Consultation Undertaken for the Project**

Date	Consultation
<b>Notification of Project and Registrations</b>	
31 May 2018	Letters requesting the names of Aboriginal parties or groups that may be interested in registering for the consultation process were sent to the Office of the Registrar ( <i>Aboriginal Land Rights Act, 1983</i> ), the OEH Hunter Central Coast Branch, the Wanaruah LALC, the National Native Title Tribunal, the Native Title Services Corporation Limited (NTSCorp Ltd), Muswellbrook Shire Council, Singleton Council and Hunter Local Land Services, in order to identify Aboriginal stakeholders.
5-15 June 2018	Responses to the above request were received from the Office of the Registrar ( <i>Aboriginal Land Rights Act, 1983</i> ), the OEH, Muswellbrook Shire Council, Singleton Council and the National Native Title Tribunal.
15 June 2018	Letters seeking registrations of interest by 4 July 2018 were sent to the Aboriginal parties identified by the above step.
20 June 2018	A public notice was placed in the Hunter Valley News inviting interested Aboriginal parties or groups to register by 4 July 2018.
19 June – 20 August 2018	In total, 27 organisations and/or individuals registered an interest in the ACHA for the Project.
20 September 2018	A record of the names of registered Aboriginal parties was provided to the OEH and Wanaruah LALC in accordance with <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010</i> (DECCW, 2010a) (except for the parties who requested that their names not be provided).
<b>Proposed Methodology Review and Information Session</b>	
19 July 2018	The Proposed Methodology for undertaking the ACHA was provided to registered Aboriginal parties. <sup>1</sup> The information provided to registered Aboriginal parties included a request for review and feedback on the Proposed Methodology and invitations to attend an information session to discuss the Project and Proposed Methodology and to assist with the archaeological survey.
25 July – 16 August 2018	Feedback from registered Aboriginal parties in regard to the Proposed Methodology was received, and consideration was given to all comments.
10 August 2018	An information session regarding the Project and the Proposed Methodology was held at the Maxwell Infrastructure site office.
<b>Archaeological Surveys</b>	
19 July 2018	Invitations were sent to the registered Aboriginal parties to assist with the archaeological field survey.
15-17 August 2018 20-24 August 2018 24 October 2018	Aboriginal cultural heritage field surveys were conducted by archaeologists from AECOM accompanied by registered Aboriginal parties and their representatives. The cultural significance of the Project area and identified Aboriginal heritage sites was discussed with the registered Aboriginal parties and their representatives.
<b>Draft ACHA Review and Information Meeting</b>	
18 November 2018	A copy of the draft ACHA was provided to all registered Aboriginal parties for review and comment. The draft ACHA included survey results, archaeological and cultural significance assessment (based on feedback received during consultation and fieldwork), potential impacts and proposed mitigation and management measures.  Feedback was requested by 18 December 2018.  An invitation was also provided to all registered Aboriginal parties to attend a meeting on 5 December 2018 to discuss the findings and proposed management recommendations.
5 December 2018	A meeting was held at the Maxwell Infrastructure site offices to discuss the findings and proposed management recommendations in the draft ACHA.
19 December 2018	AECOM attempted to contact all registered Aboriginal parties who had not provided comment.
28 November 2018 – 24 January 2019	Comments were received on the draft ACHA.

Source: After Appendix G.

<sup>1</sup> Excluding those registered Aboriginal parties who did not register until the after the close of the registration process and the distribution of the Proposed Methodology.

Consultation in support of the SIA included:

- an SIA scoping survey across June and July 2018;
- meetings with Muswellbrook Shire Council and Singleton Council;
- attendance at Maxwell Infrastructure CCC and Spur Hill CCC meetings;
- a workshop in November 2018 with local service providers (including Council representatives, Muswellbrook Police, NSW TAFE [Muswellbrook campus], Muswellbrook Chamber of Commerce and Industry, Wanaruah LALC, JoblinkPlus [Singleton] and Denman News); and
- meetings or phone interviews with other local service providers and stakeholders (e.g. schools, hospitals and NSW RFS).

Further detail on the SIA consultation activities is provided in Appendix L.

## 5.4 COMMUNITY INITIATIVES AND INVOLVEMENT

### 5.4.1 Community Consultative Committees

Malabar is involved in the following CCCs:

- Maxwell Infrastructure CCC, which is a condition of Project Approval 06\_0202;
- Spur Hill CCC, which is a condition of EL 7429; and
- Antiene Rail Spur CCC, which is a condition of DA 106-04-00 and combines the Maxwell Infrastructure CCC and the Mt Arthur Mine CCC.

The CCCs provide an opportunity for Malabar to keep the local community informed about its activities and to seek community views and feedback.

The Maxwell Infrastructure CCC and Spur Hill CCC meet quarterly, at times agreed by the Committee and the Chair. The Antiene Rail Spur CCC meets on a bi-annual basis.

Meeting minutes for the Maxwell Infrastructure, Antiene Rail Spur and Spur Hill CCCs are publicly available on the Malabar website.

Malabar is required to consult with the Maxwell Infrastructure CCC in relation to the Project, in accordance with the revised SEARs issued in January 2019. In addition, Malabar has proactively engaged with both the Spur Hill CCC and Antiene Rail Spur CCC in relation to the Project.

Project-specific consultation with the CCCs is described in Section 5.3.6.

### 5.4.2 Website

Malabar maintains a website (<https://malabarcoal.com.au>) for the general public to keep up to date with Malabar's activities and the status of the Project.

The website is a significant source of information, including:

- details on Malabar and its assets;
- Project design, status and key documents (such as the Scoping Report);
- recent media releases and news articles;
- minutes of CCC meetings (Section 5.4.1);
- environmental performance and environmental management plans;
- investor details; and
- contact details for further information.

### 5.4.3 Community Contact Points

Malabar maintains a number of available points of contact for the community to ask specific questions or provide feedback, including:

- a dedicated community call line ([02] 6542 0283);
- an email address ([info@malabarcoal.com.au](mailto:info@malabarcoal.com.au));
- media contact point; and
- website feedback form.

Interested stakeholders can register for regular updates on Malabar's activities and the Project.

**5.4.4 Community Contributions, Programs and Sponsorships**

Over the last five years, Malabar has provided donations, sponsorship or support to the following local community organisations, events and initiatives:

- Australian Men Shed’s Association;
- Dalswinton Rural Fire Service;
- Denman & District Development Association;
- Denman and Sandy Hollow Junior Rugby League Football Club;
- Denman Basketball;
- Denman’s Children’s Centre;
- Denman Junior Cricket Association Inc.;
- Denman Pony Club;
- Denman Public School;
- Denman Rugby League Football Club;
- drought relief for local farmers in the Cassilis area;
- Lauren Browne (local event rider);
- Lions Club of Denman;
- Merton Living (Denman Aged Care);
- Mount Arthur Wild Dog Association;
- Muswellbrook Polocrosse Club;
- Muswellbrook Public School (Plate 5-4);
- St Heliers Heavy Horse Field Days Inc.;
- St Joseph’s Primary School (including the NSW Minerals Council EnviroSmart Grant);
- Upper Hunter Education Fund;
- Upper Hunter Wine and Food Affair;
- Upper Hunter Show;
- Upper Hunter Riding for the Disabled (Plate 5-3);
- Wakagetti Indigenous Corporation;
- Wanaruah LALC; and
- Wildlife Aid.



**Plate 5-3 – Malabar’s Donation of a Defibrillator to Upper Hunter Riding for the Disabled**





**Plate 5-4 – National Tree Day at Muswellbrook Public School**

Malabar would continue to provide funding contributions to local community programs and groups during the life of the Project.

#### **5.4.5 Local Contractors and Suppliers**

Malabar's existing operations support a number of local and regional contractors and suppliers, such as:

- BlackRock Industries (land management services, Muswellbrook);
- Blackwoods (industrial and safety supplies, Singleton);
- Enright Land Management Pty Ltd (land management services, Branxton);
- K Milwain & Sons (water cartage services, Muswellbrook);
- Kirkwood Produce (rural and rehabilitation supplies, Singleton);
- Muswellbrook Nissan (vehicle sales and servicing, Muswellbrook);
- Muswellbrook Security Services (alarm and security services, Muswellbrook);

- T&C Services (maintenance services, Muswellbrook);
- TLE (electrical supplies, Muswellbrook); and
- Upper Hunter Security Services (security services, Muswellbrook).

Approval of the Project would allow Malabar to continue and expand support for local and regional contractors and suppliers.

#### **5.4.6 Public Reporting**

In accordance with Project Approval 06\_0202 for the Maxwell Infrastructure, Malabar produces Annual Environmental Management Reports (AEMRs) to report on environmental performance and rehabilitation activities. Copies of previous AEMRs and monitoring results are available on the Malabar website (Section 5.4.2).

Malabar also publishes annual reports and other information for investors, which are made available on the Malabar website (Section 5.4.2).