

**INAUGURAL MEETING OF THE
MAXWELL COMMUNITY CONSULTATIVE COMMITTEE
MINUTES OF MEETING HELD VIA ZOOM
ON WEDNESDAY 22 SEPTEMBER 2021 AT 5.03PM**

PRESENT	NAME	ORGANISATION
	Lisa Andrews (LA)	Independent Chairperson
	Jennifer Lecky (JL)	Deputy Chairperson
	Cr Stephen Ward (SW)	Muswellbrook Shire Council
	Wayne Seabrook (WS)	Malabar Resources - Chairman
	James Johnson (JJ)	Malabar Resources - General Manager Development and Operations –
	Donna McLaughlin (DM)	Malabar Resources - Manager Health, Safety, Environment & Community
	Alex Newton (AN)	Malabar Resources - Environment and Approvals Coordinator
	Teresa Coleman (TC)	Malabar Resources - Environment and Community Coordinator
	Aaron Moon (AM)	Community Representative (SH)
	Mark Bowditch (MB)	Community Representative (MI)
	Michael White (MW)	Representative for Coolmore and Godolphin
APOLOGIES	Peter Horder	Community Representative (MI)
	Susan Pickersgill	Community Representative (SH)
	Fiona Webber	Community Representative (SH)
	Robert Halloran	Community Representative (MI)
	Sharon Pope	Muswellbrook Shire Council (MI)
	CEO (TBA)	Wanaruah Local Aboriginal Land Council
IN ATTENDANCE	Nicole Demnar	Independent Minute Taker

WELCOME	<p>The meeting was opened at 5.03pm.</p> <p>LA confirmed that the Deputy Premier, Minister for Regional NSW, Industry & Trade and the Department of Planning Industry & Environment (DPIE), supported and approved the request to combine the Spur Hill Underground (UG) Coking Coal Community Consultative Committee Meeting (CCC) with the Maxwell Infrastructure CCC, to form one CCC known as the Maxwell CCC.</p> <p>LA noted that she had been appointed by DPIE to undertake the role of Independent Chairperson for the Maxwell CCC. LA provided some background on her professional experience.</p> <p>WS expressed his appreciation for the time and contribution of CCC members over the past years, and the willingness of everyone to allow Malabar Resources to bring both CCC's together for efficiency purposes.</p> <p>LA acknowledged the work of her predecessors, Jennifer Lecky (Chairperson for the Maxwell Infrastructure CCC) and Margaret MacDonald-Hill (MMH) (Chairperson for the Spur Hill UG Coking Coal CCC). Recognising JL's involvement with the site, LA asked JL to be the Deputy Chair for the Maxwell CCC of which JL accepted.</p> <p>LA introduced Nicole Demnar, as the Independent Minute Taker.</p>	
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	<p>Attendees present and apologies were confirmed.</p> <p>LA advised of an additional item to the Agenda, added as Item 9 - Renewable Initiatives, presented by WS.</p> <p>Last quarter's Combined Maxwell Infrastructure and Spur Hill CCC resignations were confirmed for Brett Keeping and John Sowter. John has moved out of the area and Brett is no longer with Two Rivers Wines. Reconfirming Ron Baxter's resignation at last Maxwell Infrastructure Meeting for personal reasons.</p> <p>Under the Consultative Committee Guidelines, 7 members are permitted to form a CCC meeting. Due to the combined CCC membership, this CCC is still operating within the guidelines. Therefore, there is no need to replace these members.</p> <p>With regards to representation from the Muswellbrook Shire Council, due to the combined CCC, there will now be two appointed delegates – Cr Stephen Ward and Sharon Pope. The Chair proposed Cr Ward be the delegate on Maxwell CCC and Sharon Pope be the alternate delegate, should Cr Ward not be available to attend. It is preferable to have an elective representative on the CCC to represent their constituents, residents and rate payers. SW accepted proposal by LA.</p>	
<p>DECLARATION OF INTEREST</p>	<p>The Independent Chair advised of that she was appointed by DPIE and engaged by Malabar Resources to chair the meeting.</p> <p>Due to the formation of the committee, CCC members have been asked to complete New Declaration of Pecuniary and Non-Pecuniary Interest and Code of Conduct forms. LA will distribute forms after the meeting.</p>	<p>New Declaration of Pecuniary and Non-Pecuniary Interest and Code of Conduct forms to be sent at all CCC members for signing.</p>
<p>CONFIRM MINUTES OF PREVIOUS MEETINGS</p>	<p>Minutes of previous meetings were confirmed as below.</p> <p>Spur Hill CCC February 2021 Meeting</p> <p>Maxwell Infrastructure CCC March 2021 Meeting</p> <p>Extraordinary Meeting Spur Hill/Maxwell Infrastructure CCC meeting June 2021 Meeting</p> <p>LA noted that in accordance with CCC Guidelines, the minutes of the meeting will be finalised following a review process, which is usually 21 days after the meeting. Draft minutes will be sent out to members approximately 1-2 weeks following the meeting, allowing for 1 week to review and provide any comments or amendments. When the review process is complete, the finalised minutes and presentation will be uploaded to the Malabar Resources website.</p>	<p>Moved: AM Seconded: SW Moved: JL Seconded: SW Moved: JL Seconded: MW</p>
<p>BUSINESS ARISING</p>	<p>Actions arising from the three (3) previous meetings:</p> <ol style="list-style-type: none"> 1. Members to provide feedback to MMH on the preferred commencement time for combined CCC meeting. <i>(Meeting held 9/6/21)</i> 2. Provide CCC members with blasting information for Maxwell Project. <i>(Sent 12/6/21)</i> 	<ol style="list-style-type: none"> 1. Complete 2. Complete

	<p>3. Publication of community information – consider local newspaper. <i>(Newsletter was sent to members in July 21)</i> LA queried DM if further communication will be sent out following newsletter sent in July 21. DM confirmed that newsletter will be sent at least 6 monthly newsletters once construction commences.</p> <p>4. Next Maxwell Infrastructure CCC meeting to be combined with Spur Hill CCC. <i>(Combined Meeting was held 9/6/21)</i></p> <p>5. Write to Minister Barilaro requesting the combination of the Spur Hill UG Coking Coal CCC with the Maxwell Infrastructure CCC. This correspondence to include a letter of support from Malabar Resources. <i>(Sent on 20/6/21)</i></p> <p>It was confirmed that no further business has arisen from previous minutes.</p>	<p>3. Complete</p> <p>4. Complete</p> <p>5. Complete</p>
<p>CORRESPONDENCE REPORT</p>	<ul style="list-style-type: none"> • 1/6/21 – Email Godolphin, nominating Michael White to represent Godolphin/Coolmore on this CCC. • 2/6/21 – Email Malabar, acknowledging and accepting nomination. • 20/6/21 - MMH letter to Minister Barilaro requesting merging of committees (letter of support from Malabar Resources included). • 7/7/21 - Response from Minister Barilaro in support of request. • 7/7/21 - MMH email to Spur Hill CCC advising of Minister Barilaro’s response. • 7/7/21 - MMH email to DPIE on process. • 7/7/21 - DM/MMH emails July Newsletter to CCC. • 12/7/21 - BK resigning from this CCC. Contribution acknowledged and thanked by MMH. • 2/9/21 -Email & letter from DPIE to Malabar Resources raising no objection to the amalgamation of the CCC’s. • 7/9/21 - Email & letter from DPIE appointment LA to position of Independent Chairperson in this CCC. • 10/9/21 – Email and letter to CCC members advising of the approval to combine the CCC’s and LA’s appointment by DPIE. 	
<p>PRESENTATION ON SPUR HILL UNDERGROUND COKING COAL PROJECT UPDATE</p>	<p>JJ provided an update on the Spur Hill UG Coking Coal Project and planned exploration activity on Spur Hill, noting that the focus for the Spur Hill 2021 seismic survey is an area in the south-east of the Spur Hill exploration licence (EL 7429). The results of this seismic survey will be used to feed into future Spur Hill and Maxwell exploration programs.</p> <p>Malabar are planning to commence consultation with relevant landowners regarding the seismic survey this month with works planned to commence in November to December 2021. JJ noted that the blue lines (on slide 4) indicate the proposed seismic lines stating that the area between EL7429 and EL5460 is the fault referred to as the ‘Eastern Boundary Fault’ that needs more definition along with, the Denman Anticline (shaded in the green area).</p> <p>MW queried what the symbols represent on the diagram - hyphens with dots underneath.</p>	<p>See Slides 3-4</p>

	<p>The schedule indicates a 12-month period to complete the drifts and in parallel, electrical infrastructure, water management, buildings and loading areas would be established on the surface. It was noted that there is a long lead time on designing, fabrication and delivery of the long wall machine.</p> <p>MW queried the timing for the Whynot drift.</p> <p>JJ noted that the development and design work was still progressing however the priority for Malabar was to establish the Woodlands Hill drift for access to longwall coal.</p>	
<p>ENVIRONMENTAL MANAGEMENT PLANS</p>	<p>DM provided an overview of the Environmental Management Plans stating that most have progressed to approval stage and are available on the Malabar website. LA to add link in minutes for members.</p> <p>The Water Management Plan (WMP) and Biodiversity Management Plan (BMP) are still yet to be approved. The WMP is undergoing consultation with DPIE water. The Biodiversity Management Plan has been reviewed by Muswellbrook Shire Council (MSC), Biodiversity Conservation Division (BCD) and Biodiversity Conservation Trust (BCT).</p> <p>LA suggested preparation of an acronym sheet for circulation to members. DM agreed to this request.</p>	<p>See Slide 12</p> <p>Link to Management Plans to be provided to CCC members.</p> <p>Acronym sheet to be provided to CCC members.</p>
<p>CULTURAL HERITAGE SALVAGE</p>	<p>DM provided an overview of a Cultural Heritage Salvage in July 21. A total of 500 artefacts were collected during stage 1 of the works which involved surface collection. Stage 2 works will involves excavation.</p> <p>LA queried where the artefacts were stored.</p> <p>DM advised, when artefacts are returned, they will be stored on site in a fire-proof room that the Aboriginal community will have access to.</p>	<p>See Slide 13</p>
<p>REHABILITATION</p>	<p>TC provided an overview of the rehabilitation and land management activities including:</p> <ul style="list-style-type: none"> • Preparation for tree planting. • Infill planting at the MEA. • Installation of nest boxes. • Continued weed spraying. • Pest management. • Land evolution modelling for existing rehabilitation landforms following a notice from the Resources Regulator. <p>LA queried the type of notice received from the Resources Regulator.</p> <p>DM advised that a section 240 notice was issued following a targeted assessment program by the Resources Regulator. The model will assess long term stability of landforms across various time scales. Results should be available in early 2022.</p>	<p>See Slide 14</p>

CATTLE GRAZING TRIAL	<p>TC provided an overview of the Cattle Grazing Trial</p> <ul style="list-style-type: none"> • 97 head of cattle agisted by a local Denman farmer since mid-July 2021. • Cattle are rotated through rehabilitated paddocks to improve species diversity. • 47 head of cattle are planned to be sold to the feedlot market in November 2021. 	See Slide 15
ENVIROMENTAL MONITORING	<p>AN provided an overview of the extensive environmental monitoring program that is currently in progress for the Maxwell Underground Mine, noting some monitoring is subject to approval by the DPIE.</p> <p>Results are published on the Malabar website: www.malabarresources.com.au</p> <p>AM queried if water quality testing will be performed more regularly than annually.</p> <p>DM advised ground water is sampled quarterly for levels of change in ground water flows and annually for water quality. Surface water is monitoring more frequently.</p> <p>MW queried the location of the additional 4 new groundwater bores.</p> <p>DM confirmed they are intended to be on Malabar owned land.</p> <p>AN provided a summary of the environmental monitoring for the Spur Hill Project. This monitoring is not covered by any management plans however, has been ongoing for many years now for the purpose of establishing a base line for the Spur Hill Project.</p> <p>AN explained the PM₁₀ and PM_{2.5} results from the Tapered Element Oscillating Microbalance (TEOM) located at the Antiene residential area, noting it was below the 24-hour average and annual average criteria.</p>	See Slides 16-19
COMPLAINTS REGISTER	<p>TC confirmed no community complaints have been received to date.</p>	See Slide 21
COMMUNITY UPDATES	<p>TC presented on Malabar’s sponsorship of:</p> <ul style="list-style-type: none"> • Food, Friends & Conversations Community Dinner – in collaboration with Blackroo Industries Community Hope Program. • Singleton Neighbourhood Centre – distributed school supplies to 20 families in need. • Scone Community Pantry – donated \$500 and pantry items. • Jerrys Plains Public School – donated sporting equipment to every child. <p>DM advised that a lot of community sponsorship events have been cancelled due to the COVID lockdowns. DM seeks suggestions from committee members as to how they can further support community groups in need, all requests for support can be sent to DM or TC.</p>	See Slides 22-25

RENEWABLE INITIATIVES	<p>WS noted that Malabar has commenced a partnership with EDF, a large French global energy company with a substantial renewable portfolio. Malabar already has approval for a 25 MW Solar Farm located on a rehabilitated area of the Maxwell Infrastructure site.</p> <p>The State Government has identified the Upper Hunter as a Renewable Energy Zone (REZ). Being a large land holder in the Hunter, Malabar is working with EDF to identify renewable energy sources.</p> <p>MW queried the renewal sources Malabar are considering for power.</p> <p>WS advised the focus will be on solar and battery storage.</p>	See Slide 27
GENERAL BUSINESS	<p>LA provided an update on the delegate for the Wanaruah Aboriginal Land Council, who are a stakeholder on the CCC.</p> <p>Reconfirmed that Noel Downs resigned some time ago. The land council are recruiting for a new CEO. In the meantime, minutes from these meetings will be forward to the land council by LA. Currently, Tanya Riley is acting in the CEO role.</p>	
NEXT MEETING	<p>Wednesday, 8 December 2021. LA proposed to confirm that date. CCC members to confirm best time, LA suggested 1pm for members' consideration. Members to respond to LA with preferred times for an in person meeting. JL and AM supported 1pm.</p>	

Meeting closed at 6.03pm with LA thanking all for their participation.

ACTION ITEMS

ITEM	ISSUE	RESPONSIBILITY
1	New Declaration of Pecuniary and Non-Pecuniary Interest and Code of Conduct forms to be sent to all CCC members for signing. Hard copies to be available in the December meeting, for members unable to print, complete, scan and return via email.	LA and CCC Members
2	Link to DPIE portal to be provided to CCC members.	LA/DM
3	Link to Management Plans to be provided to CCC members.	LA/DM
4	Acronym sheet to be provided to CCC members.	LA/DM
5	CCC members to respond to LA with preferred time for next meeting.	CCC Members