



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF PROCEEDINGS

RE: GLENDELL CONTINUED OPERATIONS PROJECT (SSD-9349) AND
MOUNT OWEN CONTINUED OPERATIONS MOD 4 PROJECT (SSD-5850-
MOD-4)

COUNCIL (GENERAL MANAGER & COUNCIL OFFICERS) MEETING

COMMISSION PANEL: DIANNE LEESON (Chair)
 PROFESSOR SNOW BARLOW
 ADRIAN PILTON

OFFICE OF THE IPC: STEPHEN BARRY
 CASEY JOSHUA
 JANE ANDERSON

SINGLETON COUNCIL: JASON LINNANE
 MARY-ANNE CRAWFORD

LOCATION: VIA VIDEO CONFERENCE

DATE: 3.00PM, TUESDAY, 8 MARCH 2022

TRANSCRIBED AND RECORDED BY APT TRANSCRIPTIONS

MS LEESON: Good afternoon and welcome. Before we begin I would like to acknowledge the traditional owners of the land from which we virtually meet today, and pay my respects to their Elders past, present and emerging. Welcome to the meeting today to discuss the Glendell Continued Operations (SSD-9349) and Mount Owen Continued Operations Mod 4 (SSD-5850) projects, which are currently before the Commission for determination. The Glendell mine forms part of the Mount Owen Complex located in the Hunter coalfields in the Singleton local government area. The application for the Glendell Continued Operations Project would extend the life of the existing operations by establishing a new mining area to the north of the current
10 Glendell pit to enable the extraction of an additional 135 million tonnes of run-of-mine coal over 21 years, at an increased production rate of up to 10 million tonnes per annum. Coal extracted over the life of the project would continue to be processed at the existing Mount Owen coal handling and preparation facilities before being transported via rail in accordance with the Mount Owen consent.

The project involves an associated modification to the Mount Owen consent to integrate with the proposed extension. While the project would continue to rely on existing infrastructure, including the Mount Owen coal handling and preparation plant, rail loop and existing Glendell mining fleet, it would require the development of a new
20 mine infrastructure area, including associated infrastructure and services, along with construction of new heavy and light vehicle access roads. In addition, the project would involve the realignment of a section of Hebden Road, diversion of Yorks Creek and relocation of the historic Ravensworth Homestead.

My name is Dianne Leeson. I'm the Chair of this Commission Panel, and I'm joined by my fellow Commissioners, Professor Snow Barlow and Adrian Pilton. We are also joined by Steve Barry, Casey Joshua and Jane Anderson from the Office of the Independent Planning Commission.

30 In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being recorded and a complete transcript will be produced and made available on the Commission's website.

This meeting is one part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its determination. It is important for the Commissioners to ask questions of attendees and to clarify issues whenever it is considered appropriate. If you are asked a question and are not in a position to answer, please feel free to take the question on notice and provide any additional information in writing, which we will then put up on our
40 website.

I request that all members here today introduce themselves before speaking for the first time and for all members to ensure that they do not speak over the top of each other to ensure accuracy of the transcript. We will now begin.

So welcome again and as I said just before we started, if you do have any urgent need to step out of this meeting given the situation in Singleton, we will certainly understand.

10 We provided council with an agenda, which I think Casey and the team have been through with you to make sure that we can cover what we understand to be the principal issues around this proposed extension, and we've also got the benefit of council's initial submission or a submission to the Department of Planning of March last year. And I think between that submission and the agenda that we have, we will probably have quite a fulsome conversation today. I probably would like to start by, at a higher level, understanding whether in the intervening period since March last year, whether many or any of the issues raised by council have been addressed to your satisfaction up until now so that we can either take this as still being all of the issues on foot in that correspondence of yours from last year, or whether there's a tighter focus of issues that are still of interest and concern to council. Perhaps I'll start with that, if that's all right, and then we'll work our way through the issues on the agenda.

MR LINNANE: Jason Linnane, General Manager, Singleton Council. I don't have a copy of our submission of March last year in front of me but we have identified a number of issues but I think for a number of them we are getting close to some sort of position of agreement. From our perspective we always take a fairly balanced approach as an organisation, we can see the value of these sorts of projects, but we also think that it's very important that we, on behalf of our community, continue to raise the issues of concern or the issues that we think should be considered in the planning process. For us, there's probably four major issues I suppose. The first one, 30 is around the long term maintenance of Hebden Road. The second one is the closure of Hebden Road. Thirdly, is around the planning agreement, and fourthly, the Ravensworth Homestead.

If I could start with the planning agreement – feel free to jump in at any time, Mac. If I start with the planning agreement, council position is that we are, where we've seen the recommendations that have been made by Department of Planning back to IPC. We think that is consistent with the approach that we have as an organisation. In our submissions we have articulated that we have a planning agreement policy, we have a position in terms of what we think is an appropriate quantum for planning agreements. 40 That's been made really clear throughout this process. We also have a fairly unique approach here in Singleton in that we've set up what we've called our Legacy Fund.

It's about council taking a long term view to how we do everything we do as an organisation. One of the things that we've done in recent years is create, as part of the Legacy Fund, our Community Economic Development Fund. So in the past when council was negotiating voluntary planning agreements, nearly all the time the money was spent on the here and now. Providing infrastructure for the here and now. We didn't believe that was the right approach, we believe that the challenges that our community are going to be facing in the medium to long term required us playing the long game, required us having a much more strategic view on how we dealt with a whole range of things and including planning agreements. So our Community
10 Economic Development Fund, which is reflected in our planning agreement policy, articulates that all proceeds of our planning agreements for mining projects will go into the Economic Development Fund. That's a fund that's been set up to allow not only the current community but future communities, who will be dealing with different challenges relating to coalmining, these projects and potentially others, legacy mining projects, to deal with a range of social and economic challenges they will have.

And we have a deed that we've struck with a couple of the mining companies. We have really good governance arrangements around those things. And it all, it all links
20 back to our planning agreement policy, which is based on a cent per tonne methodology or 1 per cent on CIV. So we were really happy to see the recommendation that came from DPI to the IPC which reflected that 1 per cent or thereabouts in terms of the quantum of the VPA. And we're also really happy to see that the department also saw fit to support our proposal that that money goes into the Community and Economic Development Fund, so we can play the long game, we can play that strategic approach to helping not only the current community but future communities deal with affectation and impacts that come from mining. Anything to add on that, Mac, in terms of the VPA?

30 MS CRAWFORD: I'm on mute. Sorry, Mary-Anne Crawford the Manager of Development and Environmental Services. No, I think, I guess, just reinforcing Jason's comments is that our approach has always been one of transparency where we've adopted publicly available information to help us inform our decision-making around and negotiation for the planning agreement, and we've adopted departmental policy guidelines in relation to that as well. So it's not a position that's come out of nowhere. It's a position that's been underpinned by research that we've done across the state in terms of planning agreement quantum. And also the department's own policy position around the way in which they calculate capital investment value. So,
40 yeah.

MS LEESON: Thank you. And I think I saw in Glencore's response that they are prepared to pay the 5 million thereabouts as a, into that fund. But they had some requirements I think that would also be included in that amount, which is at odds with council's view. Do you want to draw that out a little more for us?

MR LINNANE: Yeah, absolutely. That was the second issue I was going to raise, which relates to the proposed closure of Hebden Road. We were of, it's pretty clear that in order for the mine to expand, Hebden Road needs to be closed and relocated. Council is the landholder of Hebden Road and the closure of the road is administered through the Roads Act. And that's a process that is completely separate in our view. Completely separate to the Environmental Planning and Assessment Act considerations for consent. We've been very clear with the mining company for a number of years now that we see that as being the case. The Roads Act does allow council to seek financial compensation for a sale of the road once it's closed. As I mentioned, we foreshadowed that, we've been very clear with that. We do not believe it should be aligned or integrated with the voluntary planning agreement. We think they are two very separate processes. The VPA would, sort of falls under the EP&A Act where any closure and any consideration of sale of the road would be, would follow the Roads Act and it would be a commercial consideration for council. We think it should, we don't think, we don't think the closure of the road and the sale of the road should be treated any different to any other commercial negotiation a landholder would have with a prospective purchaser of an asset. And that's been our position all the way along. So we do support the condition that a consent requires the satisfaction of council that we have the realignment of the Hebden Road, the completion of a road safety audit for the new Hebden Road, including make-safe arrangements. And also the closure and removal of the old Hebden Road, including compensation to the satisfaction of the council.

MS LEESON: And just to take that a little further, this approach of keeping it completely separate to a VPA. The position that Glencore's put as it being incorporated, is that a one-off from council's experience? I mean, is this is the first time it's happened? What's the normal course of events? Is this the exception to the rule that Glencore is seeking? Or does this happen more often than not?

MR LINNANE: Our most recent example relates to the Mt Thorley-Warkworth extension where there was a closure of a road, namely Wallaby Scrub Road. And there was also a voluntary planning agreement and they were done in very separate, under very separate processes. One was done through the approvals process under the Environmental Planning and Assessment Act. Another one was done through the Roads Act. They were two very, two issues that were kept intentionally at arm's length of each other and it progressed in that manner. Before those times there was a

different approach by council and other councils. But that's certainly the approach this council is proposed and will be following.

MS LEESON: Thank you for that. I mean, I know Glencore's response was concerned that they would be at the behest of council and, you know, had no sort of control over what that amount of money might be. So certainty for them and I think suggested rephrasing of some of those recommended conditions by the department was front of Glencore's mind. But are you - - -

10 MR LINNANE: If I just could make a further comment. We do appreciate the, Glencore not wanting to pay council the VPA in advance of the road closure process being finalised. Because what it could mean is that, in reality, if the road doesn't get closed and doesn't get moved, they can't do their mining activities. Not to the fullest extent anyways. So I don't think, it would be unfair for us to have a conversation about the timing of the payment of the VPA in that it's, paying that sort of money the \$5 million without the assurance that the road was going to be closed. I understand where they're coming from that perspective. But we don't accept that the closure of the road and the compensation consideration for the closure of the road is related to the VPA, the quantum of the compensation.

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MS LEESON: Okay, so you can see a way through this?

MR LINNANE: We can see a way through it if we can find common ground in terms of agreeing on the commercial value of the road (not transcribable) to be closed.

PROF. BARLOW: Jason, Snow Barlow here. Are there sort of a standard formula to come to what might be the commercial value of the road or is it just market conditions that determines how you put a value on that road?

30 MR LINNANE: Yeah. It's a good question and it's a tough one. But the view that we take is the sale of a road to a mining company for their development purposes is no different to the sale of a road that any council would do in the city or elsewhere to any other commercial developer. It's what a willing, a willing purchaser's prepared to pay to someone who's willing to sell. And that's a process we went through in a previous development. I mentioned MTW. And that's the process that we've suggested we're open to to Glencore in coming to a position of understanding what the value of the asset they're looking to procedure is to them.

PROF. BARLOW: Okay. Thank you.

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MS LEESON: Thanks. Thanks, Jason. I had nothing else on the road alignment other than understand your issues around design standards and safety issues et cetera.

MR LINNANE: Yeah.

MS LEESON: You wanted to discuss road maintenance.

MR LINNANE: Yeah. Mac, do you want to talk to this one?

10 MS CRAWFORD: Yeah. So road maintenance has always traditionally been tied up
in the planning agreement as well. And I guess, the approach that we've looked at for
this particular application is probably based on our experience with other similar sorts
of situations in LGA where we've had a mining company construct a new road for us
and then pay us a road maintenance fee for the maintenance of that road over the life
of the project. The issue with that is that we're getting a new road. And what that
means is that we might be getting, you know, 30, 40, \$50,000 a year for the life of that
road, for the life of the development to maintain a road that actually doesn't need
20 maintenance. So what we've come to is sort of an appreciation of that. And that in
actual fact for the new road what should happen, what we think should happen is that
the company should do dilapidation reporting on a regular basis. I think we've
nominally suggested it on a five-year basis. And on the basis of that dilapidation
reporting undertake road maintenance. In effect, that is probably less expensive for
the company than what have otherwise been a, you know, 50 to \$60,000 a year
contribution. But again, that's a, that's a matter that can be managed through
conditions of consent as opposed to planning agreement outcome. And so we also
support the department's condition that they've applied in relation to road
maintenance, which is along, along that line.

MS LEESON: Okay. Thank you. That's actually quite helpful.

30 MR LINNANE: Can I just make one further comment? It's something I failed to
mention when we were talking about possible closure of Hebden Road and possible
sale of the road. It's council's intention, as I mentioned before, we had what we called
our Legacy Fund. And our Legacy Fund has four pillars. There's a pillar which I
mentioned, Community and Economic Development Fund. There's an infrastructure
pillar. There's a commercial property pillar. But there's also what we call our roads
pillar. So any proceeds for any sale of any roads that we make go into that Legacy
Fund, and into that pillar of our Legacy Fund I should say. And again, that's,
40 our intention as a council to provide, to play the long game. Putting aside proceeds
from opportunities that present themselves now for the long-term benefit of our
community. Because as I mentioned before there will be challenges that this

community will face. And I think everybody's aware of those. The conversation's been had broadly across the state and across the country. The challenges this community will have down the track that we need to make sure we're providing the appropriate capacity to be able to deal with those. So it's not about selling a road just to, to do a whole range of things in the here and now. It's about playing a more strategic game and have a more strategic view.

10 MS LEESON: Thank you very much. That's quite helpful. That might be talking about conditions of a segue into the department's assessment report and recommended conditions. I'd like to come back to the relocation issues around Ravensworth if we can. We might deal with some of the more transactional aspects, I suppose, of the department's recommended consent. Is Singleton Council, are there conditions there that you're comfortable with or would have exception with in terms of the way they are presented to the Commission for its consideration?

20 MS CRAWFORD: I might field that question, Jason. So from council's perspective with the exception of the – we're pretty happy to be honest. We're happy with the conditions that the department has proposed. We've worked with the department now for some time around trying to ensure that council's concerns that we raise in submissions are reflected in the assessment report and in, and in conditions of consent where it's appropriate to do that. We raised some in our initial submission that we lodged with the department back in 2020. Now, we've raised some concerns around the mine planning process, mine closure planning process, greenhouse gas emissions and climate change, social impacts, particularly the social impacts on Camberwell Village. Biodiversity and the offsetting implications for Singleton and the LGA. Air quality impacts, water licensing, waste management and building code requirements. I think for the most part the department's taken all of those into consideration. It's reasonable to say that the applicant, in their response to submissions, didn't address a large number of the issues that council did raise. But it is comforting to see that the department has worked through those with us and presumably with the applicant as well. And in particular one of the issues that council has had for a number of mining projects over recent times is the need for upfront detailed mine closure design. And it's good to see that the department is proposing a condition that requires them to do that. Whereas in the past the conditions were usually where they didn't have to do that until five years prior to planned closure. And closure of mining operations and transitioning and diversifying is, is a key theme for Singleton. But it's also a key theme for the State Government as well. So it's good to see that that's been reflected in the conditions in the way that we would like to see it.

40 PROF. BARLOW: I'm fine. Thank you.

MS LEESON: One of the things that's exercising our mind, we've spoken with a few groups already is the final landforms which comes to my closure, I suppose, in a way. But the overburden emplacement, the treatment of final landforms, the rehabilitation. And in some ways how that might reflect or not the original landscape. And then also how across a number of mines or a number of precincts you get a more integrated and sort of unified pattern and it's probably quite difficult given mines were all dealt with on a singular basis. But what's been presented in terms of the approach to rehabilitation and overburden – and again, we're sorry we didn't get up there this week to look at some things in real life. But we'd be interested in the council's
10 comments around the long-term view of these rehabilitation plans and their success. Because it's the success of some of these that are going to be the legacy issue for many, many years.

MS CRAWFORD: Yes. And it's - - -

MR LINNANE: I might just talk broadly about what we're doing from an organisational point of view around the broader issue of mine land re-use and planning. (not transcribable) follow on from that if I can? So this whole issue of the future use of mine land, mining land, is something that's very, very topical in our
20 community. 'Cause it's easy for everyone to understand and appreciate it's a vast tract of land that's currently being used for mining purposes. And we have a lot of conversation about what's the next highest and best use look like. And there's been lots of conversations, lots of ideas and lots of innovative thinking going on. But from our perspective as an organisation we think there's a major gap in a more holistic approach, a more systems thinking approach to how that network of mining land comes together and what are the opportunities moving forward. So in the absence of any leadership from the state in this matter and the absence of any real commitment or resources, we've provided a resource that's actually working with mining companies across the whole of our LGA to do basic "101 Master Plan" for all our mining sites.
30 But to start unpacking it and looking at it in a bit more detail, not just thrown out there for anyone to throw out their good ideas. Doing some of that basic planning that you do when you are doing master planning or land-use planning, so understanding what the constraints are, understanding what the opportunities are, understanding what the current approvals look like an expiry dates, and all those types of things. And actually, actually putting together a master plan for each of the sites and have the individual sites sort of with some more feasible, some more realistic potential future uses and then bringing them together from a landscape perspective, from a holistic and systems thinking perspective to start seeing how all individual parts play together. So we start having a more informed conversation around, around what does the next
40 highest and best use look like. How do all different parts integrate and align? And then obviously, and then try and hopefully from that start having a deeper conversation

around rehabilitation, the timings for rehabilitation and landforms and all those types of things. Acknowledging that we are dealing with a lot of legacy of consents. And it may be difficult. But having that good planning, that more thorough planning, that more practical planning in place will help us with that broader conversation.

10 PROF. BARLOW: Jason, Snow Barlow here. Can I ask you a couple of questions regarding that? The first is, you know, I think it's a far-sighted idea to try and get a holistic plan for the area. It's your LGA so you know it much better than we do. But certainly that Ravensworth area is probably one of the most mined landscapes in Australia.

MR LINNANE: Yeah.

PROF. BARLOW: And it's probably lost on no one. Do you have a plan already to an overall holistic plan of how that – because the other characteristic of that is that any, if not almost all the mines around the current Glendell Continued Operations application are actually owned by Glencore as well. So there's an opportunity there. So how far is your ambitions in that area progressed?

20 MR LINNANE: We're at the stage now we're having I think second-round meetings with the mining companies. The first round was all about trying to sell the proposal. It's like a no obligation free quote. 'Cause we fully appreciate that the mining companies have concerns around this whole conversation about, not only rehabilitation but future use of the mining lands and buffer lands. Because they're concerned about what the impact does, what impact it has on their operation. And they're concerned about opening up old consents and that sort of leading to Pandora's box. So we're taking a softly/softly approach. And just said to the mining companies, this is something that we're resourcing as an organisation. We're not asking for anyone else to pay for it. We're doing it 'cause we think it's the right thing to do.

30 We're doing it 'cause we're, we, we see a need to have, have a more strategic approach to, and more practical, more realistic, more pragmatic approach to what the, what mine land and future use looks like. We're saying to them, "It's not going to tie you into anything, not going to commit you to anything," 'cause I think that's one of the, what you're, what you're suggesting there is one of the concerns that we have is that we have all these different mines with, a lot of them have really old consents. And they have been done in isolation. We don't have that landscape perspective, don't have that holistic systems thinking perspective to it. So we're trying to bring that in. We're trying to have that conversation. So we have the conversation with, with the mining companies and have that broader conversation with our community

40 and other levels of government to say, "Here is a more realistic, more pragmatic, a more, a, a more, an approach that's more based on the opportunities and the

constraints of the sites but also then looking at how we can bring them together from a systems thinking perspective.

10 PROF. BARLOW: Just a question that flows on to that, you know, we've looked at, you know, the proposals for revegetation in the current proposal. And what is sort of clear and, indeed, Glencore are doing this elsewhere, perhaps outside Singleton LGA is that the nature of their rehabilitation sort of ending up with a sort of forest woodland-type vegetation, probably not an agricultural (not transcribable). So the net result will be, is that there may be loss of agricultural land. Is that a concern for your council or a concern to the community?

20 MR LINNANE: I think the bigger concern for our community and, and us as their voice is that uncertainty at this point in time how all the different individual parts of the system come together long term. I, I don't think we've painted that picture well enough. I don't think we, we fully understand what we're going to get because of the isolated nature of the various consents right across the, our LGA. And that, I suppose, is one of the reasons that we're, we're doing this project, so we can bring that together and we can, can actually start understanding how all the various parts of the system, what role they play and how they can be complementary to each other and

20 understanding what output that, or what outcome that creates for our community and is that the best outcome and are we maximising, are we getting the next, highest and best use of those lands? I think that's a very real conversation for us across the, across the whole landscape.

PROF. BARLOW: Thank you.

30 MS LEESON: Can I just take that a little further? We have a project in front of us right now, and I'm interested in what the time frame might be for you to get that integrated or holistic view of your various lands and whether you see this one in the proposed final form and land uses which are still a little vague, I think, in the documentation. You're ahead of the curve in a way, in this project. Do you see that this is even in an embryonic form, synergistic with what you're looking at or is this out of kilter? I mean, I can only assume from your general comments, opening comments that this can't be too out of kilter with what you're ultimately thinking.

40 MR LINNANE: No, we, we, we're optimistic that we're, that this project could, could be part of that broader conversation we're having because we are, we're talking, like, we're talking about planning things that are 20, 30 years down the track, so, yeah, no, we, we don't think there's any reason to suggest that, that this site could not be incorporated into that broader project we're talking about.

MS LEESON: It would not be an opportunity lost, so to speak?

MR LINNANE: No, I think, I, I think we can fit it into the program, yes.

MS LEESON: Okay. Thank you. Adrian (not transcribable)

MR PILTON: Nothing at this stage.

MS LEESON: Then we might go - - -

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MR LINNANE: Mary-Anne might have something to contribute - - -

MS LEESON: Oh, sorry.

MR LINNANE: - - - in terms of the land use, because she's, she's across that detail better than, than I am.

MS LEESON: I beg your pardon, Mary-Anne, I didn't see your hand up in the corner.

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MS CRAWFORD: No, that's okay. I'm sorry. I had to take, I had to take another call. My apologies for that. So, yes. To reinforce, I think, Jason's comments, it's refreshing to see that we're, we're starting to have these conversations now with, with the companies around future land use planning. It's also something that I know the, from a regional planning perspective, the Hunter Regional Plan is very keen to see some synergies around land use planning for mining land more, more generally, so that the doors can be opened for some more broader thinking around what final land uses might be applicable to these sites now and into the future. I think from the EIS perspective, council's initial comments into that were very much that it was vague about what the potential final land uses could be and how the rehabilitated landform would work towards delivering those. And I think if you put a land-use planning lens on it as opposed to a mining engineering lens on it, you could get different outcomes, which is what Jason's talking about in terms of the project that we're working on is taking it, looking at it through a different lens can create a lot more opportunities around what is currently possible versus what could also be possible, you know, 20 or 30 years down the track.

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MS LEESON: Is that then a nice segue to the Ravensworth discussion?

MS CRAWFORD: The homestead?

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MS LEESON: The homestead.

MS CRAWFORD: Sure.

MR LINNANE: Yeah. So I'll, I'll kick off with that one. And, and I, and I need to be really up-front in that our council has not formed a position, formally formed a position on the relocation of the homestead. It, it's a matter that we provided feedback to, through, through the EIS and through the, our response to submissions. We've raised a number of issues that we think need consideration and need, and need really, some really detailed planning around, things like potential, potential native title, potential New South Wales Aboriginal Land Rights claim Acts, Act claims, I should say, the plan of management requirements and the, and the, the local community engagement that goes with that when it's a piece of Crown land, so we need to be following that, the requirements of the Crown Land Act, the status of the, of the Crown, of the Crown land, the fact it is Crown land and, and where, where the Crown sits in terms of their support or otherwise, zoning and, and flooding considerations, the DA process and, and really importantly, the long term management maintenance responsibilities and funding of such.

You know, we, we raise those as issues but certainly not to say we don't support it, not to say we don't, that we oppose the relocation of the homestead to the, to the Broke site but if it was to go to Broke, they're all the uses we think need to be thoroughly considered and well planned and resourced because there's a fair bit of work in all of those things. So we've raised those with Glencore, we've raised those with the local community group. They've been part of our, our, each of the submissions that we've made. I can advise the IPC that next Tuesday night, council will be considering a notice of motion on this matter and, and, and, in effect, that will, that will enable council to form, to form its position on, on, on the, on this issue of if the homestead is to be relocated, should it go to Broke or should it stay where it, or, or should, should it go to the, the adjoining land that Glencore owns? So, as I said, I, I don't mean to be sounding like we oppose it. Council does not have a formal position at this, on that matter at this point in time. They're just issues we think that need thorough consideration, well, need to be well planned and need to be resourced to enable them to be undertaken.

MS LEESON: Jason, some of the issues you've raised, sort of legal and procedural issues about relocating to the Broke site that is advocated by the Broke Village Square Trust.

MR LINNANE: Yeah.

MS LEESON: There are also social and economic and heritage considerations that need to be taken into account. Will that be part of council's consideration next week, do you think? I mean, I, I don't want to try and pre-empt what council might decide next week, but we'd be interested to get your views on those three elements in particular around either option for the, for the location of the homestead should the mine be approved to, to mine through that site.

10 MR LINNANE: It's very difficult for me to suggest what, what conversation, what will come up in debate next week but, but I think the conversations that I've heard over the last few years around this have been the ones that you just mentioned, they've been around the heritage value and significance of, of, of Ravensworth Homestead, they've been about the socio-economic value that, that comes from the different options that have been put forward, they, they've been about what, what any relocation to Broke could do for the future prosperity of, of Broke. So I think all those will be things that, that will be, that, that have been debated, have been discussed in our community over the last years as this, as this matter's sort of been bubbling along, like, I can only imagine that the council in their deliberations will canvass those matters, as well.

20 MS LEESON: It's clearly not an easy one, we've seen arguments for both, the social and economic value it might bring to Broke. We've seen argument about leaving it at the mine site, it still has some diminished heritage value but it's probably got more heritage value than if it's relocated to Broke. So there's a lot for us to unpack. I think we would welcome council's view when it's known next week as an input and we are meeting with councillors this afternoon after this, as you well know.

MR LINNANE: Yep.

30 MS LEESON: Adrian, do you have any questions on the Broke issue? We were interested earlier on about the flooding and Wollombi Brook and whether McNamara Park's above or below water at the moment – as an aside.

MR LINNANE: I don't know. I know Wollombi Brook's flooding but most of the flooding seems to be happening at Broke, ah, at Bulga sorry. Broke, I don't know, that's a sort of recollection, I don't have the facts on me.

MS LEESON: We can check the flood modelling on all of that and see what it is today – no doubt it will be a consideration if that is the preferred location for you into the future.

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MR PILTON: Just wondering any issues there might be about servicing that site. Do you know if there will be any difficulties about sewer or water supply and so on?

MR LINNANE: We do have water supply, town water supply into Broke. We don't have sewer, we only have town water. I couldn't make an informed comment on the other utilities – so obviously they will be considerations that need to be again explored in terms of the capacity of the site. So I wouldn't be in a position to make a really informed comment other than to say we do have water to the site.

10 MR PILTON: Okay. Thank you.

MR LINNANE: For us, one of the other, and I mentioned it, is this long-term management and long-term maintenance requirements. If anyone's dealt with old buildings, especially heritage buildings like this one, they're not cheap to maintain, they're not cheap to run, so our view would be that we want to make sure that there's a very sound, and I know that Broke Village Trust people are of the same mind, a very sound and very strong, very robust agreement in place to protect the future ratepayers from having to carry the burden of an asset that was provided.

20 MS LEESON: Yes, I think that's where my question was going, that as optimistic and as robust a process you might have in place and analysis, does council see itself as the owner/manager of last resort in the event that a relocation didn't - -

MR LINNANE: No, we want to stay away from that as far as we possible could because those costs are unknowns. In the fullness of time it might well be a really good decision on behalf of the broader community to be involved in that – we don't know what they are, we don't know what the risk-benefit ratio really looks like. What I do know, maintaining an old asset like that will cost a lot of money into the future, and we think it's only appropriate for a company who's going to be getting a
30 commercial benefit out of being able to develop the site should make a requisite contribution to that long-term, long-term maintenance, that long-term management responsibility.

MS LEESON: Thanks for that. There's a lot to get through should that be the ultimate chosen site for the relocation. All of the things that you've talked about, about zoning, servicing, native title, leases, agreements with council etc etc – how long, it's a bit how long's a piece of string, but how long would you think a process like that might take? Because should we grant consent to this application, we will need to factor in at what point mining might be able to commence and how far offset
40 that might be from the homestead itself before it can be relocated. Clearly, there's a long timeline in all of that and I'd be interested in council's thoughts.

MR LINNANE: We haven't mapped it out, so I couldn't give you a definitive answer but if you started talking about potential – because it is Crown land.

MS LEESON: Yes.

10 MR LINNANE: I'm not sure what changes in the tenure arrangements will do in terms of the ability for the land to be claimed under the Aboriginal Land Rights Act. I do know and have been involved in a process where it takes many, many, many years for those to be resolved. It could be the opposite, it could be a really speedy resolution or it could take a long time, I don't know. I've been advised from other parties – again I'm only going on hearsay – there are no native title implications, that would need to be tested I would imagine. I think we all know that if there was to a native title application processed over the site that, again, can be quite long tail, quite a long time line.

MS LEESON: These things can take years, you're right. They can be quick but they can also take a long, long time.

20 MR LINNANE: I'd suggest a typical rezoning map is twelve to 18 months, would that be fair to say, by the time you go through the whole gateway process and the planning proposal process?

MS CRAWFORD: Yes, that would be fair to say. I think it is important to note that it would be an out-of-strategy re-zoning. So the current zoning for the site is recreational, so for it to be re-zoned, council doesn't have a strategy that supports re-zoning in Broke, so that would need to be factored into the decision-making process for this application in order to enable it to be progressed out of strategy – if Broke was the preferred option.

30 MR LINNANE: And again, I want to stress, we're not saying these things to say that we oppose them, it's not the case. We're just raising these issues because we think they're really valid issues that need to be well thought out and planned and resourced if it was to be a decision to go towards the Broke site. You need to make sure it is appropriately resourced so that frustrations don't get worse than they should be if things can't happen in a timely manner.

40 MS LEESON: It's been quite clear that council's thinking in this has been quite clear and well understanding of the challenges that could lie ahead. It was not assumed that there could be a rejection to the relocation, so it's not taken that way.

MR LINNANE: Great, thank you.

MS LEESON: Any other issues that you want to raise with council while we've got them? We may end up coming back to you as we get further and further into this, if you don't mind.

MR PILTON: No, I can't think of any other queries at this stage.

10 PROF. BARLOW: I think you touched on all the issues you said you needed to touch on and we now, as clear as we can be, at this juncture on those issues and we look forward to talking to council immediately after this.

MR LINNANE: Great.

MS LEESON: So, look, thank you both for your time, we will let you go now because it's clear there's serious situations out there. Sorry, Jason, you want to say something?

20 MR LINNANE: Me and Mary-Anne will be coming back with the elected council as well.

MS LEESON: Oh okay, fine. We'll see you again at 4 o'clock.

MR LINNANE: You can't get rid of us that easy.

30 MS LEESON: That's all right. I will say now and say again at the subsequent meeting that we would welcome further submission from council through the formal process and through the public hearing process, so – public hearing might – we should check the dates of that relative to when council is going to actual consider that Broke issue, it could be - - -

MS JOSHUA: So the public hearing is next Friday, the first day, the 18th. So if council's deliberations are on Tuesday, how long before those are publicly available?

MR LINNANE: They'll be available, I'll make contact on Wednesday.

MS JOSHUA: Thank you, that will be great.

40 MR LINNANE: It's probably more good luck than good management but the fact that our meeting does fall before your public hearing works out well for us.

MS JOSHUA: Thank you.

MS LEESON: Thank you Jason, thanks Mary-Anne we will see you shortly.

MR LINNANE: Thank you very much.

MS CRAWFORD: See you.

MR LINNANE: Bye bye.

10 MR PILTON: Thank you very much.

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[3.49pm]