



TRANSCRIPT OF MEETING

**RE: HVO NORTH AND SOUTH OPEN CUT COAL CONTINUATION
PROJECTS (SSD-11826681 & SSD-11826621)**

SINGLETON SHIRE COUNCIL MEETING

PANEL:	SIMON SMITH (Chair) JANETT MILLIGAN MICHAEL CHILCOTT
OFFICE OF THE IPC:	STEVE BARRY BRAD JAMES KENDALL CLYDSDALE TAHLIA HUTCHINSON
SINGLETON SHIRE COUNCIL:	MELINDA CURTIS EMILY RILEY
LOCATION:	ZOOM VIDEOCONFERENCE
DATE & TIME:	2:30PM – 3:00PM WEDNESDAY, 8 th JULY 2026

<THE MEETING COMMENCED

MR SIMON SMITH: Hello, Melinda.

5 **MS MELINDA CURTIS:** Hello. Hi.

MR SMITH: Are you on your own there? Have you got colleagues?

10 **MS CURTIS:** No, hi, everyone. No, I have a second staff member joining, so Emily Riley. So, she will be coming on in the next minute.

MR SMITH: Okay. Shall we just give her a minute and then we'll start?

15 **MS CURTIS:** Yes. I just left another meeting with her, so she should be there very shortly.

MS TAHLIA HUTCHINSON: She just joined.

20 **MS EMILY RILEY:** I'm here, guys.

MR SMITH: Hello, Emily, how are you?

MS RILEY: Hello. I'm well, thank you. Sorry, I don't know if you could ...

25 **MR SMITH:** We'll do some introductions in a second, but before that, I'd like to acknowledge that I'm speaking to you from Gadigal land and I acknowledge the traditional owners of all the lands from which we virtually meet today, and pay my respects to Elders past and present.

30 Welcome to our meeting to discuss the Hunter Valley Operations North and South Open Cut Continuation Projects currently before the Commission for determination. The Applicant, Hunter Valley Operations Pty Ltd, is seeking consent for the HVO Continuation Project.

35 The project involves the continuation of mining at the Hunter Valley Operations Mining Complex until the end of 2045 for the HVO North and end of 2042 for HVO South, including an extension of approved mining areas and mining of deeper coal seams. The Hunter Valley Operations Mining Complex is an established multi-pit open cut coal mining operation located approximately 24 kilometres northwest of Singleton
40 in the Singleton and Muswellbrook shire local government areas.

45 My name is Simon Smith and I'm the Chair of the Commission Panel, and I'm joined by my fellow commissioners, Janett Milligan and Michael Chilcott. We're also joined by Steve Barry, Brad James, Kendall Clydsdale and Tahlia Hutchinson from the office of the Independent Planning Commission.

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 on this matter and will form one of several sources of information upon which the Commission will base its determination.

5 It's important for commissioners to ask questions of attendees and to clarify issues whenever it is considered appropriate. If you are asked a question and you're not in a position to answer, you may take the question on notice. Following the meeting, the Commission will advise you in writing of any questions taken on notice that the Panel considers require a formal response. Any subsequent response or information provided to the Commission will be published on our website.

10 I ask that both of you today perhaps introduce yourselves before speaking for the first time, just your name and role with Council, and also let's all agree not to speak over the top of each other, to ensure the accuracy of the transcript. So, we might – so, I'm Simon, obviously, and you've met the others. Perhaps if you could both just introduce yourself with your name and role with the Council and then we can have our discussion.

15 **MS CURTIS:** I'll go first, Emily, if that's okay. So, I'm Melinda Curtis. So, I'm the Acting General Manager at Singleton Council.

20 **MR SMITH:** Thank you very much, Emily, great.

MS RILEY: Hi, I'm Emily Riley, I'm the Acting of Community Growth and Evolution, and my substantive role is the Coordinator of Strategic Planning.

25 **MR SMITH:** Fantastic. Thank you both very much for joining us. So, we've circulated an agenda for our time together, but we wondered whether it would be best use of time if we were to look at your – the long table that you've provided with recommended conditions, that was sent through to the Department of Planning. Are you familiar with the document I'm talking about? Yes.

30 You would have had a chance to review the draft or recommended conditions that have come to us from the Department. Maybe you could tell us which of the – set aside any that are resolved to your satisfaction, and others that you believe are still significant issues for Council. Maybe you could talk us through your perspective on those ones.

35 **MS CURTIS:** Simon, if it's okay, we just have some notes that Emily and I have been going back and forth on, and the top of that actually summarises kind of those main things we wanted to highlight. Are you happy if Emily shares that, so then I'll ask that she talks through them.

40 **MR SMITH:** All right, thanks.

MS RILEY: Thank you, Mel. Did you want to just address the housekeeping ...

45 **MS CURTIS:** Yes, thanks Emily, I will. Simon, I just needed to highlight we have just identified just in the 10 minutes before this meeting that on the second line of your invitation and my apologies we had missed that, it said that we'd also like to provide Council's elected officials with the opportunity to attend this meeting. We had not seen

that, so this invitation has not been extended to all our elected officials. So, I just needed to highlight that, that this is obviously just being attended from a staff capacity.

5 **MR SMITH:** Understood, thank you. And I guess it's still open to your elected officials if one of them wanted to speak at our hearing next – well, next week, but on Wednesday following, there's still a couple of slots left if one of those officials did wish to speak.

10 **MS CURTIS:** Thanks, Simon, and I have shared the dates of that and the information with our elected officials. I also, on our draft council agenda, there is a potential notice of motion from one of those, one of the councillors, so if that is resolved, that will also be forwarded through before the due date as well.

15 **MR SMITH:** Great. Good. All right, well, let's press on with the other – with the issues that you wanted to speak about.

MS CURTIS: Okay, Emily, I'll hand over to you and you'll share that information.

20 **MS RILEY:** I'm just trying to share ... All right. Can you see that – it's just an email thread between myself and Mel?

MR SMITH: It's a bit small for us to see, I think.

25 **MS CURTIS:** If you press control and scroll, Emily, you should be able to make it bigger.

MS RILEY: Is that moving for you?

30 **MS CURTIS:** Yes.

MR SMITH: It's getting a bit bigger but still got more to go, I think – yes, that's it, that's good. Thank you.

35 **MS CURTIS:** I might go a tad smaller so I can read, sorry. Okay. So, thank you. This is just an email thread where, as Mel said, we've been discussing Council's thoughts on the draft consents. So, we've had the opportunity to review the draft consents as well as the Department's Assessment Report. We've also reviewed our previous submission on the EIS as well as our submission on the RTS document.

40 So, we are pleased to see that the Department has addressed a lot of concerns within the conditions of consent. Probably our overarching statement which you can see on the screen, is that some of the strategic issues that we've identified, so it might be in relation to the post-mining land use or some of the closure strategies that have been – they seem to be put off until either, well, clearly post assessment, but some of them to
45 the point where, for example, the Mine Closure Statement, is three years before the intended closure.

So, I think a lot of the technical issues are being conditioned for appropriately, but some of that strategic stuff which in the table that we sent through with the draft

conditions, had like timing components and things like that, we think could be improved. So, if I go –

MS CURTIS: If you go to one – there we go.

MS RILEY: Yes. So, if I go through, I suppose that's an overall comment, that a lot of the more specific stuff has been conditioned for appropriately. One of the items that Council referred to was a rehabilitation strategy, and particularly requiring details around the closure planning.

So, we've seen a recent example with the Ashton Coal Mine where that mine is proposed to be closed in a staged manner prior to the three-year trigger. So, sometimes because of that three-year trigger, there's no requirement to address that when, and obviously there is lots of things that might determine when a mine does, you know, cease operations. But we think that the timing of that condition could be improved. We've written a potential recommendation here that just talks about a mine closure strategy early in the project life, rather than that three-year trigger.

In terms of post-mining land use, again we think that the condition could be strengthened. Given that when the mines do close and there's a void, the planning controls revert to the LEP, and so by Council having more surety earlier, we can prepare for other land uses in that post mining. So, we had a recommended condition within the table and it had, I think, a bit more strength to that post-mining land use element. The other –

MR SMITH: Sorry, can I just ask, do you recall what number it was in the table, the condition that you're referring to?

MS RILEY: No, not off the top of my head.

MS CURTIS: We can take that question on notice though and provide that condition number, if you would like.

MR SMITH: Thank you.

MS RILEY: No problem. And I think the third topic or issue would be the certainty around the infrastructure, Obviously, the projects include a lot of changes to the local and the state's infrastructure in the New England Highway. And so, some of the issues that were referred to in Council's submissions over the duration of the application refer to things like the flooding impacts as a result of the relocation of the New England Highway, how some of the approvals under the Roads Act would work, the long-term maintenance responsibilities, and a security of infrastructure because ultimately that road will be longer and will also be Council's asset.

So, they were, I think, the three main topic areas that we thought could be improved within those draft determinations.

MR SMITH: Okay. So, panel members, will we – do you want to start with the Lemington Road point?

MR MICHAEL CHILCOTT: Sure.

5 **MR SMITH:** So, I notice that in some of the recommended conditions in your table, some of the conditions were saying include a condition that says you must comply with the Roads Act, for example. And I wasn't sure what the purpose of a condition like that is, because they must comply with the Road Act. But could you just give me an update on how much discussion and meeting of minds there is with the Applicant over the Lemington Road re-alignment? Presumably, is Lemington Road, is that a
10 Council asset at present?

MS RILEY: So, I understand it is, yes.

15 **MR SMITH:** Council resolved that it's comfortable with relinquishing that road and getting the other road in its place?

20 **MS CURTIS:** There are ongoing discussion we are having at the moment, and they have just started back up. We had a meeting – I'll just confirm when that was – and, sorry, just give me one minute while I just pull that up. Yes, so we are having discussions with that, and we are expecting additional information to come back, but we are obviously having conversations around that.

25 **MR SMITH:** All right. So, but in principle, this is something that you can see, Council can work through with the Applicant?

MS CURTIS: Yes, certainly, that's correct.

30 **MR CHILCOTT:** Can I ask what the additional information is you're seeking to secure?

MS CURTIS: So, just the additional information on what aspect? Oh sorry, I was looking in my calendar in terms of just looking at when where certain discussions had taken place, that's what I was trying to identify.

35 **MR SMITH:** Yes, I guess our interest is because obviously it's important that if approval is granted and it's assuming that everything would be done to build a new Lemington Road, but it turns out that it can't be, then the approval is not worth it.

40 **MS CURTIS:** So, the intention that there are no concerns from Council's perspective – the intention is that those conversations will happen and that there's a comfort level with that.

MR SMITH: Okay.

45 **MS RILEY:** Just looking back on that, the table, it notes that at a meeting on the 20th of February 2024, Council agreed in principle to the closure of the old Lemington Road, and that further negotiations would be finalised under the Roads Act. So, that in-principle support for the closure [unintelligible].

5 **MR CHILCOTT:** I understand the in-principle matter. I'm just trying to understand the practicalities of what's involved in the surrender of one road and any potential landownership changes, and the construction of the new road and what that means in terms of ownership of the land that it's going through, the status of landowner consent, and the proposition in times in terms of dedication of that road to Council. So, can you just give me more narrative beyond the in-principle into the in-practice?

10 **MS CURTIS:** So, that process has been, as part of that in-principle support, that process has been mapped out. So that would be the intention, that we would be able to work towards that. So, is that what you mean?

MR CHILCOTT: I'm wondering whether there's an agreement in place that this is – that what is proposed will happen.

15 **MS RILEY:** Not that I'm aware of. We'll have to take that question on notice, but not that I'm aware of. I don't think there's an agreement that's been executed.

20 **MS CURTIS:** But there is in-principle support, so that would definitely indicate that, but we could take that question on notice.

MR CHILCOTT: Thank you. I'm trying to understand, it's part of the proposal, and therefore if we grant consent, it needs to be firm that it's in place, I would have thought, that legal matters at least are resolved, that there's not any matters in question.

25 **MS CURTIS:** Yes. We will take that question on notice, but from my understanding, in-principle support has been obtained, so I believe that we are working towards that and that that is not a roadblock to this, that that process is happening.

30 **MR SMITH:** Thanks, Melinda. So, maybe we'll put a request in writing about that. But we're looking for a sort of – you said a process is in place or a roadmap or something, I think, was your phrase – if you could just share that with us, you know, what the steps are, who has agree to what, when, that would be very helpful.

35 **MS JANETT MILLIGAN:** Can I just clarify. Are you saying to us that Council at its meeting in February 2024 agreed in principle but the components can't be implemented until there's an approval of the project. Is that what you're saying? So, the components that would be required have been approved in principle, but of course they can't be triggered until there's an outcome from the application.

40 **MS CURTIS:** That's correct. From our perspective, we believe that we've done everything that we can do to date, and that's why we say that it's in-principle support, but obviously until approvals take place ... But what I can do, we can provide that process and steps to obviously give certainty around that so that you can see what has been done to date.

45 **MR CHILCOTT:** Thank you.

MR SMITH: Great. And I noticed in your summary there and in your table, you have asked for additional flood modelling. Is that flood modelling in the Hunter River itself, that you're interested in?

5 **MS RILEY:** I believe so. My understanding would be that that specific comment would have been done in consultation with our (excuse me) Development Engineering and Flooding Teams. So, I'll take that question on notice and clarify whether it is the Hunter River or the Wollombi.

10 **MR SMITH:** I'm just interested, so if you could ...

MS RILEY: I can clarify that for you, for sure.

15 **MR SMITH:** Thank you. Okay, good. Do you mind just scrolling up on our display so we can see point 2? Thanks. So, have you had any discussion with the Applicant about this aspect of socio-economic transition, what might happen shorter than just before the end of the mine?

20 **MS RILEY:** I haven't been involved in any discussions of that nature. Mel, have you?

MS CURTIS: No, again, I would need to take that question on notice.

25 **MR SMITH:** Well, in your first best world, what would it be like? Like, when would you be talking about things and what would you be talking about?

30 **MS RILEY:** I think a lot of projects get towards the project and realise what they want to do or what the market might find suitable for the land post-mining nature can't be done under the planning framework and then might spend 5 or 10 years trying to then be ready for that. And so, what we're saying is, rather than waiting, we would like to be on the front foot and know what this site would look like post mining and how within our planning framework, such as the LEP, we can start to think about that.

MR SMITH: Right.

35 **MS CURTIS:** And just adding up, we don't see these as any major, you know, roadblocks to a decision. It's just about us wanting to raise these as aspects that we believe could be strengthened in the conditions, that is where we're coming from.

40 **MR SMITH:** Yes, no, that seems fair enough. I mean, it does seem that there's historically been a strong focus on post-mining landform and vegetation and so forth, trees and grass one person talked to us about. But it does seem that in the context of the government's policy about a transition from coal mining, that it makes sense to start talking about alternative employment opportunities at an earlier stage than just at the last gasp.

45 **MS RILEY:** Given that – oh, sorry, Mel.

MS CURTIS: Like Emily had given the example that a lot of the time by the time these things, these discussions and these plans are happening, it's too late. We're just

trying to make sure that they're conditioned as early as possible so that they're being considered – sorry, Emily, I'll hand it back over to you.

5 **MS RILEY:** Yes, I was going to reiterate that, I suppose it's to make sure that transition keeps moving. So, we don't get to a point where we have to stop, look at the planning controls, wait, and then keep going.

MR SMITH: Right.

10 **MS RILEY:** So, it would be good to have something that triggers that a little bit earlier, and I agree with Mel, that these are just suggestions. We largely think that the Department's Assessment Report was really comprehensive in going through the issues that we addressed in the previous submissions.

15 **MR SMITH:** So, would you like to suggest a particular form of words that would address this, or would you rather us consider that?

20 **MS RILEY:** We are more than happy to provide some drafting there. And if we could add that to perhaps the actions or questions on notice, I can provide some drafting, or if there's another mechanism you prefer that'd be ...

MR SMITH: That'll be fine.

25 **MS RILEY:** Excellent. Thank you.

MR SMITH: Now, can we look at point 1 – oh sorry, is there anything else on point 2 from your side? No. Point 1. So, I mean, the example that you mentioned is salient, obviously. When do you think this closure work should start?

30 **MS RILEY:** The recommendation, and I think there was a draft condition – let me just see ... [Pause] Council ... I think there might have been a time trigger in what Council suggested in terms of a mine closure strategy that had updates to it as, you know, whether it be every few years, rather than having a trigger at the end.

35 Again, happy to provide, if it's not already in that table, we'd be happy to provide a draft condition that might talk to having, you know, needing it within a certain time of commencement of operations or works, rather than just that back end, because obviously for the reasons that we've outlined. I thought it was in the table, because I'm sharing screens, I'm having couple of issues on my other one, apologies.

40 **MS CURTIS:** Because Simon, we're very comfortable to do that, that is the easiest way is that we draft a condition which would address each of these points, we could do that and provide that if that's preferable.

45 **MR SMITH:** Yes, that makes it simple for us, if we can look at what you've put and consider it in the context of all the rest of it, all the other conditions.

MS RILEY: When I was having a look just at the draft consents and I looked at a submission made by Muswellbrook Council and they referred to a, I'm sure it was sort

of like a more modern closure condition. So, I will also review that and send something through, just that I saw that they had sent through a draft condition as well.

MR SMITH: Yes, okay. I think they call it a contemporary closure condition.

MS RILEY: I think that's what it was, yes, contemporary, yes, yes, yes.

MR SMITH: So, colleagues, is there any other questions on points 1, 2 and 3? Okay, well, let's just look at the agenda and let's look at the list of issues that were there. You might want to do that too, Emily and Melinda, just to see if there are other issues that you'd like to draw to our attention from this agenda that you think have not been satisfactorily resolved.

MS RILEY: So, we have a table prepared that talks about – can you see that on my screen now, it's a lot of yellow?

MR SMITH: Yes.

MS RILEY: Yes. So, I'm wondering whether it might be more efficient for us to take the same approach and send some – send a package through that has the things that we think could be, it'll have the conditions from both draft consents. And the draft or, you know, a proposed solution or draft condition on some of those sort of more (excuse) not minor issues, but more technical issues.

MR SMITH: Yes, I think that's good. I mean, we just looked at your current table, and it's obviously been prepared some time ago and things have moved on a bit since the draft conditions came out, and you've had a look at those. So, some kind of – this table or with a recommendation would be very helpful.

MS RILEY: No problem. I think that might be the most efficient way, just to give you everything in a package and you can see the relevant conditions.

MR SMITH: Okay. That sound all right with you guys?

MR CHILCOTT: No, that'll be very useful.

MS CURTIS: And then added – oh, sorry, sorry, then added to that we can also include the framework and processes and steps and that high level of how we would be ready to go in terms of that in-principle support and the plan moving forward for that.

MR SMITH: All right. What's the invincible support?

MR CHILCOTT: In-principle.

MR SMITH: Oh, in-principle, right, sorry, okay.

MS CURTIS: Sorry. So, the in-principle – you know how you had asked to fill in some more certainty around that?

MR SMITH: Yes, that's good. Okay. All right So, are there any other – I think that's a very helpful way to cover the field with the other issues that are of a technical nature. Is there anything else you wanted to mention to us before we finish the meeting?

5 **MS RILEY:** I didn't have anything additional.

MS CURTIS: No, I didn't either, they were the main things, and like I said, we don't consider them any type of roadblock, it was just things that we believed could be strengthened and added to it. But we are happy with what's being included.

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MR SMITH: All right. So, I just have a final question unless my colleagues do. If you think about all of the coal mines in Singleton Council area, presumably there are some that generate more grief in the community to do with neighbour issues, you know, more blasting or dust issues or traffic issues or other kinds of local issues.

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Can you think about, is there any sort of festering issues or vexed issues that we need to know about? Because obviously the mine's been operating under a consent that's reaching its end, if it's approved, it's about to start at another whole block. If there are unresolved issues from current operations, it would be good to know about those.

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MS CURTIS: Do you want me to answer this, Emily, or do you want ...

MS RILEY: From my perspective, I don't know of any issues, but I also don't – I don't necessarily work in the (excuse me) section of Council that might know about these kinds of issues. But over to you, Mel, if you wanted to ...

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MS CURTIS: From my perspective as well, and in my substantive position I am Council's Complaints Coordinator, so if there was any major complaints, so, no, I'm not aware of them.

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MR SMITH: Okay. Anything else from you, Michael?

MR CHILCOTT: No.

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MR SMITH: No? Great. All right. Well, I think that's all for now. So, I'll just – I'll call the meeting to a close and thank you both very much, I look forward to your document.

MS RILEY: Thank you very much, it was lovely to meet you all.

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MS CURTIS: Lovely to meet you. Thanks, Simon and Panel.

MS RILEY: All right. Bye.

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MS MILLIGAN: Thank you.

MR SMITH: See you.

MR CHILCOTT: Bye.

>THE MEETING CONCLUDED