

Project	Hydro Kurri Kurri Site Redevelopment Project	From	Sonya Pascoe
Subject	Community Reference Group Meeting	Tel	1800 066 243
Venue/Date/Time	Thursday 15 October 2020 MS Teams videoconference 6.02pm – 7.06pm	Job No	2218982
Copies to	All committee members		
Attendees	<p>Mr Richard Brown – Managing Director, Hydro Kurri Kurri (RB)</p> <p>Mr Kerry McNaughton – Environmental Officer, Hydro Kurri Kurri (KM)</p> <p>Mrs Kerry Hallett – Hunter BEC (KH)</p> <p>Mr Iain Rush – Cessnock City Council (IR)</p> <p>Mr Andrew Neil – Manager Strategic Planning, Maitland City Council (AN)</p> <p>Mr Toby Thomas – Community representative, Towns with Heart (TT)</p> <p>Mr Rod Doherty – Kurri Kurri Business Chamber (RD)</p> <p>Cr Darrin Gray – Cessnock City Council (DG)</p> <p>Cr Robert Aitchison – Maitland City Council (RA)</p> <p>Mr Michael Ulph – CRG Chair, GHD (MU)</p> <p>Ms Sonya Pascoe – Minutes, GHD (SP)</p>		
Guests/observers			
Apologies	<p>Mr Andrew Walker – Hydro Kurri Kurri Project Manager (AW)</p> <p>Mr Bill Metcalfe – Community representative (BM)</p> <p>Mr Allan Gray – Community representative - Retired Mineworkers (AG)</p>		
Not present	<p>Mr Brad Wood – Community representative (BW)</p> <p>Ms Tara Dever – CEO Mindaribba Local Aboriginal Land Council (TD)</p> <p>Ms Debra Ford - Community representative (DF)</p>		



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Notes

Action

1 Welcome and Acknowledgement of Country

Meeting commenced at 6.02pm

Michael Ulph (Chair) (MU)

Acknowledgement of country.

Sonya Pascoe from GHD taking minutes.

2 Meeting agenda

Agenda

1. Project Update (RB)
2. Approvals & Rezoning Update (RB)
3. CRG Q&A – CRG Members
4. General business

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FUTURES

3 Welcome and meeting opening

MU welcomed attendees, acknowledgement of country and noted apologies.

MU asked those present to declare any pecuniary interests.

4 Last meeting minutes

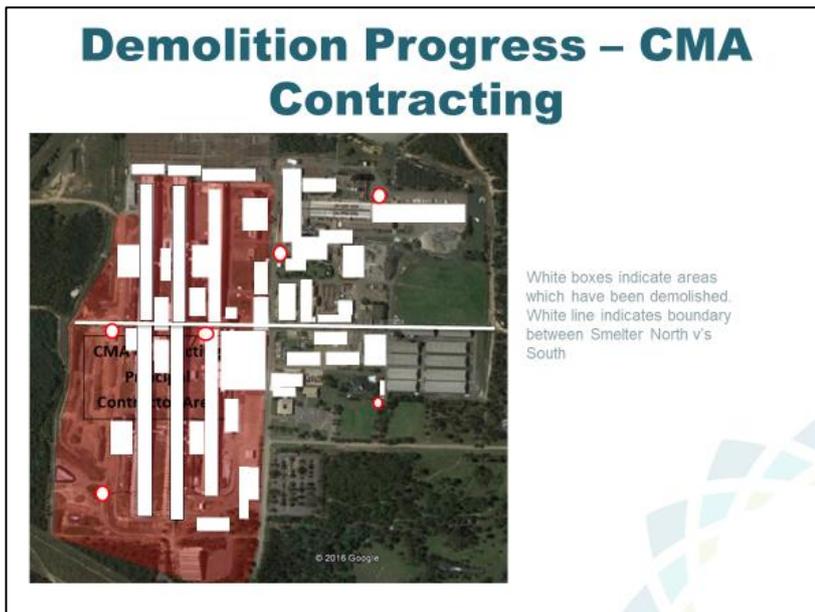
Kerry Hallett moved the minutes.

Darrin Gray seconded the minutes.

5 Project Update

RB: Well, I do apologise, I'm not pretending that I'm going to replace Andrew's passion and detail with the presentation today, although he wouldn't leave to go on leave, without actually preparing the slides, so I'll be talking through his slides.

Over the last few meetings, I have given a COVID update however I actually was looking at the meeting today a thinking well, to be perfectly honest, there's not much more to say. I think everybody understands where the world is at and where we are at in terms of COVID. The way I'm viewing things at the moment is we've implemented a whole range of management measures and health and safety controls for distancing and hygiene and the like. I don't see that changing in the near future so I'm accepting that this our patch at the moment and we just get on with things as they are, so as much as COVID is an inconvenience it's obviously a very serious situation for lots of people and we're trying to go about our business as we need to. So, we're not going to talk about it, there's nothing really to say about it that's different to last meeting.



RB: Alright, on the demolition side of things which I'll talk through now, we are virtually complete. As you'll see over the next slides, in reality we've probably only got a couple of weeks with CMA's presence on site. So just some before and afters. Obviously before



RB: And after.



RB: The main point of interest for this shot, and you'll see a few of these on the demolition activities that are occurring in the switch yard, so this is a bit of an additional scope/additional variation activity that we've asked CMA to do and they're, like I said probably only a week away from completing the scope required there. So the scope that that they're doing is everything that was servicing the pot lines is being demolished down to ground level.

Unlike the rest of the site it's still an active switch yard with an earthing system that's below ground so we can't go below ground in

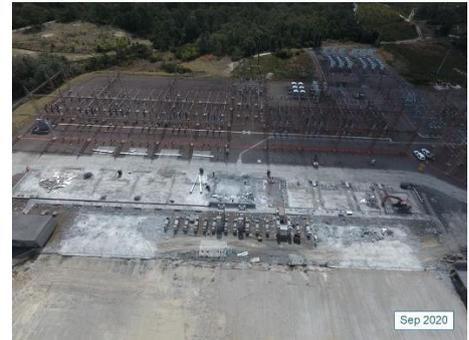
those areas, and the switch yard is still functional and alive and connected to the network.

RB: You can see this is another aerial looking back from another direction. All of the infrastructure that was in place here, that's actually pot line, end of the pot line building footprints, these are the bays that the rectifiers lived and there was a whole bunch of aluminium busbars that connected the rectifiers to the pot lines.

That's all being removed and tidied up and that will be handed over to the developer, McCloy Stevens when we hand over that parcel of land.

RB: Looking from the south to the north, probably very similar to the previous months' meeting shots. Out of interest, the green patches where you see vegetation and grass is the like is growing is where we've used more soil to level out the ground, the grey sections are just crushed concrete so we don't expect there to be a lot of vegetation and the like establishing on that. It will eventually but in the short term we're not seeing anything on that. We are actually going to keep the area tidy, so if we see too much long weeds or grass or any trees and the like we will slash them down just to keep everything neat and tidy. We obviously want to keep some vegetation on there just to manage the potential dust on the site and erosion.

RB: We will touch on it but the major activities that have been going on onsite are around here. So we're all familiar with this building, this is where we used to meet for the CRG, this is now a lovely little blank space and we'll show you some details on that as well as the last remaining engineering building that was onsite. The demolition has now been completed on that.



RB: All of the road have been milled up and again I have some details to show you shortly.

Demolition Progress – 25A Bath House & HR



CR
PROSPEROUS
FUTURES

Demolition of 25A (21/8/20)

Demolition Progress – 25A Bath House & HR



CR
PROSPEROUS
FUTURES

Demolition of 25A (21/8/20)

RB: So, building 25A, that's the building that was housing the meeting room where we had the CRG meetings and formerly the gatehouse and weighbridge office. We demolished this building in late August and September.

RB: It was an interesting demolition, pretty straightforward on the top side, there was a bit of asbestos that needed to be removed from the age of the building but it's really once we got to below ground and stuff that it got quite interesting.

RB: So that is actually still over near the gatehouse.

Demolition Progress – 25A Bath House & HR



CR
PROSPEROUS
FUTURES

Demolition of 25A (24/8/20)

Demolition Progress – 25A Bath House & HR



CR
PROSPEROUS
FUTURES

Demolition of 25A (9/9/20)

Demolition Progress – 25A Bath House & HR



CR
PROSPEROUS
FUTURES

Demolition of 25A (24/8/20)

RB: In the below ground side of things one of the reasons we were a little bit in two minds as to whether we would demolish the building

now or leave it until later when we come back and demolish the remaining bake furnace is that the services for the administration building run more or less under the ground here.

So you can see the flag bunting here, that's actually identifying the live electrical cables that are running from the substation that's in the building at the back end of this building up to the administration building. There's also sewer that runs from the administration building underneath the building that we just demolished and connected to the pump station which is the small building here. So, we had power, water and sewer all running underneath the building here. And some of those were quite shallow, so where we could we removed all of the services and footings, but where we felt that they were going to be too close to some of these live services, particularly electricity, we've just left them in place and noted them, so that when we do disconnect power from the administration buildings we're able to come back and clear that up.

RB: Similar shot, you can see here an example where a footing has been left in place because it was actually running very close to the live electrical cable.



RB: What we did do unfortunately given the age of the sewer system that was running around there, we did actually damage some of the sewer that was running there and through that we ended up having to first of all, clear out what dirt and sand ended up in there because we cracked some of the pipes and then we had to do some replacement of damaged sewer.

Demolition Progress – 25A Bath House & HR



CREA
PROSPEROUS
FUTURES

Plumbers using a remote TV camera to inspect sewer pipes at 25A as well as flushing high pressure water through the pipes (11/9/20)

Demolition Progress – 25A Bath House & HR



CREA
PROSPEROUS
FUTURES

Excavation of damaged clay sewer pipes at 25A (11/9/20)

RB: So this is the plumbers checking out the sewer pipes to see if there was, or what kind of blockage there was in place and once they found that they had to clean out all the sand and everything else that goes into sewer pipes.

MU: Fun job.

RB: Yeah, they earn every cent they get, plumbers, in my opinion. So, in addition to that we've damaged some of the sewer systems irreparably.

Demolition Progress – 25A Bath House & HR



CREA
PROSPEROUS
FUTURES

Installation of replacement sewer pipe at 25A (16/9/20)

RB: We actually had to do some new installation whilst we had it excavated and open.

Demolition Progress – Asphalt Profiling



CREATING PROSPEROUS FUTURES
Asphalt milling machine removing asphalt road surfaces

Demolition Progress – ABF2



CREATING PROSPEROUS FUTURES
Milled asphalt was used as fill material at the Anode Bake Furnace. Material was graded and compacted to create a free draining surface

RB: Another thing that's been going on, you'll recall previously that we had the asphalt milling company come out and remove the asphalt from some of the roads around the site. They've come out and finished off the last remaining asphalt on roads on site and we were able to use the milled asphalt in completing the backfilling of the bake furnace void. We had that put in place and it was graded and compacted to create a nice free draining surface.

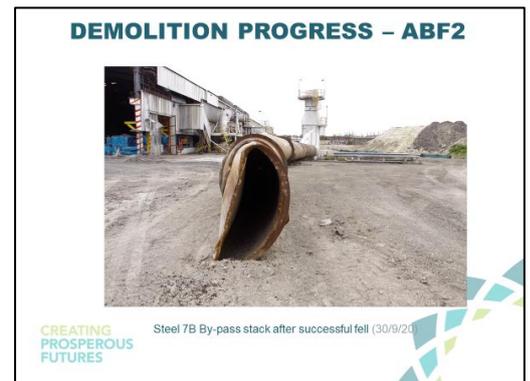
Actually, it's really good down there on that surface. And then the excess, which you can't see, that was generated because there's a little bit of excess, is actually sort of behind the camera shot there. It's stockpiled and when this building is emptied and demolished the void that gets created from that will use the remaining refractories which are to the photos left as you're looking at it, and the asphalt we use as a final layer to cap the area.

Demolition Progress – ABF2



CREATING PROSPEROUS FUTURES
Demolition of the 7B bypass stack – oxy lancing the birds mouth cut (30/9/20)

RB: The last major structural demolition that we've done is to bring down the 7B bypass stack. That was done in a very consistent manner from a lot of other smaller stacks. Essentially, they've cut holes in the direction of fall, birds mouth holes, then they pull the stack over with an excavator. You can see that the tow cables attach to the excavator here, and once they've attached, they pull the stack down.



RB: What you can see there which is quite good, is the only thing to come out of that stack were these few little bits of grit on this side. The stack was obviously very clean. I was looking in both top and bottom and its very much just steel. It wasn't used very often, like it says it a bypass stack and was only used in very rare circumstances.

So that stack has now been processed and sent off site for scrap as well as all of the other structures and below ground structures in this area as well.

RB: The engineering workshops and those main service buildings have been continuing to provide lots of fun and games for us.



I think we mentioned in the last meeting that we suspected that there was some historical mechanics pits that were located in another part of the building and we suspected the next phase there was also another pit in there and of course what you can see is that we did actually find those structures. But probably the major issue that we're finding here is that some of historically used fuel oil lines, fuel oil pipes and the like, were leaking. They haven't been used for a few decades but they were leaking into the soil so we've had to over excavate quite a bit of soil to get a validation of areas around these buildings. This is what Kirsty's doing down here, taking soil samples for validation.

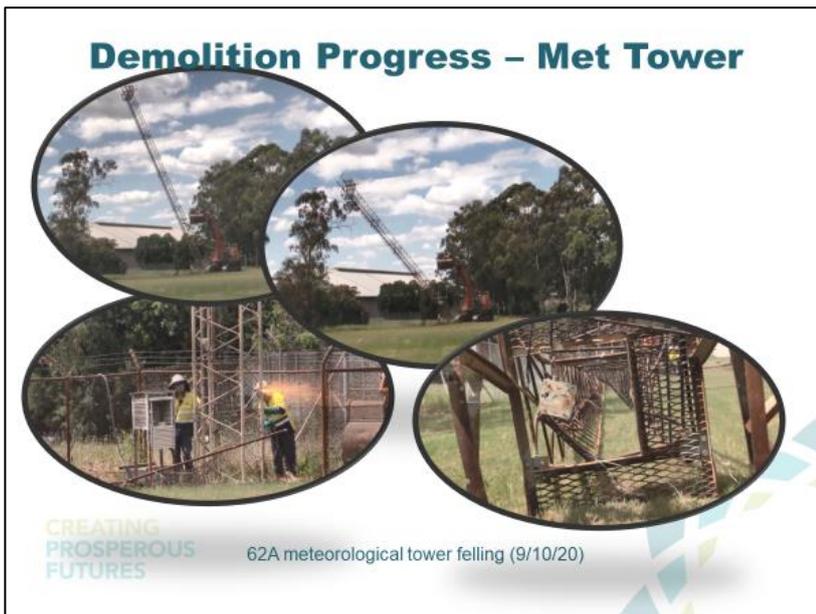


RB: We also found some asbestos in these areas, some asbestos conduits, both known and unknown. A lot of the asbestos that we

identify has historically been on drawings and we've been able to inform the contractor about that, but they are also required to take a careful process I guess when doing excavations around here because it is possible, and in this case they did identify that there was some unknown asbestos conduits which they were able to then remove using the appropriate contractors. Then what we do is an over excavation of the trench and get validation samples around that trench to ensure that there is no residual asbestos fibres or materials.

RB: The switch yard demo progress, so I showed you the aerials. This is just a few action shots around that. These large columns held up some Hebel blast walls around the newest rectifiers.

Just the demolition of those Hebel blast walls was a bit of fun, in inverted commas. It's really light material, so when it breaks down it actually pulverises to really fine crumbly type material so it's actually pretty challenging to deal with.



RB: This was the last tall structure. This was the met tower that came down. I don't know if this works or not, let me know if this works

RB plays video of meteorological tower being demolished

RB: Alright, so when you saw Kerry taking a photo, the voice over from Andrew Sol was "sad day for Kerry" because this was Kerry's baby. This is what he collects a lot of the meteorological information on wind and temperature and rainfall and the like.

MU: So Kerry, I can assume that some of those instruments are now in the pool room?



KM: Pretty much mate, yeah it is a sad day, I actually sent through the vision through to our meteorologist who also thought it was a sad time as well. But its progress.

MU: It is progress



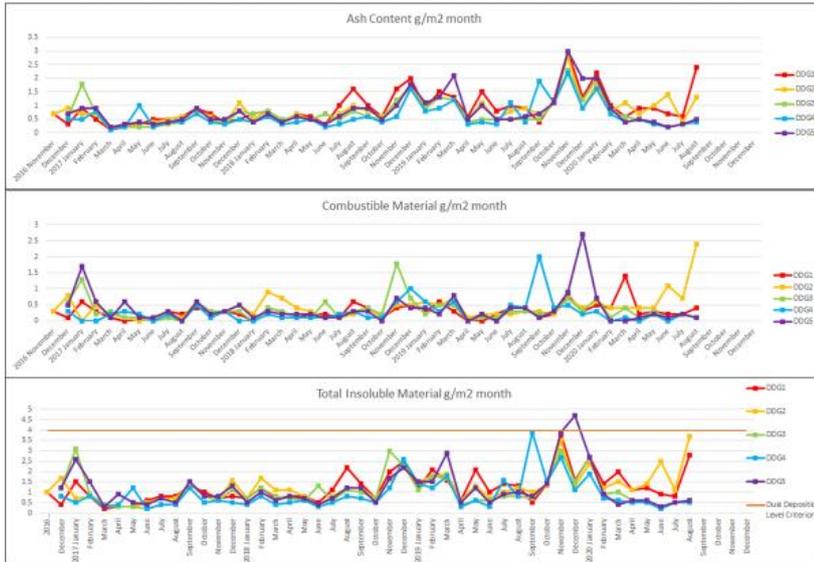
RB: Our concrete crushing activities are continuing, so I think tomorrow might be the very last day we have concrete crushers on site tomorrow and they'll demobilise their equipment. I think by that stage we'll sort of approach nearly 200, I'm going to say 205, 206 thousand tons of concrete that we have crushed, much of which is still in stockpiles on site for recycling in the development activities. Some of it has already been used in backfill and in void filling from some of the remediation activities that have been going on.



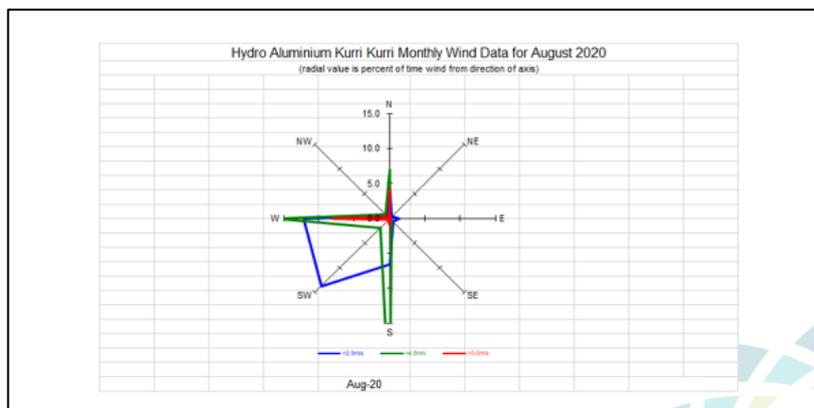
It's a bit hard to see this kind of me zooming in on a photo but the crane here you can see is actually doing the deconstruction of the

large 160 tonne excavator. So that has to go out on about four or five heavy load vehicles so that's it being disassembled and being sent off the site for work elsewhere.

Dust Deposition Results – August 2020



On our dust deposition results, these are fresh off Kerry's computer today for August. So you can see that there's been a spike in some in some particulate material around the last few months and I think you will attest to the fact that particularly early September and August, we've had some very strong winds which, as much as we do our best to try and manage the dust on site, given the nature of the site at the moment it is extremely difficult. We have water trucks running, we have sprinklers running, we've tried to vegetate as much as we can, but to the best of our ability there is still some amount of dust that comes off and that's reflected in some of these numbers. All that said you can still see that we are sitting below the criteria for the total insoluble material, which is down here.



Prevailing winds in August. You can see we had some really strong westerly and south westerly winds. I haven't really had a chance to talk to Kerry about this but it shows that we've had a few spikes of

days where we've had strong winds and that has come from the west and the north, which is the red areas that you can see and that might explain some of the spikes in the September figures. And if you recall the numbers that were high were dust deposition gauge one and two.



RB: Correspondingly, they are the ones on the eastern side, so the prevailing westerly or north westerly winds will tend to result in some carry of particulate matter to these areas.

MU: The wind rose slide is that the last time that we'll see that slide now that the towers gone?

KM: No. We have a back-up system, we're all good.

MU: Ok.

RB: We actually haven't been using the Met Tower for six months or more now I don't think, so we've already been using another system.

RB: So one of those things we've been looking to do, so this is the footprint of the 25A building that we were demolishing, and the fill material that was under the building was basically just river sand. So nice clean river sand that was in the area, but quite mobile in those strong winds. So first we threw some seed around but this was probably not going to result in a quick solution, so we ended up getting Daracon in to hydromulch and bind up the surface.





Hydro

Remediation – Hydromulching by Daracon



Seeding & Hydromulching of 25A Building Footprint to Minimise Dust (29/9/20)

RB: We've put in a little agricultural sprinkler network just to get the grass in this area established so that as you know, we try to minimise what dust gets generated. I don't know if you saw the demo of the tower coming down, there was a few ducks fly off. Those ducks are very healthy and they're enjoying the seed in here very much.

Remediation – Hydromulching by Daracon



Seeding & Hydromulching of 25A Building Footprint to Minimise Dust (29/9/20)

RB: So not only did they do the footprint of the building, there's a swale drain that runs along the road that we were seeing some erosion, so we got Daracon to do some seeding of that so we try and minimise any erosion of that as well.

MU: Right, so is that the end of the remediation slides, Richard?



RB: Yeah that's the end of the good activity slides, yes.

MU: Alright we'll just pause and see if anyone would like to ask any questions about that remediation/demolition type of presentation.

TT: I take it the weighbridge is inoperable now?

RB: No, it's actually operating and you can see in that photo there's a truck sitting on it.

TT: Ok, that's still going.

RB: Yep, so we've just relocated the control of that back into the administration building. So we set up the office and interface into the what we call the EBA meeting room which is on this corner of the building. We need to have the weighbridge functional whilst we are still exporting spent pot lining from the site.

TT: Yeah that's what I thought.

RB: We have a waste tracking requirement for that, so we're tracking with the changes of that. Once that's done then there's no longer really any need to do that and it will be demolished along with any other parts of the site that aren't being retained.

MU: Welcome Rod, you first meeting online. Did you have any questions?

RD: No not at this stage.

MU: Ok then, thank you.

DG: You were saying that the green sections were where the soil was, so there's vast amounts of open areas like roads and things that weren't open to being grassed. How are you going to dust suppress them going forward?

RD: We still have water carts on site. You can see here the road is still wet from where the water carts come through so we will still be using our dam water and running a water cart around to keep dust down as much as possible. But what we find Darrin is that when you've got those open expanses of concrete that actually doesn't generate a lot of dust because the concrete itself is in larger pieces, so it doesn't get airborne. What we find is that where we've got more soil and the like, so we'll concentrate on getting those sorts of finer surfaces grassed up and dealt with that way.

DG: Thank you

MU: Any further questions? I'll take that as a no.

Thanks Richard

6 Approvals & Rezoning Update

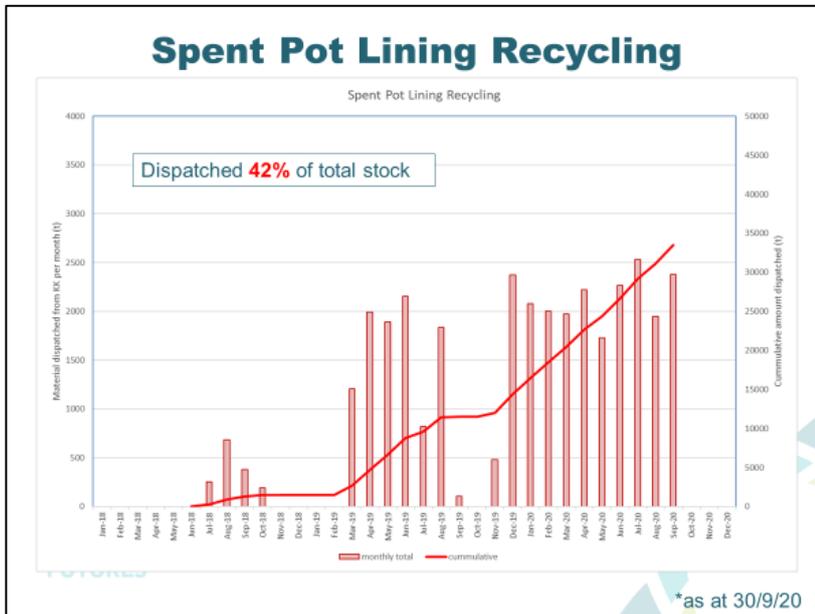
Environmental Impact Assessment for Stage 2 Demolition / Remediation DA (SSD6666)

- DoPIE are have provided a draft Voluntary Planning Agreement (VPA) relating to the long term ownership and associated funding for Hydro to consider.
- **Currently working with DoPIE to finalise this agreement**
- Resolving conditions relating to financial assurance in ~~August September October November December~~ **January February March April May June July August** ~~September October November ???~~
- Meeting with DoPIE each week to discuss final issues until consent is granted

<https://www.planningportal.nsw.gov.au/major-projects/project/11486>

RD: Now to the not so fun bit, this is the update on the SSD application. When I say not so fun, it's just frustratingly groundhog day. We're still backwards and forwards with the Department of Planning on the VPA. We've got a meeting next Thursday where we've got the Department's lawyers and our lawyers, and I think we're down to about four or five issues that once they're done we should be in a position to get it sorted. But when I say once, I'm now no longer committing to how long these things take because, as you can see we have exceeded 12 months of probably thinking that it will be one or two months away, so it could be one or two weeks, it could be one or two months.

We're doing our damndest to keep things moving along and get things in place. And to be perfectly honest, it's not because there are any issues that are controversial or difficult, it probably comes back to how the Department need to have certain things in place and how they need to be reflected in the VPA, and we're trying to sort of then manage that against how the project needs to operate and things about how the development of the site, we're trying to not restrict potential development on the site, even early activation stuff. And again, the Department are ok with those things, we just need to work though the complexities around that.



RB: Spent pot lining, well that's a good story. That's continuing to go well. At the end of September nearly 35,000 tonnes of SPL has been dispatched from site which is about 42% of our total stock. I think I mentioned in the past that our expectation is that we're probably only 12 months, maybe a year and a half away from having that completed. That's going to be well in line with the expectation of the completion of the remediation work.

RB: Rezoning. I will give Iain and Andrew an opportunity to talk this through, because ultimately it's probably more in their world than mine, but let me just say that as of a meeting at 4 o'clock yesterday with council, we were informed that it's the intention of the Department of Planning, using my words here Iain

IR: You jump in here first.

RB: Shape this the way you want afterwards, but effectively as of the end of this year, consistent with the Department of Planning policy and broader scale, planning proposals that have been unresolved in four years are effectively being terminated and therefore Council are required to lodge a revised or new planning proposal for a new Gateway determination if that's what they so choose. Then I guess it's up to the Department of Planning to determine whether to grant the Gateway determination and then on what conditions we're not sure. As far as Hydro's concerned at the moment, the rezoning, that's me sitting on the question mark at the moment. That's exactly how I feel about this. It's very difficult for me to understand the process and it's very frustrating but I will hand over to Iain and Andrew and they can give some hopefully more positive words around it.





IR: Ok, thanks Richard.

The Gateway was issued for this one in 2016, so it is quite an old planning proposal. And what councils have both encountered over the last four years is a series of roadblocks, I suppose. And the most recent one is in relation to the potential impacts of the development, on the Hunter Expressway and that's a roadblock with TfNSW. And as said we were issued with a letter a couple of weeks ago from the Department of Planning that said planning proposals over four years old need to be finalised by the 31st of December or they will be terminated. Now, in discussion with the Department of Planning we are confident that we can receive another Gateway determination for the planning proposal. When we approach the Department of Planning, to I suppose to terminate the existing planning proposal, at the same time we will be seeking a new Gateway determination.

So as far as Cessnock and Maitland Council are concerned, this is just a bit of an administrative hurdle because the years of work that have been undertaken to bring the planning proposal to this stage will be recognised and carried forward. I say it's an administrative hurdle, it's an unfortunate one, it's not what either Council would've liked to see happen, but at least from Council's point of view, Cessnock's point of view, we need to report back to Council anyway to seek exhibition to then Counsellors endorsement to exhibit the planning proposal. Though it's not costing up any time to seek a new resolution from Council to seek a new Gateway determination, so both Councils see this as being an a bit of an administrative hurdle, but not one that's going to cruel the development.

So what we would like to see as soon as we get that new Gateway determination we intend to proceed as quickly as possible to exhibit the planning proposal and then from there on finalise the planning proposal. Now the Department of Planning have assured us that a new Gateway determination will be issued, and we're reasonably confident that will occur. The Department of Planning have also advised that they will be approaching TfNSW with a request for them to rescind their objection to the planning proposal, which is a positive. If TfNSW agree to that, that's a positive. It means it removes that roadblock.

Now in the event that TfNSW doesn't rescind their objections, both Councils are of the view that enough is enough and we will move to exhibit the planning proposal despite the objection from TfNSW.

There's a few other issues that need to be resolved but we feel they can either be resolved, and this has occurred in consultation with Hydro and the McCloy Stevens group, prior to exhibition or are capable of being resolved after exhibition. We're reasonably confident we can move forward pretty quickly, and despite the letter

from the Department being a bit of something that's hit us out of left field a bit and has given us a bit of an additional hurdle, we feel that it's just an administrative hurdle and we're reasonably confident that we'll get a new Gateway determination from them, and from that point onwards we'll be able to exhibit the planning proposal and proceed on. I don't know if you wanted to add anything to that Andrew, is there anything you'd like to add to that?

AN: I think I'd just like to reiterate that you know both Cessnock and Maitland Council have been working together on these planning proposals for a significant period of time so we can achieve a really positive outcome for the site. As Iain said, this has been a bit of a left field blow from the Department, but it's also one that we can definitely manage and work through together. If we can achieve a new Gateway that recognises all the hard work we've done to date in terms of the delays, we're talking very minor, insignificant in the scheme of things delays, and both Councils are very committed to progressing with these, and once we get over this, I do like the term 'administrative hurdle', we are very keen to get it back on track and out on public exhibition as soon as possible.

IR: Can I just add to that too, both the Hunter Regional Plan and each respective Council's local strategic planning statement both acknowledge that this is significant planning merit to what is going on here in terms of employment and residential development so in terms of that merit and the way forward, it is quite clear that there's both state and local support for this development. So as I say, I'm quite confident that a new Gateway determination will be issued and will be able to proceed very quickly to exhibition as soon as that is issued.

AN: I think it's also just important to note that this isn't a Hydro-specific letter, this is for all proposals that are over four years old across the state, so it isn't singling out of this particular one, it's just been caught with a load of other ones that haven't moved as quickly as the Department suddenly decided they wish things to progress. So, it's not targeted in any way.

MU: Thankyou both, does anyone have any questions for our three speakers on this matter?

RD: I've got a number of questions that I'll ask in General Business.

MU: Ok, thanks Rod.

KH: So can I just ask a couple? Can you just clarify you did say that basically the Department of Planning are going to say to the RMS 'pull your head in'?



IR: Transport for NSW (TfNSW), yes, basically what they're going to do is in the first instance is say to TfNSW we request you would rescind your objection to the planning proposal. And let me just explain that objection. TfNSW are concerned that the development, the residential component of the development along the Cliftleigh corridor, will create local traffic on the Hunter Expressway because of the employment land. It's basically that commercial land that commercial land that's proposed. The assumption is people will travel from the Cliftleigh corridor onto the interchange at Main Road and travel northward up the Hunter Expressway and get off at the Hart Road Interchange and utilise the commercial centre at Hydro, and the amount of traffic that will do that. So, they're concerned about the bottlenecks that will occur on the Hunter Expressway and the Department is going to approach them to rescind their objection in terms of this planning proposal.

Now there there's a bit more to the story in terms of, you know, I don't want to get into the complexities of it all, but TfNSW have identified potential mechanisms to alleviate this bottleneck by a bike bypass effectively through the Hydro site, but it's very unclear at this stage when that is going to be required. There's talk of it being required in 20 years' time, so why is it an issue now? There's a question as to who funds it, there's a question of where it will be located, and there's a question of what its width is. TfNSW is unable to provide the information and also whether it's even needed, whether it's an arterial, whether you know, it's a state road or whether it's a local road, so there are a lot of questions that have been unanswered that are delaying the planning proposal. So as a result of the uncertainty about this issue that the Department will approach TfNSW asking them to rescind that objection. Hopefully that will occur. That's the best case scenario, if they don't we have the power then to take the objection on board, but proceed with the planning proposal anyway. And then it will be up to the Minister, the Minister of Planning that is, whether he considers that to be a valid objection, does that make sense Kerry?

KH: It does, and I'm assuming it will be looked upon a little more favourably because it's been included in all the plans over the last couple of years?

IR: Exactly right. Despite this letter coming out I would probably suggest that the Department is as frustrated with the situation as both Council's and the proponent are, so I would suggest you are exactly right there Kerry. It's in all the strategies, not just the state strategies, but also our respective local strategic planning statements.

KH: Thank you.



MU: So Iain, or others, given this letter writing and so on, and the potential for you to go to exhibit anyway is there any chance that's likely to occur before the 30th of December, before the end of this year?

IR: We're going to aim for it, the December mark. There's a number of other minor issues that need to be resolved but as I mentioned earlier, none of those issues, apart from the reissuing of the Gateway determination, a new Gateway determination, are things that won't necessarily hold up exhibition. There are things that we can consider at a later point, so in terms of the biodiversity conservation assessment report, that's something that ideally you'd notify, you'd put on exhibition at the same time, but it is something we can delay to a later point in time just to get the planning proposal itself on exhibition.

MU: Yep, so a new Gateway determination is not necessarily another three months added to any timeframe, it's I dare say a copy past and start over.

IR: It's not a copy and paste, so we'll be in a reasonable position to say, to actually help direct what the conditions of the Gateway determination area. And so I say it's not a copy and paste because there's been four years with substantial amount being done and the Gateway determination will need to reflect that.

AR: And what both Council's will be doing as part of that is working together and establishing all the work that we've done to date clearly articulating to the department so we aren't in a position where we have to go back and replicate work that has already been dealt with. Like we've both been talking about, both myself and Iain will be working very closely to get this very consistent regional voice across so we can proceed as soon as possible.

MU: So next time we meet Richard, we expect to see a graphic with some support there, not just you with your head in your hands, you've obviously got support from other entities around you as well.

RB: I may well have a figure there representing council with their head in their hands as well, at least more than one person.

MU: At least more than one person sitting on a box. Alright thanks everybody. Let's proceed Richard.

Divestment

- McCloy / Stevens Groups continue to receive positive interest in the site, particularly the industrial



RB: I guess on the positive side of things, despite the question mark about rezoning and the process at the moment, the interest in the site is actually seemingly very healthy. I'm passing this on second hand but the McCloy Stevens groups have been undertaking a market sounding exercise and by all reports there is a significant amount of interest in, particularly in the industrial side of things, and of course everybody would have seen or heard about one of their particularly interests of late and that's from Snowy Hydro about their current undertaking of due diligence about the potential for a project, a generation project on the site.

It was an interesting day I think I'd say, the 15th of September, I know the day very well. This is an arrangement between the Snowy Hydro and the McCloy Group this has actually got nothing to do with Hydro. As the site's current owner you know we're facilitating all the due diligence activities and the like, but the agreement that was with Snowy Hydro and McCloy Group was that this needed to be, until the project was actually red hot I suppose, and that they were genuinely interested in it or were going to do it was going to be kept confidential but I don't think that got to the Prime Minister. He decided that at some point in time he needed to say something about these things, and he did. Anyway, nonetheless, that work is still ongoing. It is an option deed as I understand it that's in place, it's not a done deal so there is still DD work that is going on for that particular activity.

That said, as I said previously there is also a range of other activities of interest on the site. Probably to note I'm sure the planners, if there is any planners in the room would understand this, that despite our discussion about rezoning, a gas or power generation development

like this can actually be undertaken in the current zone, so that actually doesn't require rezoning to do.

7 CRG Q&A



MU: Thankyou Richard. So, we'll go to Q&A. Rod, I believe you have a question or two?

RD: I got a number of questions tonight.

MU: Ok, fire away.

RD: People can just answer this briefly and don't need to go into any length of discussion. The actual industrial site, is that being reduced to 120 hectares?

RB: I'm not sure of the exact size Rod, but from the original planning proposal there has been some reductions. Most of that is being around where the containment cell is currently located. There was a surrounding area of that of proposed IN3 that's been reduced, but all of the reductions have been done around to facilitate biodiversity outcome, so making sure we get the appropriate amount of offsets and credits.

RD: Right, the next question is, has the Maitland Council flood study been completed?

RB: Yes, that flood study was completed a couple of years ago now as I understand it and confirmed the flooding that was being used for the various modelling that was done for the planning proposal.

AN: Yes, that is correct, and has led to the creation of a flood free access route, which is agreed by Council and the Department.



RD: What would I get from a comment like no remedial action plans have been completed for the site. Why would I ask that question?

RB: I have no idea because we in fact we have produced two site audit statements for areas of the site. One is the residential area of the Maitland LGA and the other one is the large central residential area. We've got draft site audit statements for the rest of the site including all the environmental land, the former municipal landfill and all of the buffer zone houses. We'll have that finalised in the next couple of weeks. The only things that are left then is the site and of course that's subject to the remediation process that's currently being approved.

RD: In relation to the Route 195 issues, and the traffic thing that the RMS have thrown up, they're throwing up a real furphy here, I've done some 'back of a beer coaster' statistics last night. The Hunter Expressway was built on the premise and the cost benefit analysis that the Kurri Kurri smelter would continue to operate, and if you look at the numbers of heavy vehicles coming in and out of the smelter you've got 360,000 tonnes of alumina, 180,000 tonnes of aluminium going out, 90 odd or 100 thousand tonnes of coke. These are just the heavy vehicle movements and then you've got the workforce movement twice a day all day with 24-hour operation. Now TfNSW are they're saying if they do any industrial work on that site it is going to create a headache for them.

IR: Can I jump in there. You're quite right about the Hunter Expressway that it was designed and constructed with Hydro in mind but I think if I can clarify TfNSW concern its actually customers they're concerned about, not the employees. So it's a freight corridor from TfNSW's point of view, so they're not concerned about the industry that's going in the industrial zoning, they're actually concerned about the B7 zoning, the commercial zoning, in the bulky goods and the generation of customers.

The concern, I don't know if this is valid or not Rod, but the concern that customers coming from the Cliffield corridor, your mum and dad sort of shoppers will get on at the Main Road interchange, and because it's an easy route and the get off at the Hart Road interchange and visit the bulky good area, the B7 area, and effectively from TfNSW point of view effectively clog up lanes on the Hunter Expressway. It's got very little to do with the industry, it's got more to do with the B7 zoning as I understand it from TfNSW point of view.

RD: As I understand it there's something like 17 variations that TfNSW is looking at for route 195 and one of those variations was directly through the Hydro site



IR: Yeah, correct Rod. That is correct. So that's one option and still from the TfNSW point of view that is number one on their list. They're looking quite strongly at that. We call it the bypass. I referred to it as the bypass and as I mentioned earlier the problem for the planning proposal is the fact that it's unclear, there's uncertainty as to where that bypass is going to go, who's going to fund that bypass, why should it be up to the proponent to fund that bypass when the benefit is gained by a lot of people along the corridor? What's the width? What type? A state road or a local bypass? These are the things that have sort of held it up. It's the uncertainty around that. But you're quite right, there was 17 different versions of a way to alleviate that traffic along the Hunter Expressway.

RD: What do we mean by the disused railway corridor? That rail corridor is still in operation, so it's not disused rail corridor and I would've thought that the Hydro masterplan was considering dealing with the proponent of the rail line, to probably put a square line into that area.

RB: That is correct Rod, it is an active rail corridor but I think in reference to what you might have seen or heard about our disused rail corridor it's actually a connection to the South Maitland rail corridor that runs, down I guess, north south between the Hydro land and the Winton development. Basically it connects near the Puma service station and runs up to and connects in to the South Maitland railway corridor and there's a section of it that runs within the Hydro land. And to be perfectly honest ...

RD: That was built in the 1800's

RB Yes its old, we've had cows running on it forever.

RD: Ok, now my last question to you. Removal of the E2 zoning and what's a BCAR?

RB: BCAR is the Biodiversity Certification Assessment Report, so that is effectively the application to allow for or to calculate the impacts of development and how many biodiversity credits would be required to offset impacts from that development. The previous bio-certification legislation basically meant that we needed to calculate the offsets and create the credits at the same time and therefore we would be looking at creating a biobank site, etc. area and that's why there was proposed an E2 zone. Midstream, I don't know when that was, middle of last year, there was new biodiversity legislation introduced where those two processes are effectively separated and decoupled. So, you can biocertify a development site, and it's up to you how to propose to offset those impacts in the credits and that could be through different mechanisms. So you could create a stewardship site, which is the intention with this land, you could buy



credits from the market, you could create stewardship sites offsite, you could pay into a trust fund if that was appropriate.

What it doesn't need necessarily, is the zoning of the stewardship site, so there's no particular merit or benefit from zoning the stewardship land as E2. Although, it's likely that council would do that as a simple sort of housekeeping exercise once that's all been done.

IR: Can I just jump in there too Richard. I fully support what you said earlier, that's exactly right, but there's also a bit of a disincentive in terms of rezoning the land now, because we could be rezoning too much land. We just don't know how much land we really need to rezone E2 to offset the development which is why this BCAR is a better approach. It offsets the development but gives us an idea of how many credits we need to offset the developable footprint and then what we can do is set up a stewardship site over the exact amount of land that we require to offset that developable footprint so it's actually a better outcome. And then at a later point in time you'll know from previous discussions Rod that Council is undertaking an E zone land review and what we may do in the future, what we're likely to do in the future, as Richard pointed out, will come through as part of that review and then rezone the land E2 that stewardship site. But we will be rezoning the exact area of land that we're required to, so it's actually a better outcome.

RD: Ok, this project has been on the books since 2014, so we're six years old, when I was hearing a briefing on this I was going to say we're not going back to square one surely. If we go back to another Gateway, what's the timing, 12 months?

IR: Again I'll jump in there Richard if that's ok?

RB: I don't have the answer so you can answer that.

IR: So, the Department of Planning as part of these reforms they're making. Basically, as we've pointed out, any planning proposal in the state that's over four years old will be terminated in December. Then what they're proposing is to look at ones that are shorter than four years and consider terminating those as well. Any new planning proposal the Department of Planning will issue a 12-month Gateway period to go with a possible expansion of 12 months after that, and that's it, then they'll be terminated. If we go back and get a Gateway determination it will be for 12 months, which based on my previous conversation, our view is now to put the thing to exhibition despite any objection. Hopefully the Department can wrangle TfNSW into rescinding its objection, but if not we push it onto exhibition and move forward with the planning proposal, so 12 months should be satisfactory to do that, but we'd be aiming for before that period of



time with any luck, well within that 12 month period. We would be given 12 months on that new Gateway determination.

In terms of your question, do we lose any of, you've mentioned six years – it's been four years since the Gateway determination but you're quite right, it's been bubbling around for six years, two years before a Gateway was issued. But no we won't lose any of that, we have some level of assurance from the Department of Planning that all those years and all that work has been done will be recognised as part of that Gateway determination and moreover, that will be reflected in any new Gateway determination. So, we have some level of assurance from the Department of Planning that it will occur.

RD: Alright, I'd like to pass on my thanks to yourself Iain, and Richard, Andrew and Michael for allowing me to ask these questions. Thank you very much.

MU: Anytime. Alright, any other questions?

DG: Michael, what's the go with the cell? When's the cell likely to be built and can we just have an update on that?

MU: Sure, in relation to the EIS? Richard do you want to take that one?

RB: Can I put my sad man on the question mark back on?

DG: I've haven't heard about it for a while

RB: This is subject to this approval. The final stages of the approval are the VPA regarding the long-term management and how we set up all the financial assurances and the like that goes with that. I guess we expect that all gets sorted out within the next month or two. I genuinely like to think it would be much shorter than that, but I don't want to suggest within the next couple of weeks and it ends up being a couple of months. But that's the sort of timeframe we're talking about so we're not talking about six months or anything like that.

DG: So it's all wrapped up in the VPA you were talking about earlier?

RB: Yes, and the contactor is engaged and ready to go, and getting impatient as you would imagine.

DG: Yep, no worries.

MU: Other questions Darrin? No, anyone else? Toby?

TT: Is the next meeting likely to be a Zoom meeting?

MU: It's likely to be a Teams meeting like this one I expect. We're looking at two months from now, I mean we can talk about it.



TT: If that's the case, can you change your background and get rid of those hideous windmills and put a real power station there?

MU: For you, I can surprise you next time with another type of wonderful energy provider no problem at all. Any serious questions?

RD: That was serious.

MU: Alright, it looks like we might be out of serious questions. Ok, so with that there's no other comments from around the community or anything that's jumping out? I won't say when you're down the pub with everybody because there's nobody down the pub, well there are but not as many as usual. Anything jumping out?

RD: Not from my end.

MU: Alright, thanks everyone. Next meeting then, the third Thursday is the 17th of December and so that's the planned date at this point in time. If anything changes, we might bring it forward a week if we have a celebratory announcement to make something like that, that would be nice, wouldn't it?

RB: It will have to be at least a week after the actual event Michael, I would need to sober up.

MU: Fair enough. If there's not further comments around the room, the virtual room, then I look forward to seeing you on the 17th December and we'll get these minutes out to you in due course and thank you very much for all of your time today.

Stay safe.

8 Meeting close

Meeting closed: 7:06 PM

Date of following meeting: 17th December.