

From: s 22(1)(a)(ii)
To: s 22(1)(a)(ii)
Cc: s 47E(d); s 22(1)(a)(ii); s 22(1)(a)(ii); s 22(1)(a)(ii) ; s 47E(d)
Subject: RE: REQUEST: Update on Glencore's Glendell coal mine expansion consideration under ATSIHPA [SEC=OFFICIAL:Sensitive]
Date: Tuesday, 21 March 2023 5:29:52 PM
Attachments: [image001.jpg](#)
[image004.png](#)
[image003.jpg](#)

OFFICIAL: Sensitive

Many thanks s 22(1)(a)(ii)

Nice to be in touch with you again also!

I appreciate the fast update. s 47E(d)
 [Redacted]
 [Redacted]
 [Redacted]
 [Redacted]

Very happy to arrange a time to chat also if that would be easier for you. I currently have the below availabilities:

- Wednesday 22 Mar – 4-5pm
- Thursday 23 Mar – 12-1.30pm; 2-3.30pm
- Friday 24 Mar – 12-5pm

Cheers,

s 22(1)(a)(ii)

s 22(1)(a)(ii) | Adviser, Environment & Water Team
 Industry, Infrastructure and Environment Division
 Department of the Prime Minister and Cabinet
 p. s 22(1)(a)(ii) | m. s 22(1)(a)(ii) | e. low s 22(1)(a)(ii)@pmc.gov.au | e. high s 22(1)(a)(ii)@dfathigh.dfat.gov.au



The Department acknowledges and pays respect to the past, present and emerging Elders and Traditional Custodians of Country, and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

From: s 22(1)(a)(ii)@dcceew.gov.au>
Sent: Tuesday, 21 March 2023 4:48 PM
To: s 22(1)(a)(ii)@pmc.gov.au>
Cc: s 47E(d)@dcceew.gov.au>; s 22(1)(a)(ii)@dcceew.gov.au>; s 22(1)(a)(ii)@dcceew.gov.au>; s 22(1)(a)(ii)@dcceew.gov.au>
Subject: REQUEST: Update on Glencore's Glendell coal mine expansion consideration under ATSIHPA [SEC=OFFICIAL:Sensitive]

Hi s 22(1)(a)(ii)

Long time no speak!

Please find below some standard words on the section 10 application under the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth) for Ravensworth, Bowmans Creek and Glennies Creek.

I am happy to give you a call to talk through some background to the case.

s 22(1)(a)(ii)

-
1. On 7 July 2020, the former Minister of the Environment, the Hon Sussan Ley MP, received an application under section 10 of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth) (**ATSIHP Act**) for an area described as Ravensworth, Bowmans Creek and Glennies Creek in the Upper Hunter Valley, New South Wales (NSW) (**specified area**).
 2. The application seeks protection for the specified area from the claimed threat of injury or desecration from underground and open cut mining activities including associated works like creek diversions by a number of proponents including Glencore.
 3. On 27 August 2020, the former Minister appointed Mr Daniel Leo to provide her with a report under section 10 of the ATSIHP Act.
 4. On 7 June 2021, the reporter submitted the section 10 report.
 5. On 28 October 2022, the NSW Independent Planning Commission (the **Commission**) refused approval for Glencore's Glendell Continued Operations Project (SSD-9349) and associated application to modify the Mount Owen Continued Operations Project (SSD-5850-Mod-4). The referral was lodged with the commission on 22 February 2022. However, this is only one of the projects within the specified area.
 6. There are no statutory timeframes for the making of a decision under the ATSIHP Act.

s 22(1)(a)(ii)

Director

Aboriginal and Torres Strait Islander Heritage Protection Act Regulation | s 22(1)(a)(ii)

First Nations Heritage Office

Department of Climate Change, Energy, Environment and Water

Ngunnawal Country, JGB, Parkes ACT | PO Box 858, Canberra ACT 2601 dcceew.gov.au

cid:image002.jpg@01D95C1A.BBBB9C40



From: s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@pmc.gov.au](mailto:s 22(1)(a)(ii)@pmc.gov.au)>

Sent: Tuesday, 21 March 2023 3:02 PM

To: s 22(1)(a)(ii) @dcceew.gov.au>; s 22(1)(a)(ii) @dcceew.gov.au>; s 22(1)(a)(ii) @dcceew.gov.au>
Cc: s 47E(d) @dcceew.gov.au>; s 47E(d) @pmc.gov.au>
Subject: REQUEST: Update on Glencore's Glendell coal mine expansion consideration under ATSIHPA [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hi All,

Our Deputy Secretary met with representatives from Glencore recently s 47E(d) [redacted]

We'd be grateful for any off the shelf wording you might have on this issue and also any advice on when a decision could be made – noting we appreciate the outcomes cannot be pre-empted until Minister Plibersek decides on the matter.

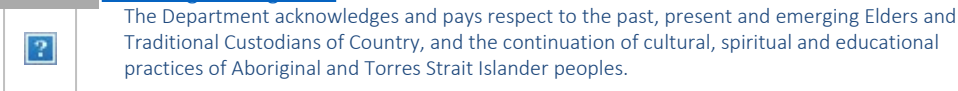
We are especially keen to be given an early heads-up on when the final decision might be made so that we can also brief PMO if/as requested and needed.

Very happy to chat if any questions or concerns.

Kind regards,

s 22(1)(a)(ii) [redacted]

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From: s 22(1)(a)(ii)
To: s 22(1)(a)(ii) s 47E(d)
Cc: s 47E(d)
Subject: FYI only. ATSIHP Act chat re Glencore/Glendell [SEC=PROTECTED]
Date: Friday, 24 March 2023 5:37:05 PM
Attachments: [image002.jpg](#)
[image006.png](#)
[image007.jpg](#)
[image008.jpg](#)
[image001.jpg](#)

PROTECTED

Hi ^{s 22(1)(a)} [redacted],

Just thought I'd provide a quick read-out of a meeting we had with the DCCEEW area that looks after the ATSIHP Act yesterday.

Notes below, but one main things is that we asked if we could get access to their fortnightly reporting on items awaiting decision under the Act, and we reinforced we particularly want to get a heads-up before the Minister is going to announce a decision on the Glendell expansion.

Next steps:

- [redacted] s 47E(d) [redacted] (the application is for longer term protection of the area described as Ravesworth, Bowmans Creek and Glennies Creek).
- [redacted] s 47E(d) [redacted]
- [redacted] s 47E(d) [redacted]
 - There is no statutory timeframe for decisions under the ATSIHP Act.

[redacted] s 47E(d)

[redacted] s 22(1)(a)(ii)

Context and background:

- [redacted] s 47E(d) [redacted] application for s10 protection was received on 7 July 2020, s 47E(d) [redacted]
 - [redacted] s 47E(d) [redacted]
 - On 7 June 2021 the appointed s10 reporter delivered their final report s 47E(d) [redacted]

[redacted] s 47E(d)

s 47E(d)

Cheers,

s 22(1)(a)(ii)

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Sent: Tuesday, 21 March 2023 2:56 PM
To: s 22(1)(a)(ii) @pmc.gov.au>; s 47E(d) @pmc.gov.au>
Cc: s 47E(d) @pmc.gov.au>
Subject: RE: Glencore/Nadine meeting notes [SEC=OFFICIAL]

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s 47E(d)
s 22(1)(a)(ii)
s 47E(d)
s 22(1)(a)

From: s 22(1)(a)(ii) @pmc.gov.au>
Sent: Tuesday, 21 March 2023 2:50 PM
To: s 22(1)(a)(ii) @pmc.gov.au>; s 47E(d) @pmc.gov.au>
Cc: s 47E(d) @pmc.gov.au>
Subject: RE: Glencore/Nadine meeting notes [SEC=OFFICIAL]

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Thanks s 22(1)(a)(ii)

Cheers,

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Subject: FW: Glencore/Nadine meeting notes [SEC=OFFICIAL]

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Hi enviro friends,
Flicking on below due to mention of ATSIHP.
Thanks

s 22(1)(a)

From: s 22(1)(a)(ii) @pmc.gov.au>
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To: s 47E(d) @pmc.gov.au>; s 47E(d) @pmc.gov.au>; s 47E(d) @pmc.gov.au>; s 47E(d) @pmc.gov.au>
Cc: Strapp, Matthew <Matthew.Strapp@pmc.gov.au>
Subject: Glencore/Nadine meeting notes [SEC=OFFICIAL]

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Hi all,

Nadine met Glencore CEO, Global Head of Coal Assets and Head of Corporate Affairs today.
s 22(1)(a)(ii)

Some key points below – if you’d like any extra detail on any of these just send me a message and I’ll see what I can dig out.

s 22(1)(a)(ii)

s 22(1)(a)(ii)

On Federal policies s 22(1)(a)(ii)

s 22(1)(a)(ii)

- Flagged concerns with the Aboriginal and Torres Strait Islander Heritage Protection Act, which is delaying the expansion of its Glendell coal mine in NSW.

s 47E(d)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

Adviser | Resources and Agriculture

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