



MOOLARBEN COAL PROJECT



SECTION 3

*Stakeholder and
Community Consultation*

SECTION 3

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3 STAKEHOLDER AND COMMUNITY CONSULTATION

3.1 Introduction

The grant of EL 6288 by the Minister for Mineral Resources in August 2004 contained a special condition requiring the establishment of the Moolarben Coal Exploration Community Consultative Committee (MCECCC). The purpose of the MCECCC is to provide a forum for open discussion between the exploration licence holder, appointed community representatives, relevant government authorities and other interested stakeholders concerning the conduct of exploration drilling and knowledge of the area's geological and environmental composition.

3.2 Moolarben Coal Exploration Community Consultative Committee

The Minister for Mineral Resources appointed Ms M. MacDonald-Hill as the independent Chairperson, representatives from MCM, four community representatives, representatives from the Department of Primary Industries, Mid-Western Regional Council and other government agencies to the MCECCC. The four community representatives appointed to the MCECCC are Ms J. Mullins-Imrie and Messrs M. Swords, K. Mayberry and M. Cox. MCM representatives report the findings of exploration, environmental monitoring and studies to the MCECCC.

Since the appointment of the independent Chairperson to the MCECCC there have been ten (10) meetings, the dates of which are detailed below: -

- 21 September 2004;
- 7 December 2004;
- 23 March 2005;
- 3 May 2005;
- 5 July 2005;
- 5 September 2005;
- 6 December 2005;
- 7 March 2006;
- 9 May 2006; and
- 3 August 2006.

3.3 Community Consultation by the Proponent

Following the grant of EL 6288 MCM introduced a community consultation program, which could be expanded or terminated depending upon the results of the exploration program. The community consultation program incorporates the following aspects: -

3.3.1 Land Access Protocols

The initial phase of the community consultation program involved the development of appropriate land access protocols to ensure that exploration drilling and environmental studies could be undertaken with the least amount of disruption to the land owners, their families and agricultural enterprises. The protocols included among other things a requirement that the proponent provide the land owner with the results of exploration drilling, environmental studies and monitoring. The primary purpose of this protocol was to ensure that the landowner-occupier had full knowledge of information derived from their particular land.

3.3.2 Community Information Sessions

The second phase of the community consultation program involved the holding of Community Information Sessions at the Ulan Community House. There have been three separate Community Information Sessions, the first of which was held on 2 and 3 June 2005, the second was held on 13 and 14 October, 2005 and the third was held 8 and 9 March 2006. The Community Information Sessions involved the display of information obtained in relation to the project as it developed over time, and typically involved "one on one" discussions between interested members of the public and MCP representatives.

3.3.3 Newspaper Notices

MCM placed public notices in the Mudgee Guardian and Gulgong Advertiser newspaper inviting residents and interested persons to attend the Community Information Sessions. Representatives of MCM attended each of the sessions and were able to discuss aspects of the project on a "one on one" basis with those people who attended.

3.3.4 Newsletters

MCM have prepared three Community Newsletters. Each newsletter sought to notify the local community of the progress that had occurred since the commencement of exploration drilling. Australia Post was engaged to distribute the newsletters to residents in the Ulan, Cooks Gap, Moolarben and Bobadeen areas. Copies of the newsletters are contained in **Appendix 2 of Volume 1**.

3.3.5 "One on One" Discussions

Representatives of MCM have held "one on one" discussions with land owners and occupiers of land located within and outside EL 6288 to explain the project and potential impacts that might arise from the project proceeding.

3.3.6 Issues Raised by the Public during Consultation

The MCP has resulted in some members of the public expressing concern in relation to potential issues and opposition to the project. Other members of the public have expressed support for the project. The issues that have been captured as a result of the community consultation program are summarised below: -

Issues of concern include the MCP impacts upon or resulting from aboriginal heritage, air quality, blasting, chemicals, creeks and river systems, fauna, flora, future of Ulan village, global warming, land acquisition, lighting, noise, property values, rail movements, roads, salinity, surface and ground waters, traffic, subsidence and Transgrid power lines.

Issues of support for the MCP include cultural and recreational improvements to the district, direct and indirect employment opportunities, investment in the local area and in Mudgee, property acquisitions and road improvements.

3.4 Future Community Consultation

MCM plan to continue with Land Access Protocols, Community Information Sessions, Newspaper Notices, Newsletters and "One on One" discussions during and after the public exhibition of the Development Application and Environmental Assessment report. Consultation will also occur with representatives of Ulan and Wilpinjung coal mines.

3.4.1 Website and 1800 Telephone Line

Prior to the commencement of the public exhibition of the Environmental Assessment report, the proponent will establish and broadly advertise a dedicated website and 1800 telephone line to enable residents of the district, interested persons and key community groups to contact representatives of the MCP to discuss issues or aspects associated with the project.

3.5 Consultation with Government Authorities by Proponent

A PFM was convened by the Department of Planning and held in Mudgee on 20 October, 2005. The purpose of the PFM was for the proponent to provide information regarding the project and allow government authorities the opportunity to identify potential issues or requirements.

Representatives from the following government organisations and authorities attended the PFM:-

- Department of Environment and Conservation;
- Department of Planning;
- Department of Primary Industries;
- Mid-Western Regional Council;
- NSW Department of Natural Resources; and
- Roads and Traffic Authority.

The Department of Planning received written submissions advising the requirements of each organisation. An outcome of the PFM was the issuing of the DGR's (refer **Appendix 1**) as required under Part 3A of the EP& A Act, 1979. **Table 3.1** provides a summary of the DGR's including where they have been addressed in the EA report. Since the PFM, consultation with the government organisations and authorities has occurred to clarify and assist the proponent's understanding of agency requirements to enable the preparation of the Environmental Assessment report including the proponent's draft Statement of Commitments.

The new Part 3A provision of the EP&A Act 1979 has enhanced the public's accessibility to information and has made the assessment process more transparent. The proponent's Major Project Application, the DGR's and other key documents associated with the project are available on the Department of Planning website, which will be updated as the project moves to a new phase in the assessment process.

Website: (http://www.planning.nsw.gov.au/asp/major_projects.asp)

Table 3.1: Summary of DGR's including where they have been addressed in the EA report.

| Specific Issues to be Addressed | Reference in EA report |
|---|---|
| An executive summary. | Volume 1 before Section 1 |
| Detailed description of the project. | Volume 1, Section 4 |
| Need for the project. | Volume 1, Section 1 |
| Alternatives considered. | Volume 1, Section 4 |
| Various components and stages of the project. | Volume 1, Section 4 |
| An environmental risk analysis of the project which takes into consideration the issues raised during consultation. | Volume 1, Section 3 and 7 |
| Detailed assessment of the key issues. | Volume 1, Section 5 |
| Description of the existing environment. | Volume 1, Section 5 |
| Assessment of the potential impacts of the project. | Volume 1, Section 5 |
| Description of the measures that would be implemented to avoid minimise, mitigate, offset, manage, and/or monitor the impacts of the project. | Volume 1, Section 5 |
| A draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures. | Volume 1, Section 6 |
| A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest. | Volume 1, Section 7 |
| Surface and Groundwater – including: <ul style="list-style-type: none">• detailed modelling of potential surface and groundwater impacts;• a site water balance;• detailed description of any proposed creek diversions; and• A surface and groundwater contingency strategy must be included as part of the mitigation measures for the project which details the measures proposed to protect environmental flows and the water supply of landowners in the region | Volume 1, Section 5 and Appendices 5, 6 and 7 |
| Subsidence – including impacts on: <ul style="list-style-type: none">• Surface and groundwater resources;• Cliff lines and other geological formations; | Volume 1, Section 5 and Appendix 8 |

| Specific Issues to be Addressed | Reference in EA report |
|--|--|
| <ul style="list-style-type: none"> • Cultural sites; • Areas of public access; and • Surface infrastructure including roads, utilities, buildings and other structures | |
| <p>Flora and Fauna – including impacts on:</p> <ul style="list-style-type: none"> • Critical habitats; • Threatened species, populations, ecological communities, native vegetation; and • Adjacent national park estate. <p>A comprehensive offset strategy must be included as part of the mitigation measures for the project to ensure that there is no net loss of flora and fauna values in the area in the medium to long term.</p> | <i>Volume 1, Section 5 and Appendix 11</i> |
| <p>Rehabilitation, Final Landform and Final Void Management including:</p> <ul style="list-style-type: none"> • A justification of the proposed final land use for the site in relation to the strategic land use objectives for the Mudgee/Gulgong area; • A detailed description of how the site would be progressively rehabilitated and integrated into the biodiversity offset strategy for the project; • Measures which would be put in place for the long term protection; and • Management of the site (and any off-site biodiversity offset areas) following cessation of mining. | <i>Volume 1, Sections 4, 5 and 6 and Appendices 9 and 11</i> |
| <p>Noise – including construction, operation, and on-site and off-site road and rail noise impacts.</p> | <i>Volume 1, Section 5 and Appendix 4</i> |
| <p>Blasting and Vibration.</p> | <i>Volume 1, Section 5 and Appendix 4</i> |
| <p>Air Quality – including a detailed greenhouse gas and health risk assessments.</p> | <i>Volume 1, Section 5 and Appendix 3 and 3A</i> |
| <p>Heritage - both aboriginal and european.</p> | <i>Volume 1, Section 5 and Appendices 12 and 13</i> |
| <p>Visual.</p> | <i>Volume 1, Section 5 and Appendix 17</i> |

| Specific Issues to be Addressed | Reference in EA report |
|---|--|
| Traffic and Transport. | Volume 1, Section 5 and Appendix 15 |
| Social and Economic. | Volume 1, Section 5 and Appendix 14 |
| Cumulative Impacts – potential cumulative impacts on: <ul style="list-style-type: none"> • surface water; • groundwater; • flora and fauna; • noise; and • air quality. that may arise from the combined operation of the MCP, together with the Ulan Coal Mine and the Wilpinjung Coal Mine. | Volume 1, Section 5 Appendices 3, 4, 5, 6, 11, 15 |

3.6 Public Exhibition of the Environmental Assessment

The Environmental Assessment report will be placed on public exhibition by the Department of Planning for a period of at least 30 days. Members of the public and interested persons will be invited to make written submissions on any aspect of the project.

If you wish to make a submission on the MCP, the submission should include the following information: -

- Your name and address;
- The Moolarben Coal Project – Major Project Number 05_0117;
- A statement on whether you support or object to the proposal; and
- The reasons why you support or object to the proposal.

Your submission must reach the Department of Planning by the specified date in the public notice and be addressed to: -

Major Development Assessments,
 Department of Planning
 GPO Box 39
 Sydney, NSW 2001.

Under Section 75H of the EP&A Act 1979 the Director-General is required to send copies of submissions or a report of the issues raised in those submissions to the proponent, other parties and any other authorities the Director-General considers appropriate, but the names and addresses would be withheld.

If you have any enquiries you may contact the Department of Planning by phone, fax or email.

Enquiries: 1300 305 695 Fax: (02) 9228 6466

Email: moolarben_comment@planning.nsw.gov.au

The Environmental Assessment report will be available at the offices of the Department of Planning and Mid-Western Regional Council. Printed copies of the Environmental Assessment report are available at a cost of \$25. The CD copies are available free of charge.

3.7 Consultation Post Developments Approval

After receiving approval for the project the proponent will continue consultation with land owners and the community during construction and mining operations.

It is envisaged that a telephone hotline, web site, newsletter and complaints register will be initiated prior to commencement of construction activities and will continue for the life of the project.

3.8 Preliminary Risk Analysis

This preliminary risk analysis (refer **Table 3.2**) was based on a draft MCP layout and knowledge gained in the preliminary assessment that was presented at the PFM. The issues listed were generated through consultation with both government agencies and the public. Issues identified in the preliminary risk analysis with a medium or high risk ranking have been assessed in more detail, while issues of lesser risk ranking were not carried forward.

A closing risk analysis was undertaken after a greater understanding of the project, existing environment and associated issues had been gained during the process of preparing the Environmental Assessment, this is presented within *Section 7*.

Risk analysis is undertaken by assessing the consequence severity level (C) of an impact against the predicted frequency or probability (P) of the event occurring. For example, an issue with a high probability and high consequence severity has a High Risk while a low probability and low consequence severity has Negligible Risk.

The risk assessment has been undertaken generally in accordance with Risk Management Guidelines Companion to AS/NZS 4360:2004. **Table 3.3** and **Table 3.4** define the Probability and Consequence rankings respectively whilst **Table 3.5** defines the Risk Assessment Matrix.

Table 3.2: Preliminary Risk Analysis of issues raised during consultation.

| No | Aspect | Issues | Risk | | | Proposed Action | | | Identified Key Issue in DG's Requirements |
|----|----------------------------------|---|------|----|----|---|--|--|---|
| | | | P* | C† | R‡ | | | | |
| 1. | Flora, Fauna and Aquatic Ecology | <ul style="list-style-type: none"> Loss of flora, fauna, and aquatic values of the MCP area. | B | 3 | M | <ul style="list-style-type: none"> MCM to engage Moolarben Biota to undertake flora, fauna and aquatic assessment of the study area in accordance with the DEC guidelines; and Design infrastructure to minimise impacts to flora, fauna and aquatic attributes in the MCP area. | | | Yes |
| 2. | Aboriginal Heritage | <ul style="list-style-type: none"> Loss of aboriginal heritage in the MCP area. | B | 1 | H | <ul style="list-style-type: none"> MCM to engage Archaeological Risk Assessment Services to prepare consultation and aboriginal heritage assessment of the study area in accordance with the DEC guidelines; and Design infrastructure to minimise impacts to cultural heritage values in the MCP area. | | | Yes |
| 3. | European Heritage | <ul style="list-style-type: none"> Loss of european heritage in the MCP area. | C | 3 | M | <ul style="list-style-type: none"> MCM to engage Archaeological Risk Assessment Services to prepare a european heritage assessment of the study area in accordance with the relevant guidelines; and Design infrastructure to minimise impacts to european heritage values in the MCP area. | | | Yes |

* P = Probability of Issue occurring – See **Table 3.3**, (A – Almost Certain to E – Rare).

† C = Consequence Severity Level – See **Table 3.4**, (1 – Most severe to 5 – least severe).

‡ R = Assigned Risk Level - **Table 3.5**, (H = High, M =Medium, L = Low, N = Negligible).

| No | Aspect | Issues | Risk | | | Proposed Action | | | Identified Key Issue in DG's Requirements |
|----|---------------|---|------|----|----|--|--|--|---|
| | | | P* | C† | R‡ | | | | |
| 4. | Surface Water | <ul style="list-style-type: none"> Degradation and / or significant reduction of surface water | C | 2 | H | <ul style="list-style-type: none"> MCM to engage Patterson Britton & Partners Pty Ltd to prepare a surface water assessment and strategy that aims to minimises impacts to surface waters, and assesses potential impacts against the relevant criteria; and Design infrastructure and mining operations to minimise impacts. | | | Yes |
| 5. | Groundwater | <ul style="list-style-type: none"> Degradation and / or significant reduction of groundwater. | A | 1 | H | <ul style="list-style-type: none"> MCM to engage Peter Dundon & Associates to prepare a groundwater assessment and strategy that aims to minimise impacts to groundwaters, and assesses potential impacts against the relevant criteria; The investigation to also assess groundwater availability for mining operations and associated impacts; and Design infrastructure and mining operations to minimise impacts. | | | Yes |
| 6. | Air Quality | <ul style="list-style-type: none"> Degradation of air quality. | B | 3 | M | <ul style="list-style-type: none"> MCM to engage Holmes Air Sciences to prepare an air quality and greenhouse gas assessment. Assessment to be undertaken in accordance with relevant guidelines and assessed against relevant criteria; and Design infrastructure and mining operations to minimise impacts. | | | Yes |
| 7. | Noise | <ul style="list-style-type: none"> Human health risk. | B | 3 | M | <ul style="list-style-type: none"> MCM to engage Holmes Air Sciences to prepare a Health Risk Assessment to identify potential health impacts associated with the project. | | | No |
| | | | | | | <ul style="list-style-type: none"> MCM to engage Spectrum Acoustics to prepare an acoustical impact assessment, which includes construction, operation, onsite and offsite road and rail impacts. Assessment to be undertaken in accordance with relevant guidelines and assessed against relevant criteria; and Design infrastructure and mining operations to minimise impacts. | | | Yes |

| No | Aspect | Issues | Risk | | | Proposed Action | | | Identified Key Issue in DG's Requirements | |
|-----|------------------------|---|------|----|----|--|----|----|---|-----|
| | | | P* | C† | R‡ | P* | C† | R‡ | | |
| 8. | Blasting and Vibration | <ul style="list-style-type: none"> Damage of nearby structures and disturbance to residents in the MCP area and surrounds. | C | 2 | H | <ul style="list-style-type: none"> MCM to engage Spectrum Acoustics to prepare an blasting and vibration assessment. Assessment to be undertaken in accordance with relevant guidelines and assessed against relevant criteria; and Design mining operations to minimise impacts. | | | | Yes |
| 9. | Rail Noise | <ul style="list-style-type: none"> Exceedances of ARTC EPL noise criteria at sensitive receptors adjacent to rail line between the site and Muswellbrook, and the site and Wallerwong PowerStation near Lithgow. | C | 3 | M | <ul style="list-style-type: none"> MCM to undertake aerial survey (via helicopter) with Spectrum Acoustics to identify potentially impacted residences along railway line between Muswellbrook and Wallerwong near Lithgow. | | | | Yes |
| 10. | Traffic Transport | <ul style="list-style-type: none"> Impact to traffic flow and safety, with regard to both rail and road. | C | 3 | M | <ul style="list-style-type: none"> MCM to engage Sinclair Knight Merz Pty Limited to prepare a traffic impact assessment, road safety audit, rail traffic impact assessment and rail level crossing assessment; and Design infrastructure and mining operations to minimise impacts. | | | | Yes |
| 11. | Visual | <ul style="list-style-type: none"> Disturbance of visual amenity for surrounding residents and road users. | A | 2 | H | <ul style="list-style-type: none"> MCM to engage O'Hanlon Design Pty Ltd to prepare a visual impact assessment; and Design infrastructure and mining operations to minimise impacts. | | | | Yes |
| 12. | Social Economic | <ul style="list-style-type: none"> The loss of significant gain for local, regional, state and national economies, through royalties, taxes and employment, if the project was not approved. | A | 2 | H | <ul style="list-style-type: none"> MCM to engage Hunter Valley Research Foundation to prepare economic impact assessment; | | | | Yes |

| No | Aspect | Issues | Risk | | | Proposed Action | | | Identified Key Issue in DG's Requirements | |
|-----|--|--|------|----|----|--|--|--|---|----|
| | | | P* | C† | R‡ | | | | | |
| | | | | | | <ul style="list-style-type: none"> Increased employment in a region generally results in greater demand for available residential properties, resulting in generally increased property values; Properties directly impacted by mining operations with exceedences of accepted criteria would be managed where feasible or purchased at pre-mining / market land values; The relatively transient nature of the mining means impacts to individual properties are temporary; and No further action required. | | | | No |
| 13. | Subsidence | <ul style="list-style-type: none"> Reduction in property values. | C | 4 | L | | | | | |
| 14. | Rehabilitation, Final Landform and Final Void Management | <ul style="list-style-type: none"> Impacts to cliff lines, geological formations, areas of public access, cultural sites, groundwater, and surface infrastructure. Noting that Underground No.4 was previously approved in 1985. Inappropriate, inadequate, unsafe, and uneconomical rehabilitation, final landform and final void management, that is in contrast with strategic land use objectives. | B | 1 | H | <ul style="list-style-type: none"> MCM to engage Strata Engineering (Australia) Pty Limited to prepare subsidence impact assessment; and Design infrastructure and mining operations to minimise impacts. | | | Yes | |
| 15. | Cumulative Impacts | <ul style="list-style-type: none"> Increased impacts from MCP due to existing impacts from Ulan Coal Mine and potential impacts from Wilpinjung Coal Mine. | A | 2 | H | <ul style="list-style-type: none"> Ensure assessments of surface waters, groundwater, flora and fauna, noise and air quality investigate impacts with respect to the existing and potential impacts from adjoining coal mines. | | | Yes | |

| No | Aspect | Issues | Risk | | | Proposed Action | | | Identified Key Issue in DG's Requirements |
|-----|-----------------------------|--|------|----|----|---|--|----|---|
| | | | P* | C† | R‡ | P* | C† | R‡ | |
| 16. | Geochemical Assessment | <ul style="list-style-type: none"> Salt and acid generation from coal and overburden, from open cut and underground mining degrading surface water quality. | | C | 3 | M | <ul style="list-style-type: none"> MCM to engage Environmental Geochemistry International Pty Limited to prepare a geochemical assessment of overburden, coal and reject from underground and open cut areas. | | No |
| 17. | Preliminary Hazard Analysis | <ul style="list-style-type: none"> Public and mine personnel safety during the construction and operational phases of the project. | | C | 2 | H | <ul style="list-style-type: none"> MCM to engage Sinclair Knight Merz Pty Limited to prepare preliminary hazard analysis for the project that assesses potential risks to mine personnel and public. | | No |
| 18. | Soils | <ul style="list-style-type: none"> Degradation / loss of land capability and agricultural suitability. Erosion of landscapes and degradation of water qualities through sedimentation. | B | 3 | H | <ul style="list-style-type: none"> MCM to engage Jammie Environmental and Planning Services Pty Ltd to undertake soil surveys, land capability assessments and agricultural suitability assessments of the EL 6288; Erosion and sediment controls will be designed and implemented for all construction areas in accordance with Landcom Soils and Construction Manual, 2004; and Design infrastructure and mining operations to minimise impacts. | | No | |

Table 3.3: Table of probability rankings

| | | |
|---|-----------------|--|
| A | Almost certain. | The event will occur during the project. |
| B | Likely. | The event is expected to occur during the project. |
| C | Possible. | The event will probably occur at some time during the project. |
| D | Unlikely. | The event could occur at some time during the project. |
| E | Rare. | The event may occur only in exceptional circumstances. |

Table 3.4: Table of consequence severity rankings

| Consequence Type | Consequence Severity Level | | | | |
|--|--|--|---|--|---|
| | 1 | 2 | 3 | 4 | 5 |
| Health and safety | Fatality/permanent disability. | Serious lost time injury >1 month plus. | Moderate 1 week to 1 month lost time injury. | Minor lost time injury 1 day to 1 week. | No lost time injury. |
| Natural environment | Very serious long-term environmental impairment of ecosystem functions. | Serious environmental impairment of ecosystem functions. | Serious medium environmental effects. | Moderate, short-term effects but not affecting ecosystem functions. | Minor effects on biological or physical environment. |
| Social/cultural heritage | Ongoing serious widespread social issues; Significant damage or loss of structures/items of cultural significance. | On-going serious social issues; Significant damage to structures/items of cultural significance. | Medium-term social impacts on local population; Permanent damage to items of cultural significance. | Minor medium-term social impacts on local population; or Damage or loss of items of low cultural significance. | Minor short-term social impacts on local population; or Damage of items of low cultural significance. |
| Community/ government reputation/ media | Serious public or media outcry (international coverage). | Significant adverse national media/public non-government organisation attention. | Attention from media and/or heightened concern by local community; Criticism by non-government organizations. | Minor, adverse local public attention. | Localised community complaints. |
| Legal | Significant prosecution and fines. Very serious litigation including class actions. | Major breach of regulation. Major litigation. | Serious breach of regulation with investigation; Report to authority with prosecution and /or moderate fine possible. | Minor legal issues, minor non-compliances and breaches of regulation. | |

Table 3.5: Risk assessment matrix

| Probability | Consequence | | | | |
|-------------|-------------|----------|----------|----------|----------|
| | 1 | 2 | 3 | 4 | 5 |
| A | H | H | H | M | M |
| B | H | H | M | M | L |
| C | H | H | M | L | N |
| D | H | M | L | L | N |
| E | M | L | L | N | N |

H = High, M = Medium, L = Low, N = Negligible