

Introduction

MacKellar Group (MacKellar Mining Pty Ltd ABN 81 150 919 761 and M People Pty Ltd ABN 87 657 231 359 trading as MacKellar Group (**MacKellar**) and Western Plant Hire Pty Ltd ABN 74 643 771 920 trading as Western Plant Hire) is committed to acting ethically and with integrity in all our dealings and relationships, and to implementing effective systems and controls to safeguard against modern slavery occurring anywhere in our business, whilst also reducing the risk of modern slavery within our supply chain.

We expect our suppliers and contractors to operate in accordance with all applicable modern slavery laws including those prohibiting human slavery and slavery like practices, human trafficking and child labour.

Company Structure, Operations and Supply Chains

MacKellar was founded in 1966 and specialises in civil earthmoving, open cut mining and flexible hire of large mining equipment. It is incorporated in Australia and its registered office is in Maroochydore, Queensland, Australia.

Our operations are currently located in Queensland and Western Australia. We have approximately 1040 full time employees in Queensland who are employed across sites including Carmichael Coal Mine, Callide Mine, Yancoak Yarrabee, Curragh, Anglo American - Dawson and Callide, Middlemount and Jellinbah. We have partnered with Western Plant Hire, who are based in Western Australia and have a workforce made up of approximately 35 employees. Their core business is plant hire to Mining and Civil Projects. MacKellar Group's workforce has increased by 240 employees from the previous 2021/2022 Modern Slavery reporting period.

Our personnel work in various disciplines, including Health and Safety, Technical Services, Information Technology, Training, Finance, Procurement, Human Resources, Engineering, Trades and Maintenance, Plant and Equipment Operations, Plant Hire, Administration, Management and Environmental services. Our corporate office is located at Nambour on Queensland's Sunshine Coast.

We have a fleet size of approximately 500 mining machines and provide over 56 years of earthmoving expertise as one of Australia's largest privately owned mining equipment and service providers.

MacKellar has an ongoing relationship with our three key equipment suppliers, who provide a large percentage of our goods and services, as well as two large catering and accommodation providers who provide meals and lodging for the majority of our workforce, and for the purposes of this 2022/2023 Modern Slavery Statement, we continue to engage collaboratively with them as well as explore the risks of modern slavery within our minor suppliers.

Our minor suppliers operate in industries that provide goods and services including office equipment, uniforms, tools, mechanical maintenance, parts, accessories and services, consumables, cleaning, accommodation, labour hire, chemicals, fuel, surveying, legal services, safety equipment, freight and logistics, fabrication services and IT services.

The Risks of Modern Slavery Practices in our Operations and Supply Chains

Whilst recognising our statutory obligation under the *Modern Slavery Act 2018* (Cth) (**Modern Slavery Act**) to set out the steps we are taking to ensure that modern slavery and human trafficking is not taking place in our supply chains, we acknowledge that we do not control the conduct of individuals and organisations in our supply chains. However, as part of our risk-based approach to combating modern slavery, we continue to implement measures to identify modern slavery risks within our suppliers and contractors.

Our operations are currently based in Australia and our personnel are remunerated in line with applicable industrial instruments. We regularly engage with independent auditors for compliance purposes to ensure that all our personnel are paid fairly and equitably.

Health and Safety is key to our operations for both employees and contractors with regular audits conducted on all sites. Meals and accommodation provided to our employees and/or contractors is in line with Australian Standards and legislative requirements.

On our journey to combat modern slavery we have implemented processes that require our suppliers and contractors to provide us with a Pre-qualification Questionnaire. The information we receive from them enables us to assess the risk of Modern Slavery practices in our supply chain.

We will continue to actively utilise online resources such as Anti-Slavery Australia <https://antislavery.org.au/> & The Australian Human Rights Commission <https://humanrights.gov.au/> for information and to assist us to assess geographic and industry/product risks, and more generally, to understand modern slavery issues, enabling us to identify areas of risk within our business operations and supply chains.

Mackellar has undertaken an assessment of potential modern slavery risk areas in our operations and supply chains. Key factors of the assessment included geographic risks from where we purchase materials and the types of products and services that we source.

From our assessment we concluded that our risk areas include outsourced services such as cleaning, uniform providers and PPE suppliers and the use of subcontracting companies, however given that we have long term ongoing relationships with these preferred suppliers and subcontractors who are generally smaller, family-owned Australian businesses often located in the communities in which we operate, we do not believe there to be a risk of modern slavery such as forced/bonded labour or other types of exploitation.

Where we have the need to engage a new supplier or contractor our trained procurement officers and other relevant staff, on our sites, follow internal engagement processes to minimize the risk of modern slavery in our supply chain.

Our employees are provided with information via our comprehensive training course and our onboarding processes about Modern Slavery and the risks of it in the supply chain. Where an instance may arise we are confident that our employees are equipped to follow due process so that

we may remedy the situation without exacerbating the issue. No instances of suspected modern slavery have been identified in this reporting period.

Actions Taken to Assess and Address Modern Slavery Risks

MacKellar has undertaken the following action to address any Modern Slavery risks in our supply chain:

We have provided comprehensive Modern Slavery Awareness training to our employees involved in procurement practices on behalf of MacKellar Group, as well as our employees who work directly with suppliers/contractors, which aims to provide a solid understanding of what Modern Slavery is and the processes to follow to ensure that any issues or risks that arise are addressed appropriately so as not to cause harm or worsen the situation.

Our training includes:

- ✓ How to effectively assess and address the risk of modern slavery in our supply chain.
 - ✓ An awareness of the serious exploitation of human rights that is defined under modern slavery legislation.
 - ✓ Transparency about the process to follow should a suspected instance of modern slavery arise within our supply chain so that the situation is effectively remediated and not exacerbated.
- MacKellar's Whistleblower Policy and Procedure supports our Modern Slavery Statement and is publicly available on our Website and provided to employees upon commencement of employment.
 - Our company's recruitment, diversity and remuneration policies support our efforts to combat modern slavery by ensuring that our personnel are recruited fairly and equitably and in line with relevant industrial instruments and legislation.
 - We have implemented a process where our suppliers are requested to provide us with relevant information via an automated questionnaire to assist us in assessing the risk of modern slavery in our supply chain and take remediation action where required.
 - We continue to collaboratively engage with our three key OEM (*Original Equipment Manufacturers*) suppliers and our site accommodation and meals providers who have processes in place to work towards reducing the risk of modern slavery within their supply chains. These suppliers have registered Modern Slavery Statements with the Australian Government Attorney-General's Department that outline the action they are taking, in so far as possible, to ensure that modern slavery does not form part of their supply chains. On that basis, and the relationship we have with them, we are satisfied that they are addressing the risks of modern slavery in their organisation and their supply chain.
 - We continue to focus on maintaining long term relationships with trusted suppliers and contractors enabling robust conversations and partnerships, that ultimately reduce the risk of modern slavery within our direct supply chain.
 - We are committed to engaging suppliers and contractors that uphold the same principles as we do, and we will implement corrective measures for non-compliance or inaction in addressing issues on a case-by-case basis.

- We will continue to value and observe all laws regarding corporate social responsibility, environmental and workplace safety, protection and staff inclusion and diversity through shared company policies and processes and our training and communication methods.

Assessing the Effectiveness of our Actions

Mackellar is committed to ensuring the effectiveness of our actions through the following:

- Regular review of our processes associated with supply to MacKellar.
- Continued training and education about Modern Slavery Risks to all employees.
- Increased supplier and contractor engagement and monitoring with processes in place to document and quantify results for measurement and reporting purposes.
- Formal structured induction and training around Modern Slavery Practices and our supporting Whistleblower Policy and Procedure.
- Continuation of internal audits on an annual basis to ensure that we are compliant with the relevant industrial and health and safety laws within Australia.

Consultation with Entities Owned or Controlled by MacKellar Group

We have undergone significant consultation with Western Plant Hire with whom we began a partnership in January 2022. We have included their suppliers in our processes relating to mitigating the risk of Modern Slavery in our supply chain.

Principal Governing Body Approval

This modern statement was approved by the principal governing body of Mackellar Mining Pty Ltd (Board of directors) as defined by the Modern Slavery Act 2018 (Cth)¹ ("the act") on the 18 December 2023

Signature of Responsible Member

This modern slavery statement is signed by Duncan MacKellar on the 18th of December 2023 in his role as the Managing Director and is a responsible member of Mackellar Mining Pty Ltd as defined by the Act²



Duncan MacKellar
Managing Director