

**MINUTES OF NRQ COMMUNITY CONSULTATIVE COMMITTEE
EXTRAORDINARY MEETING**

Goolmangar Hall, Thursday 16th February 2023 at 4.00 pm



Present: Chairperson, Commercial Services Manager, Quarry Operations
Coordinator, Compliance Manager, Compliance Support Officer

Community Committee Members: Neighbour 1, Resident 1

Apologies: Compliance Officer, Neighbour 7, Resident 2

WELCOME

The meeting was opened at 4.00pm by the Chairperson and all members welcomed.

PREVIOUS MINUTES

Overview of previous meeting and minutes were accepted as being true and correct.

ACTIONS ARISING FROM PREVIOUS MEETING

Followup meeting to address concerns raised on 01/12/2022

- Additional CCC meeting schedule for 16/02/2023. The objective of this meeting is to enable identified issues to have a mechanism to be addressed – COMPLETE

CCC Guidelines

- Council to distribute with CCC minutes – COMPLETE

Development of Addendum Property Investigation Report (notwithstanding consultancy delays)

- Council to complete to the satisfaction of the DPE, due 28/02/2023 – IN PROGRESS
- Program Manager advised that a blast occurred on 07/02/2023, a large blast of approx. 57,000t needed for continued production and at request of Independent Consultant. Independent Consultant was also in attendance during blast. Monitoring Results will be uploaded onto website once received from Blast Contractor.

Additional vibration monitoring at [REDACTED] Keerong Road at request of resident

- Monitoring for December 2022 and February 2023 blasts – COMPLETE
- Compliance Manager advised that results of December blast available on Council website, and results from February blast will be uploaded once they have been received from Blast Contractor.

Domesticated dog roaming management

- Council to liaise with Council Rangers – COMPLETE
- Compliance Manager advised that she had spoken with Council Rangers. They advised that if domesticated dogs are caught then Council can pick them up, however if the dogs were wild, they would not be able to assist. Recommended landholders consider baiting program.
- Furthermore, that if residents knew of where the domesticated dogs were roaming from, they could report via Council Contact Centre on 6625 0500. This would action a written notification by Council to the property owner to secure dogs.

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Complaint register

- Council to amend online complaints register to reference concerns regarding blast on 31/05/2022 – COMPLETE
- Resident made note of the amended register and queried why, in December 2022, that the September 2022 entry was updated to make note of the May 2022 blast, instead of noting the issue as an entry in May. Resident expressed concern that they believed that this was misleading.
- Compliance Manager advised that the recording of the call in May had been reviewed and deemed to be a query and not a complaint by the Council Contact Centre. After corresponding with the complainant in September, the Compliance Manager agreed that a complaint would be lodged in the CRM system to reflect the resident's intention at the time. All complaint information was submitted with the lodgement of this CRM. The website complaint register references the date of the CRM entry and basic details of the complaints. As part of Council's regulatory reporting full CRM complaint reports (much more detailed) are generated and submitted with the Quarry's Annual Return.
- The resident expressed that this could cause confusion for members of the public seeking information about the May blast but agreed that the issue had been resolved.

Koala Data Request from member of the public

- Council to review and respond to community member with available data, response provided – COMPLETE

Wild dog baiting

- To continue until notification period lapses in March 2023 – COMPLETE

Nimbin Road roadworks material

- Progressive reporting to EPA until the stockpile is removed from site. Last report January 2023 – COMPLETE

CORRESPONDENCE

- DPE RFI – Request for more information regarding the September 2022 blast and monitoring location 8 vibration results.
- DPE Show Cause – December blast executed outside permissible blast hours.
- DPE Site Visit 16/02/2023.
- DPE Addendum Report – Property investigation (refer notes above). Independent blast expert report in progress.

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ADDITIONAL BUSINESS

- A resident expressed concern that there was no mention of the complaints register in the 2022 Noise & Blast Management Plan, even though it was mentioned in the 2018 NBMP. The NBMP states *“Quarry and Asphalt complaints must be received via telephone to LCC’s Contact Centre 1300 878 387. The details of the complaint will be passed on to the Quarry Compliance division. Complaints must be made through the correct channel to the LCC Customer Contact Centre in order to ensure correct record keeping and response.”*
The EPA licence stipulates the Quarry must operate a telephone complaints line during operating hours. The only documents referenced were the Non-conformance & Improvement Register and Document Index Register. They believed that it should have been referenced as per the Conditions of Approval. Council explained that the plans were developed for operational purposes, the current 2022 plan had been reviewed and approved by the DPE. These documents are developed to support operations. The licence sets the requirements which must be adhered to, operational plans are not required to duplicate actions already prescribed by the licences to ensure that occur.
- The resident then expressed concern on how large the management plans were and how they were displayed on the LCC website, and that finding information relevant to the public was confusing. Council suggested that they were able to re-organise the Quarry web page, making it easier to distinguish between operational documents, licensing and reports/registers listed for the public’s information. It was also suggested that clear information could be listed showing LCC Customer Service contact details, and how to register a concern, query, or complaint.
- Council advised that it has a new web page going live in the second week of April 2023, and the resident was informed that if the suggested changes could not be made to the current website, they would be set up with the rollover to the new website. Meeting attendees were happy with this commitment.
- The Compliance Manager noted that Council was working with DPE and their review recommendations. Council had worked hard to simplify and remove duplication. However, DPE had recently come back with feedback, wanting more information inclusion and duplication thus leading to large 60-80 page operational management plans. Council is continuing to liaise with the DPE regarding this matter.
- A resident enquired about Council’s departmental restructure as mentioned at the December 2022 meeting. The Program Manager explained details around the old structure, how the new structure was taking shape, and that the new Chief Operating Officer is currently restructuring the portfolio under which the Quarry and Compliance Team operate. As this transition is in progress, final details will be made available at a later date.

The meeting closed at 5.00 pm. The next annual CCC Meeting is due by December 2023.

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| ACTION | ACTION OUTCOME | BY WHOM & WHEN |
|--|--|----------------------------|
| Development of Addendum Property Investigation Report (notwithstanding consultancy delays) | Council to complete to satisfaction of DPE | Council – 28 February 2023 |
| Wild Dog Baiting | To continue until notification | Quarry Staff – March 2023 |
| Restructure of Quarry Page on LCC Website | Clearer access to documents listed for public information to facilitate effective engagement between residents and LCC | Council – April 2023 |
| Distribute Minutes from Extraordinary CCC Meeting 16/02/2023 | Minutes distributed to staff, residents and uploaded to LCC website | Council – March 2023 |

- Present:** Chairperson, Head of COO – Shared Services, Acting Head of Roads and Quarry, Quarry Operations Coordinator, Acting Compliance Coordinator, Compliance Officer, Compliance Support Officer
Resident 1, Neighbour 7
- Apologies:** Manager Operational Compliance, Neighbour 1
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WELCOME

The meeting was opened at 4.02pm by the Chairperson and all members welcomed. Chairperson informed members of updated Community Consultative Committee Guidelines (June 2023) and requirement for members to complete the Declaration of Interest form and Code of Conduct.

PREVIOUS MINUTES

Overview of previous meeting and minutes were accepted as being true and correct.

BUSINESS ARISING FROM PREVIOUS MEETING

Extraordinary meeting was held 16/02/2023 to address concerns held over from 01/12/2022 CCC meeting.

Nimbin roadworks material – Acting Head of Roads and Quarry advised the committee there is a nominal amount of material remaining.

Additional Vibration Monitoring [REDACTED] Keerrong Road completed. Resident 1 asked who requested the monitoring, with Quarry Operations Coordinator advising it was at the Resident's request.

Domesticated dog roaming management, Council to liaise with LCC Rangers – committee was informed LCC Rangers have no jurisdiction over wild dogs. If landholders capture or can immediately report roaming domestic dogs to LCC then Rangers can attend site and assist within reason (operating hours).

Complaints Register – Council has specified reference to 31/5/2022 blast on online complaints register.

Koala data request for resident has been completed.

BUSINESS ARISING FROM EXTRAORDINARY MEETING 16/2/2023

Property investigation Report at [REDACTED] submitted to DPE 28/02/2023 – The matter has been closed out by DPE. Council continues to closely monitor contractor performance. Resident 1 advised the committee she has many questions to ask in relation to this and will be happy to wait to discuss at the end of the meeting.

Council webpage has been updated to a new platform and is now more user friendly.

CORRESPONDENCE

Condolence letter (April 2023) was sent to [REDACTED] and family on the sad passing of [REDACTED].

GENERAL BUSINESS

Council organisational restructure

Head of COO Shared Services introduced himself and Head of Roads and Quarry, followed by a brief explanation of the Council restructure that has just been implemented. Shared Services is a broad unit in which Quarry and Compliance overlap.

Production and material demand

Acting Head of Roads and Quarry advises business continues as usual. Product for flood recovery is slow. The Quarry has been very busy all year trying to meet the quality and tonnage demands for the LGA road network and has been providing good results. Production is based on supply and demand.

Blasting

Five (5) blasts in 2023. Good results for product and monitoring results were all within limits.

Asphalt Lease

Acting Head of Roads and Quarry advises negotiations continue between parties. Hopefully to be finalised early next year.

Environmental Monitoring

An update was provided by the Acting Compliance Coordinator advising that:

- Dust monitoring in October at one location had an exceedance due to environmental contaminants and seasonally dry weather. Council self-reported to EPA and DPA – no further action required, and the matter has been closed out.
- Noise monitoring is undertaken twice per year during Winter and Summer (instead of annually). An exceedance was noted during winter – resulting in additional supplementary monitoring (undertaken in August 2023). Report was sent to the landowner, DPE and EPA – no further action required, and the matter has been closed out.
- A slight elevation in groundwater results in 2022 due to environmental conditions relating to excessive rainfall. An exceedance of water quality trigger limits does not constitute a non-conformance as there is a 20% buffer of target limits each monitoring round. Results are assessed over 3 consecutive monitoring rounds to determine compliance with limits. Council self-reported to EPA and DPA, no further action required, and the matter has been closed out.

Site Maintenance

- Wild dog baiting commenced between a few neighbours and is running from September 2023 to March 2024. A third round of baits have been laid at the Quarry to date. Results from other landowners is not known.
- Bushland regeneration - the Quarry has different work zones which are managed on a month-by-month basis by a Bush Regen contractor. Works continue and are on schedule.

Inspection & Audits

- Onsite visit from DPE in March 2023. No major concerns raised with the site, reminder to stay on top of weed control. Onsite visit from EPA in May 2023. No major concerns raised – reminder to update signage at the sed basin. Onsite visit from Resources Regulator in June 2023. Quarry Operations Coordinator advising it was a desktop audit and site inspection. There were two

technical documents that were requested to be reviewed and updated. This has been completed and the reports submitted to the Resources Regulator. Council is waiting on their response.

Complaints

- One complaint was received from a resident in March 2023 as less than 24 hours' notice was given prior to a blast. Council self-reported to EPA and DPA – no further action required, and the matter has been closed out. An Official Caution letter was issued by DPE to Council.

Integrated Management System (IMS)

- IMS was recently audited in October for Quality, Safety and Environmental ISO Standards. The Quarry has been recertified for the next 3 years, with a pleasing overall result of 3 observations and 4 minor non-conformances involving administrative actions.

Annual Environmental Monitoring Report 2022 (AEMR)

- This is an annual, high level compliance review of all licence conditions. A total of seven (7) non-compliances occurred throughout the year, with five (5) non-compliances being actioned and closed out during 2022. The 2022 AEMR noted a high level of compliance with all conditions and records, and was submitted to DPE March 2023, and subsequently accepted.

ADDITIONAL BUSINESS:

The Chairman opened the meeting for any other matters or concerns to be raised. Resident 1 asked the Chairman if he is required to provide an annual report to DPE. The Chairman advised this is undertaken through the AEMR process, where he is contacted by auditors to provide commentary surrounding any issues within the CCC and regarding its effectiveness for the community.

Resident 1 raised other items not considered connected with the Consultative Committee, as such the CCC meeting was closed at 4:45pm.

The Chairman moved on from the meeting to allow Resident 1 to discuss concerns, which are summarised below:

- the validity of blast monitoring reporting and querying the blast design process relating to weather conditions
- the level of redaction within documents that are sent to Regulators.
- how reported damage to Council has been treated over time.
- dispute with the Property Investigation Report and integrity of Consultant's data.
- how members of the community can voice their concerns to Council.
- to raise the issues of blast property damage as one of the property owners that have been affected.

This additional meeting closed at 5.45 pm and minutes are attached as an addendum.

Meetings are scheduled annually.

| ACTION | ACTION OUTCOME | BY WHOM & WHEN |
|----------------------------|---|----------------------|
| CCC Guidelines – June 2023 | Council to distribute June 2023 CCC Guidelines with minutes | Council – 21/12/2023 |

Present: Chairperson, Head of COO Shared Services, Acting Head of Roads and Quarry, Quarry Operations Coordinator, Acting Compliance Coordinator, Compliance Officer, Compliance Support Officer

Resident 1, Neighbour 7
Apologies: Manager Operational Compliance, Neighbour 1

Time 4.45pm

Addendum minutes following CCC meeting: Concerns raised from Resident 1.

Chairman asked the Committee if there were additional concerns to discuss:

Resident 1 noted that they had a number of items to go through relating to:

- the validity of blast monitoring reporting and querying the blast design process relating to weather conditions
- the level of redaction within documents that are sent to Regulators
- how reported damage to Council has been treated over time
- dispute with the Property Investigation Report and integrity of consultants data
- how members of the community can voice their concerns to Council
- to raise the issues of blast property damage as one of the property owners that have been affected

Resident 1 spoke at great lengths to describe in detail all of their concerns and was provided a considerable amount of time to discuss. They raised questions to staff in attendance throughout these discussions. Some responses from staff were able to be given at the time, however reference to audit reports, correspondence to DPE and EPA and consultant reports without the documents being available at the time of the meeting restricted a comprehensive response being provided.

Resident 1 questioned the validity of blasting equipment and reports, questioned the selection of consultants used, stated her disagreement with auditors comments within reports to the DPE, also alleging the accuracy of a Property Investigation Report to the DPE “was wrong”. Resident 1 stated they disagreed with the Property Investigation Report and asked if Council had seen their feedback. Acting Compliance Coordinator made comment that DPE did not provide the feedback to Council, only that Council was notified the matter had been closed out by DPE. Resident 1 spoke about the blasting and asked the Quarry Operations Coordinator if they were able to change the design of a blast and if consideration is given to soil saturation in the local area prior to a blast. The response was that the blast contractor is the only one able to determine blast design and appropriate weather conditions etc.

Resident 1 questioned the redaction in the AEMR 2022 attachment – Complaints Register, stating that their name and Resident 2 names were listed, while other names throughout the document were redacted. An explanation was provided by Acting Compliance Coordinator that redacting names and addresses was not a requirement and was undertaken as a matter of courtesy to neighbours as this is a smaller community as opposed to larger State Projects (eg: Sydney). Also dedicated monitoring locations were identified in operational documents and reports and have a

dedicated identifier for that address. Additional monitoring locations (as requested at Resident 1 and Resident 2 property’s) did not have any other identifier (ie: location number). It was noted that DPE and EPA have asked on numerous occasions why Council are redacting information, as the Quarry documents are to mirror the records they hold to ensure transparency of the document in its entirety. Acting Compliance Coordinator took on notice and committed to have a look at the AEMR 2022 report and get back in touch with Resident 1.

Resident 1 stated there were neighbours in the vicinity that had concerns regarding Council yet were afraid of making a complaint. Resident 1 referred to a situation in 2008 where they stated Council covered the cost of alleged damages to their home and in more recent years, some other residents homes. Resident 1 produced a photocopy of photo’s of ceiling and walls, stating this was from another residence however there were no details or dates to ascertain when the photo’s were taken or if the residence is in the vicinity of Blakebrook. The comments regarding financial settlement being provided by Council were rebutted by staff in attendance and stated that it is inappropriate for this to occur. The Acting Compliance Coordinator outlined there is a high level of transparency on Council and due diligence needs to be followed regarding any complaint of property damage. This process was followed for the Property Investigation process and the Report found that no damage had been caused by blasting, with the matter being closed out by DPE.

Resident 1 queried the complaints process for Council. Acting Compliance Coordinator replied the Quarry web page lists the phone number for Council if a resident is wanting to provide feedback (positive or negative) on an issue. This was updated earlier in 2023 following Council’s web page upgrade, where Quarry information and documents were repositioned (as suggested from the Extra Ordinary meeting in February 2023) to allow the web page to be more user friendly.

The Chairman spoke generally about the Quarry needing to operate within the community and the services it provides for the LGA as a whole. Also recognising Councils requirements in using various contractors that it can be hard to determine levels of quality and service through the procurement/tender process alone. The Quarry Operations Coordinator agreed with that statement, with Head of Roads and Quarry saying the tender process is being reviewed.

The Chairman summarised his thoughts on the concerns that had been raised (as listed above) and reiterated the scope of the CCC is not a decision-making body but to allow discussion on issues, therefore did not feel the CCC forum was able to resolve anything for Resident 1. The Chairman suggested it might be better to follow up the issues with Council. Resident 1 responded that they believed Council would not continue with an avenue for communication.

The Chairman called the meeting to a close at 5.45pm.

| ACTION | ACTION OUTCOME | BY WHOM & WHEN |
|--|---|-----------------------------------|
| Review AEMR 2022 Complaints Register appendix regarding redacted information | Resident names listed on Complaints Register redacted. Resident 1 contacted by phone and email to discuss and provide updated outcome. AEMR 2022 on Council website updated | Council – 10/12/2023 Completed |