

**MINUTES OF CALGA COMMUNITY CONSULTATIVE
COMMITTEE MEETING**



Meeting Date: Monday, 7 April 2014
Venue: West Gosford RSL, Yallambee Av, West Gosford – Executive Room
Meeting commenced approximately 5.20pm

Apologies: Annette Wilby (Community Representative)
Terri Thompson (Community Representative)

Present: Tony Tuxworth - Chairperson
Margaret Pontifex (Community Representative)
Graeme Ausburn (Community Representative)
Tassin Barnard (Community Representative)
Debbie Chancellor (Community Representative)
David O'Bryan (Community Representative)
Maggie duPille (Substitute Representative for Terri Thompson)
Paul Slough (Rocla Representative)
Pat McCue (Rocla Representative)
Alex Echt (Rocla Representative)
Ian Sutton (Member of the public (uninvited))
Julie Renshaw (Minute taker)

- A discussion regarding the choice of venue for the meeting was held with many committee members opposing to the West Gosford location. Rocla advised that they had received legal advice to hold the meeting at a neutral location due to current court action.
- Ian Sutton (member of the public) was present at the commencement of the meeting. Two (2) other uninvited citizens also entered the room with the intent to observe proceedings. Rocla representatives stated that they were under instruction from their Solicitor and that if the uninvited attendees did not vacate the room, the meeting would not proceed. The Chair requested that these people vacate the meeting to allow for the meeting to proceed. It should be noted that all three (3) uninvited attendees left the room.

Item 1 Discussion - Recording of Minutes

A discussion regarding the method of minute taking was held, with some committee members indicating they supported the recording of the minute. Rocla representatives and Tony Tuxworth (Chairperson) were against recording the minutes. Tony also read an extract from the voting to record the minutes. Tony also read an extract from the 'Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects June 2007' which states:

“Meetings can only be tape-recorded with the agreement of the chairperson and the committee.”

Result: The minute taking will be as previously agreed upon whereby the minute taker will type and verify the minutes with the committee member at the end of each discussion.

Item 2 Minutes of previous meeting held Monday 3 September 2013

Tassin expressed concern over the response time for the minutes to be distributed for the last meeting. She referred to amended minutes produced by herself and Terri which was forwarded to the Chairperson in September and questioned whether these amendments were considered before releasing the final draft and if not, she requested that the previous minutes be changed to reflect the amended comments or her dissent be minuted.

Tony apologised for the delay in the response time owing to leave and business related commitments. Debbie Chancellor put forward that a vote should be taken to whether these items should be included.

Tony then asked Tassin to read the amendments that she and Terri made so that the Committee could decide whether to include in the minutes or not.

Margaret also requested that the minutes be amended regarding plant species which is to be reworded and rephrased.

Motion: That the amended minutes (including amendments proposed by Tassin, Terri and Margaret) be accepted as a true record of the meeting of 2 September 2013.

Moved: Debbie Chancellor

Seconded: Graeme Ausburn.

Motion carried.

In relation to the inaccuracy of the compliance section of the AEMR, Margaret Pontifex who also represents local organisation, Mangrove Community Group, wanted to express her embarrassment of conveying information which she believed was correct and accurate at the time of discussion, only to find out at a later meeting that the information was incorrect which in turn leads to false reassurance throughout the community of Rocla's operation of the quarry.

In relation to the AEMR, Pat McCue reported that Rocla intended to amend the 2012 AEMR in relation to the non compliance matters relating to the quarrying of Cell 3/6, however, Rocla received correspondence from the Department of Planning which requested Rocla to respond to issues raised by the CPR. Rocla was not in a position to respond to some of the issues as there were some technical matters raised where Rocla lacks expertise, therefore Peter Dundon Consultant – Hydrologist & R W Corkery were engaged to prepare correspondence to the Department to address the issues of non compliance. The

Department advised that they were satisfied with the response however they have since asked for a further response to be included in the Audit Report to be prepared by Umwelt regarding the extraction of Cell 3/6. Therefore, Rocla have decided that agreed process of amending the AEMR and sending it to the relevant government departments and other recipients will not occur.

Action: Rocla to follow up

Tassin expressed her concern that other recipients of the AEMR will not have been advised of the non compliance issues and will have to read other correspondence on the web site to be fully aware of these issues to complete or correct sections of the AEMR.

Item 3 Non Compliances

Rocla provided the following information:

- Rocla conducted attended noise monitoring.
- Rocla received 13 noise complaints from Walkabout Park since last meeting.
- Frank Rozmanec has raised some concerns of yield loss from his bore, Rocla engaged a hydrologist to investigate, no impact as a result of the quarry operation, an independent Hydrologist will review Rocla's Hydrologists report.
- Winston White has asked Rocla if his bore can be included in the monthly testing of bores. A yield test has been conducted of this bore and the report will be available on the Rocla website. Rocla will be guided by the results.
- Department of Planning requested, as part of the Independent Environmental Audit, that Rocla use an independent Groundwater and Noise consultant to review Rocla's groundwater and noise monitoring reports. These Consultants are to be nominated by Umwelt who are carrying out the audit and approved by the Director General (Department of Planning). The Independent Audit will be conducted in the next month or so.

Item 4 Current Operation of the Quarry

- Rocla are currently extracting in Stage 3 Cells 3 and 4. Whilst preparing Stage 3 Cell 4 in the south eastern corner, some bonded asbestos was discovered, mostly likely from previous owner. Rocla advised that they engaged a Workcover Qualified Hygienist who developed an Asbestos Management Plan. Some of the asbestos has been removed from the site with the remaining being encapsulated.
- Ongoing development of the main entry road to the new admin & washplant areas.
- New washplant (Site B) was commissioned in December 2013.
- Old washplant (Site A) was removed and stored onstage 3 Cell 6.

Tony asked Tassin whether the noise issues had improved. Tassin advised that they still have some very noisy days. She said she was not sure where the noise was emanating from suggesting that removal of some vegetation may have changed the acoustics.

Tassin enquired as to what activity was occurring on the southern part of the site. Pat advised that water monitoring needed to be carried out and to enable them to carry out the necessary tests they needed access to this area.

Rehabilitation

Rocla advised the following:

- Spray mulched on southern boundary during May
- South-eastern bund was spray mulched and planted in the first quarter of 2014
- Weed spraying has been ongoing around the quarry's perimeter
- Seed banking of natives has commenced.
- Monitoring of south boundary spray mulch growth to determine planting requirements.
- Engaged consultants to conduct Annual Rehabilitation Report, Noxious Weed Report, endangered Species Report and Feral Animal Report during October – November 2013.

Item 5 2013 Annual Environmental Management Reports

Alex Echt advised that the final draft has been prepared and is being reviewed and expected to be finalised in the next week or so.

Item 6 Review of Current Environmental Management Reports

➤ Noise

Paul advised that December noise testing was hampered by Cicardas. The latest noise monitoring was carried out last week.

No other issues have been raised by the dust, groundwater and rehabilitation monitoring reports.

The 2012 Umwelt Audit report identified a number of non-compliances in relation to Conditions of Consent that required Management Plans to be approved by the Department prior to commencement of the quarry. Whilst the Management Plans were submitted to the relevant Agencies they were not formally approved, however, the relevant Government Departments raised no issues in relation to the management plans which effectively were tantamount to an approval.

The Dept of Planning and Infrastructure has given Rocla a response to non compliances relating to approved Management Plans (DA 94-4-2004 existing consent) which indicated that formal approval is not required for the existing management plans but will be required for future Management Plans therefore the non compliance can now be removed.

Item 7 General Business

Discussion took place regarding the role of the committee and the following was agreed:

It was agreed that non compliances/matters of concern should be raised at the meeting and minuted but they may not always be resolved. Matters concerning non compliances should be discussed with the relevant government departments.

It was suggested that where appropriate, the concerns raised in discussion during the meeting be minuted in a 3 part format – community concerns, Rocla response and any necessary actions.

There was also discussion in relation to the conduct of committee members. Tony asked that people refrain from targeting others personally with any type of defamatory comments during the course of the meeting. He said that this type of behaviour was not acceptable or productive to the topic of discussion and asked all members to refrain. It was mentioned that all committee members were there to represent either Rocla or the community as a whole and therefore personal attack of any kind was not appropriate.

Pat advised that he sent Tassin's contact details to John Merrel of Umwelt and has asked him to contact Tassin directly to provide an opportunity for Walkabout Park to raise any concerns during the audit process.

Tassin stated that she thought that it was a great idea that the Auditor gets to speak to neighbours directly.

- Rocla received legal advice advising them not to allow anyone access to the site other than those who work there or have business there. Anyone who wants to visit the site must seek permission from Rocla's Lawyer whilst the appeal process is in place.
- The appointed members of the committee have asked for the chairperson to make representation to Rocla to arrange for an onsite meeting.

Action: Tony to arrange onsite meeting on behalf of the members of the community.

Court Process

Tassin provided an informative briefing on the court process which was well received by the committee.

Meeting concluded 8.00pm

Next Meeting: Monday 8 September 2014 (Venue to be confirmed)