

UNIMIN AUSTRALIA LIMITED LILYDALE OPERATION

Minutes of COMMUNITY CONSULTATIVE COMMITTEE MEETING Wednesday 14 October 2009

Present:	Unimin Australia Limited	Brian Stokes Bob Field Noel Letcher Kate O'Callaghan	Kon Van Kessel Dave Brown John McBride Hayden Vella
	Department of Primary Industries	Ian McLeod	
	Shire of Yarra Ranges	Damian Closs Cr Terry Avery	Kris Hansen
	Neighbours	Jerry Nyhouse (Chair) Phil van der Klift Angela & Levente Peto John Frisina David Sidebottom Brian & Barbara Hall Chris & Caroline Hoare Don Di Giandomenico Mark & Maryanne Rowe Mark & Carol Fuller Darren Cook Alex & Shirley Van Veen Karen Blizzard Lance & Janelle Otto Mark & Natalie Buttenshaw Mato & Dubranka Benovic Cameron Payne J Lonnie Graham Dark David & Debra Sheedy Mark Yon Bryan Fitzgerald	Andrew Koziol Trevor Rattray Len Orme Lisa & Dean Toughill David Johnston Liz Ruscitti David Johnson Brian Mills Leslie Lutze Nancy Low Paul Staines Nick Thorne Janette Lyons Jeff & Viv Coppell Craig Edwards Denise Pritchett M & J Scannell K Beekman Peter & Robyn Rooke Ross Graham Garry Benn Robert & Jenni Quick
Not Present/Copy To:		Sherry Tait Russell Brown (EPA) Denis Hough Ann & Paul Guy Andrew & Nola Bau Danielle Clarkson	Adrian Evans (Swinburne) Andrew Sargeant (EPA) Jane Jones Phil Urquhart Russell Lang

The meeting commenced at 6.10pm.

1. WELCOME, APOLOGIES & MINUTES OF PREVIOUS MEETING

Jerry Nyhouse welcomed all to the meeting and offered some background information about himself. He also explained that after writing to the Council Planning Department, they advised that the quarry issues should be taken up with the Department of Primary Industries (DPI). Thus he became aware of the CCC meetings and that they were a way of interfacing with the quarry regarding such issues as permit conditions, dust, height of stockpile, vegetation and maintenance. Jerry acknowledged that despite vital issues being at stake such as health and property values, there had always been goodwill at the CCC and he hoped that would be the case at this meeting. He then introduced Brian Stokes, Operations Manager.

2. OPERATIONAL ACTIVITIES

B Stokes requested that people please sign in and complete contact details, thus we can provide information later on. He then introduced the Unimin team and guest speakers and then handed over to Kon Van Kessel.

Cutback 2

Kon Van Kessel presented a PowerPoint overview of Cutback 2:

- Average of 991,000 tonnes material moved per year (limestone and overburden).
- In September 2008 there was a failure causing a “slip” whereby limestone toppled. Therefore we had to take a cutback along the Eastern side to mine out the slip and access Limestone. The 27m wide section contains approximately 3 million tonnes of overburden.
- The current overburden dump is at 145m RL.
- The current plan will add approximately 20 metres (in two 10 metre layers) to the overburden dump by 2010, to RL165.
- Once completed there will be less activity on the overburden dump.
- Our permit allows us to go to 180m RL. This was approved by the DPI and relevant authorities.
- The base of the overburden dump will not get any closer than it currently is to homes. It is only the height that will change.
- The mining approval process was described and licences outlined:
 - Extractive Industries Licence (EIL) 209 was granted 26th October 1973
 - Extractive Industries Licence 1447 was granted 1st July 1992
 - Work Authority 199 is combination of old Extractive Industries Licences 209 & 1447.
 - The current Landscape Report prepared by Rayment Associates Pty Ltd was approved in 1988.
 - The current Work Authority was approved in 1999.
 - Yarra Ranges (formally Lillydale) Shire Council recommended that Amendment L100 (to extend the open pit) be approved in 1992. The Minister for Planning approved Amendment L100 in 1993.
- Rehabilitation has been built to follow the Rayment Plan (1990). Future levels will be built to the same standard.
 - All overburden dump benches will be built from outside first to allow early vegetation of slopes.
 - Slopes will be planted with approved grasses, shrubs, and trees.
 - Higher benches will be rehabilitated the same as the lower benches.
 - Dust suppression systems (water cart & sprinklers) will be used to minimise dust
 - First round of rehabilitation to be done next spring.

J Nyhouse then invited visitors to introduce themselves.

Ian McLeod, Department of Primary Industries (Earth Resources Regulation Branch)

- Role includes approval of new quarries and variation to existing sites.
- Inspection and auditing of sites, mainly environmental.
- Setting of rehabilitation bonds for sites.
- Connection between DPI and local Council.
- A Work Authority is required whenever there are extraction operations (dig and remove).
- There is an approved Work Plan which the quarry must follow which includes the overburden dump.
- Part of any approved plan are “must haves” including:
 - Planning permission
 - Public liability insurance
 - Rehabilitation bond
 - Land owner’s consent to mine
 - Approved Work Plan

At this point J Nyhouse reinforces the fact that the quarry has a permit.

Damian Closs and Kris Hansen, Shire of Yarra Ranges (Strategic Planning Dept)

- Approval was sought for an amendment in 1992 (L100) which went through the approval process, taking into consideration the overburden.
- The quarry operates under existing use rights and under the conditions approved in 1993 under Amendment L100 to the Lillydale Planning Scheme.
- Council would be involved if there was a rezoning issue which would require full public exhibition and an amendment process.
- Quarry is working under the conditions approved in 1992.
- Planning permit for housing was approved in 1986.
- Amendment L100 was adopted by Council in 1992, showing the overburden dump at RL180m.
- In February 1993, L100 was approved by the Minister for Planning, showing the overburden dump at RL180m.
- The notification process is generally a publication of notices in local papers and a direct mail out to abutting and neighbouring residents.
- Not sure how notification of L100 was carried out.
- There were a number of complaints from residents received regarding visual impact and health. These objections and submissions were referred to an independent panel for review. After consideration of submissions, the panel recommended to Council that the amendment be approved. Council subsequently adopted the amendment and it was ultimately approved by the Minister for Planning in 1993.
- The amendment to planning scheme (L100) does not expire and the quarry must operate within its limits.

J McBride – The rehabilitation plan does not include pushing the overburden back into the pit.

T Avery - Raised concerns regarding the potential for land slip.

K Van Kessel – This has been independently audited and deemed safe.

Several residents stated they were already noticing slips near where the new trees are planted.

J McBride – We do daily inspections and are not aware of that but if you bring it to our attention we will look at it.

B Stokes – We also have piezometres for underground water level monitoring.

K Van Kessel – The levels will be rehabilitated as quickly as possible.

J Nyhouse – One question that a lot of people have is under what circumstances can the permit be changed?

Shire of Yarra Valley Ranges representative (Kris Hansen) - The quarry has existing user rights which the council does not have the power to change as there is no permit or permit conditions in place to change.

A resident queried what control exactly does the DPI have over this quarry site?

I McLeod – There is an approved work plan which is not simple to change. Regarding control of dust or environmental emissions we suggest you make a complaint to the Work Authority holder (B Stokes or D Brown in this case). The site is expected to comply with the conditions and if they don't, contact the DPI. The EPA sets standards (guidelines) however it is up to the DPI to enforce and control those standards.

Dust is collected in dust gauges around the site boundary (all dust, not specific to a particular particle size). The limit for this dust is $4\text{gm}^{-2}\text{month}^{-1}$ or $2\text{gm}^{-2}\text{month}^{-1}$ above a background reading. Ref: PROTOCOL FOR ENVIRONMENTAL MANAGEMENT, STATE ENVIRONMENT PROTECTION POLICY (AIR QUALITY MANAGEMENT), MINING AND EXTRACTIVE INDUSTRIES, Publication 1191 December 2007. (Per N Letcher).

B Stokes - There was one exceedence from the last period (during the bushfire period).

Ian McLeod – Regarding noise, the DPI asked for reversing beepers on the trucks to be changed to squawker type beepers. Since then no noise complaints have been received.

C Hoare – Take into consideration what your mission statement says.

A Koziol – It took years to fix the noise situation but eventually you did. But you won't do anything about the hill.

Resident asked why we are selling the land near the Pony Club?

J McBride – It is only a feasibility study at the moment which must go through an approval process and there is no time line. If land is looked at being sold it must go through an entire public process.

A resident asked how we can get L100 changed?

Kris Hansen – It was legitimate at the time and remains so in the eyes of the law. We are not aware of any prior precedent that has been set. The power to amend it rests with the Minister of Planning. It would probably require the case to be presented showing that there is now information available to prove that it should be amended.

T Avery – Could council write to the Local MP (C Fyffe) asking her to address it at state level?

Resident – We don't want the quarry closed. Our issues are dust, overburden and water problems.

B Stokes – The benefit of having the CCC meetings is that it gives you chance to bring issues to our attention and allows us to work with you and look at these issues.

J McBride – We advertised to give the overburden away and also contacted developers and offered it to them. Not one person has contacted us and taken us up on this offer. If people are willing to take the overburden we will give it to them.

B Stokes – In regards to dust, we are using water carts with cannons and sprinklers and we also make a judgement regarding the conditions at the time and if bad enough, stop the contractors from working. We have also built up the outer wall of the stockpile to protect residents from the dust caused by the material being dumped in the middle. The long term strategy is to rehabilitate the dump as quickly as possible which will minimise dust. There are 4 main dust gauges which we monitor at the site boundary.

Resident – People residing in Eucalypt Drive cannot get broadband. Does the overburden dump affect this?

B Stokes – We can investigate.

Resident – 2006 EPA audit was atrocious.

B Stokes – A new EPA licence was issued after this audit which has a number of new conditions.

I McLeod – You require an EPA licence if you discharge anything (in Unimin's case water & stack). Everything now comes under one licence.

Resident – Will you take the overburden to the other side of the railway line?

J McBride – I can raise this question with my boss and give you feedback.

Resident – I have called in a few times regarding the vibrations felt at home from blasting

I McLeod – Blasting vibrations can come through the air or the ground. DPI sets limits which must be complied with. Monitoring of blast could be monitored at your house.

B Stokes – Our last blast was the biggest we have done in the last three months. Per the results (refers to presentation) the range was from 0.3 through to 1.8 which is well below the limit of 10.

Resident – Raised the issue of termites and enquired if there is a tree monitoring plan?

B Stokes – We monitor for trees blowing over and falling branches.

Resident – Is a tree monitoring program something you can look at?

B Stokes – If a tree is considered to be unsafe the company would like to know about it so it can ensure that it is safe or made safe.

Resident – Gave a compliment as to how promptly we acted when advised a tree had come down on his water tank.

Resident – Can you retard the growth of the overburden dump?

K Van Kessel – Per the presentation it is going up on a gradient.

P van der Klift – The dust has increased since the last meeting. Whenever the winds are greater than 30 km per hour we get a layer of dust over our property.

B Stokes – Based on your feedback the company will reassess its dust controls (water carts & sprinklers) to be as effective as practical.

Resident – Instead of doing letterbox drops can you send material via post as otherwise it is often treated as junk mail?

B Stokes – Apart from post, the minutes can be emailed out and will also be posted on the website www.uniminccc.org

3. NEXT MEETING DATE

Suggested next meeting date: Wednesday 11th November 2009, 6pm.

Issues to be Addressed:

- Schedule of meeting dates
- Crystalline Silica
- Visual amenity
- Broadband
- Sun shadow

Meeting closed at 8.30pm

SITE CONTACT DETAILS:

Brian Stokes	Operations Manager.....	0407 462 259
Garry Fraser	Operations Superintendent	0417 033 212
Bob Field	Senior QSE Superintendent.....	0419 329 463
Dave Brown	Quarry Superintendent.....	0419 321 239
Atul Sud	Reliability & Maintenance Superintendent.....	0438 388 555
Noel Letcher	Quality & Environment Coordinator	0447 488 352