



**New South Wales Government**  
**Independent Planning Commission**

**TRANSCRIPT OF PROCEEDINGS**

RE: DEEP CREEK QUARRY

**COUNCIL MEETING**

COMMISSION PANEL:           PROF SNOW BARLOW (Panel Chair)  
  JANETT MILLIGAN  
  KEN KANOFSKI

OFFICE OF THE IPC:           PHOEBE JARVIS  
  CALLUM FIRTH

MID COAST COUNCIL  
REPRESENTATIVES:           ADAM MATLAWSKI  
  EMILY NICHOLSON  
  GERARD TUCKERMAN  
  RYAN FENNING  
  PAUL DE SZELL  
  PRUE TUCKER  
  MATHEW BELL

LOCATION:                    VIA ZOOM VIDEO CONFERENCE

DATE:                        11.30AM ON WEDNESDAY, 6 DECEMBER 2023

**TRANSCRIBED AND RECORDED BY APT TRANSCRIPTIONS**

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PROF. SNOW BARLOW: Before I begin, I would like to acknowledge the traditional owners of the land - all the lands we come from today, in my case that's the Taungurung People, the stone dwellers of north-eastern Victoria, and pay my respects to their Elders past, present and emerging. So welcome to the meeting today to discuss the Deep Creek Quarry project that's currently before the Commission as you know. The Applicant, of course, yourselves, Ironstone Developments is seeking to approve a new hard rock quarry through extracting process and transport half a million tonnes per annum of hard rock material over a 30-year period.

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My name is Professor Snow Barlow and I am the Chair of this Planning Commission Panel and I'm joined today by my fellow Commissioners Janett Milligan and Ken Kanofski. I - we're also joined by Phoebe Jarvis and Callum Firth from the Office of the Independent Planning Commission. In the interests of openness and transparency and to ensure the full capture of all the information we talk about today, this meeting is being recorded and a full transcript of this meeting will be posted on the Commission's website.

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The - this meeting is but one of the mechanisms for the Commissioners to gather all the information that they need to determine this project and it's important, therefore, for the Commissioners to be able to ask questions of you and to clarify issues whenever they may arise. However, if we ask questions that you're unable to immediately answer please feel free to take those questions on notice and supply answers offline to us in the fullness of time and all of that will go on the website.

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Finally, I request all members today introduce yourselves in the first instance when you speak so we are able to identify you all and also when we do speak if we can avoid speaking across each other really which makes a mess of the recording and so let's try and speak separately and I'm sure we can achieve that quite easily. So let us now begin and maybe as you're all in the same room we could - you could introduce us to the team around the table and just so we've got a preliminary idea of that.

MR ADAM MATLAWSKI: Thanks, Commissioners. I'll lead off (not transcribable) (11.36.22).

PROF. BARLOW: We're having a bit of difficulty hearing you. Maybe you can get closer to your microphone.

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MR MATLAWSKI: Sorry, I believe my laptop screen may have been shielding. Is that better? Sorry about that. Yeah. So Adam Matlawski, the Manager of Major Assessments and Regulatory Services here at Mid-Coast (not transcribable) (11.36.42).

MR RYAN FENNING: Good afternoon, my name's Ryan Fenning, I'm the Coordinator (not transcribable) (11.36.51) at Mid-Coast Council.

PROF. BARLOW: Yes.

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MR MATHEW BELL: I'm Matt Bell, Council Senior Ecologist.

PROF. BARLOW: O.K.

MS PRUE TUCKER: My name's Prue Tucker, I coordinate the water quality and estuary program.

PROF. BARLOW: Thank you.

MS EMILY NICHOLSON: And Emily Nicholson, Senior Environmental Officer.

10 PROF. BARLOW: Well, thank you. Thank you all for that. And can we - in the agenda which we've both agreed upon can we - our first question really is about the Council's position on the recommendation of the Department and the proposed conditions attached to that recommendation. Would you wish to (not transcribable) (11.37.49).

MR MATLAWSKI: Council in itself (not transcribable) (11.37.55) concerns are around the impact that the proposal would have on loss of (not transcribable) (11.38.03) impact that will have on species that we believe need (not transcribable) (11.38.11) referencing koalas (not transcribable) (11.38.14) species that are known to  
20 be present in that particular area. So we will speak to the concerns around (not transcribable) (11.38.26) probably individual stakeholders (not transcribable) (11.38.28).

PROF. BARLOW: We still appear to have a bit of a problem. I don't know - do Janett and Ken, you're having the same audio problems, are you?

MR MATLAWSKI: Sorry about that.

30 MS JANETT MILLIGAN: Yes, yes, it is a bit hard to hear and I don't think - the transcription won't be possible, I think, with that level of audio.

PROF. BARLOW: No, no, that's (not transcribable) (11.38.52).

MR KANOFSKI: It's breaking up quite badly.

MR MATLAWSKI: O.K. Apologies for that for everyone. I'm not sure that we can change the - the volume - the sensitivity of the device in the room but I am probably (not transcribable) (11.39.04) the actual devices here. Is that any clearer?

40 PROF. BARLOW: There still seems to be a static. Your first words are very clear and then it becomes staticky, is that what the rest of the group is hearing on - which will be hard for transcription. You don't have too many alternatives, do you?

MR MATLAWSKI: The only alternative is (not transcribable) (11.39.36) and have a conversation, that might be easier but that would take us a couple of minutes to do that, is that O.K.?

50 PROF. BARLOW: Yes, I think it would be much preferable because it would enable us to have a full transcript and also even to comment on your statements we're not getting all of them.

MR MATLAWSKI: O.K.

MS MILLIGAN: Would it be worthwhile just coming in again, exiting, coming in again, see if that improves the situation?

MR MATLAWSKI: (not transcribable) (11.40.10) this room and our individual devices will be better. So we might take say four or five minutes (not transcribable) (11.40.24). I'll share the link with everyone by email now if that's O.K.

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PROF. BARLOW: Yes, I think that might be the better way, thank you, and we'll see how we go. O.K. We'll see you soon.

(RECORDING STOPPED AT COMMISSION'S END)

PROF. BARLOW: Look, what we decided to do, as we did that and it was recorded, I won't do my opening statement again so we will move directly to what we were talking about, Council's position and recommendations. So maybe if you could continue through there. Maybe from the beginning because we were struggling right from the beginning hearing not you but what you were talking about became very indistinct. So maybe start from the beginning.

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MR MATLAWSKI: I will, thank you, Commissioner. So Council has, I guess, reviewed the conditions that have been proposed in response to the assessment and the recommendation report that's been published. Our views in relation to the proposal overall remain consistent with the initial feedback we're given through the submission in, I think it was December of 2021, in that, you know, this is a site that we believe is significant in terms of its biodiversity value and we note that the conditions that have been provided talk to significant offsets and - and measures to, in some extent, change the proposal in terms of some elements of the design to remove road locations or look at avoiding certain areas of vegetation. So that's acknowledged.

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We do have a feel that, you know, the site in itself is of such value that we would prefer that less, I guess, disturbance of the site occurred and Matt Bell from our team will speak to that potentially in some detail a little bit later but we do believe that the quarry itself through those particular impacts and certainly, you know, the feedback we've had from the local community around impacts to do with truck movements and dust and other quarry-related local issues are still of a concern and certainly we would - we would hope that the outcome of of this particular process has got enough in place to offset some of those impacts from certainly a local amenity perspective as well.

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So that's, I guess, our summary of where it sits but we respect the process and certainly we'd, you know, encourage that sign-off of some of the - when we look at the conditions the sign-off of plans to do with addressing some of those things is certainly within the Secretariat but we'd be happy to be involved in providing comment on some of those plans, where appropriate, through the process.

PROF. BARLOW: O.K. Thank you. Well, let's move into the detail and if you can ask your team to provide the detail you're going to do that.

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MR MATLAWSKI: Just in the interests of - we've got a couple of people who overlapped with other places they need to be as well so might just open to Matt Bell just to give a bit of summary of his initial thoughts on the proposal and just leave some comments with the panel.

PROF. BARLOW: Yes.

MR MATLAWSKI: Matt.

10 MR BELL: Yeah, thank you, Adam. Thanks, Commissioner Snow. My commentary - my biodiversity review was set out in full in Council's December 2021 memo. In that - in that memo I raised five issues which - which were submitted to the - to the panel. Those five issues related to adequacy of knowledge of - of key species, biodiversity knowledge. Principal to that was knowledge about the habitat that the koala needs for its survival as a local population as well as the Eastern - sorry, the New Holland Mouse on the site. There was, to my mind, inadequate knowledge of the - of the habitat that the New Holland Mouse needed for survival.

20 The second issue was avoidance measures and the - the hierarchy of decision-making required by the Biodiversity Conservation Act being avoid, then mitigate and then offset. I was not satisfied that satisfactory avoidance measures had been - had been identified and - and incorporated within the design of the proposal, particularly in light of recent Land and Environment Court decision-making. Offsetting of residual impacts, I felt it's critical for a project of this nature that biodiversity offsets be provided locally within a strategic ecological context and that is because this development footprint is - is impacting the local population of koala. It's in an area that has been demonstrated as being important for regional wildlife connectivity.

30 The community itself expects that - that offsets should be provided locally and within well-planned strategic context. They've seen offsetting provided for a cluster of quarries at - at North Karuah and seen that in their minds there isn't significant uplift in the conservation lands that have been - that have been set up as offset, that would - that would match the disturbance footprint, the losses at the site of the disturbance footprint. They've seen those offsets then be renegotiated, quarry and different offsets provided locally and so they're pretty dissatisfied that - that a net - a neutral effect or a net gain in biodiversity values is - is occurring within these sorts of proposals.

PROF. BARLOW: Can I just - can I just - - -

40 MR BELL: Of course.

PROF. BARLOW: - - - just on the way through there.

MR BELL: Yep, of course.

PROF. BARLOW: So what you're saying - you know, what we have in the proposal is one, you know, offset area that has been proposed and one potential one and you're saying that perhaps neither of those have - but particularly is - presumably when you talk about uplift you are talking about elevation, are you?

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MR BELL: No, no, no, I'm talking about a biodiversity outcome that satisfies the strategic conservation of a population of koala, of New Holland Mouse and that sort of thing. I think the 271 hectare offset that's proposed in the vicinity of the proposal is - of good, is - is - is certainly a very reasonable and appropriate offset to provide. I felt that there was still uncertainty as to whether that was being delivered. There's certainly uncertainty around the second offset area that was mentioned and the avoided areas of habitat within the quarry, I think, were still - were still - there was - there was no sort of confirmation that those avoided areas would be managed for biodiversity conservation as part of the mix of offsetting measures. So there is this - there was some good ideas, good concept but I was not satisfied that - that they were sufficiently confirmed as to be within the offset mix and that's - - -

PROF. BARLOW: That's good. Yes, that's clarified it well for us. Go ahead.

MR BELL: Sure. And then the last area was the - was the Koala Plan of Management and I think my sentence in the Council's submission that the koala - the koala cannot be conserved on the site or meaningfully unless the habitat that the species needs for its survival is protected and actively managed and there is some uncertainty in that in respect of the information that the - that the Applicant has provided but the KPOM itself would need to clearly demonstrate that there is habitat that is being avoided, there is habitat that is being secured and there is habitat that's going to be conserved and managed in perpetuity that will satisfy the - the needs of the local koala population so I felt that there was some inadequacy of the KPOM.

Those - those criticisms, I suppose, those comments I would - I would suggest are maintained. It is an area of significant biodiversity value. There's, I think, two threatened flora species, 16 threatened fauna species that have been recorded on site, a large number of hollow-bearing trees that are being impacted. So I think there are - there are - in terms of avoidance - in terms of knowledge and in terms of offsetting I think there are - there are real issues at play and whether they can be meaningfully dealt with by way of conditions I'm not - I'm not particularly satisfied unless those conditions are very prescriptive, time-constrained, measurable. So, yeah, I think there are - the biodiversity issues are raised in my submission through the Council, I think, are pertinent and applicable and I can expand on those if - if the panel would like further questioning of my - my commentary.

PROF. BARLOW: I don't believe we have seen those already so can you provide that to the Commission, your submission from Council?

MR BELL: Of course, yeah, I can - I can provide that offline for sure.

PROF. BARLOW: Thank you very much.

MR MATLAWSKI: And if I may, Commissioner, Adam here. We might look to just provide some supplementary commentary around that information just with the conditions as drafted around some of those particular components and it probably picks on Matthew's point there about - Matt's point about the detail in the Commission. So I can see through B44 through 48 in the drafts that were published online that there is some reference to that but I guess it's the detail that we might get some - some elements from - to link Matt's concerns back to those draft conditions.

MR KANOFSKI: Yes. Adam, it would be useful if you - I've got the December '21 submission on the Department's website, it would be useful to kind of bring those two things together of that submission, the extent to which you think the conditions address it and the extent to which you think they don't.

MR MATLAWSKI: Yep, agree.

PROF. BARLOW: Thank you. O.K. Fire ahead, Adam.

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MR MATLAWSKI: With specific reference to, I guess, noise I'll see if - Ryan, did you want to speak to that?

MR FENNING: Yeah, good afternoon, Commissioner. Our environmental health section assessed the noise information that's been submitted in association with this application. Again that was detailed in our original December 2021 submission. There were some further work in that area, some further comments provided back from consultants and then we've also had an opportunity to more recently comment on some of the proposed conditions.

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I guess probably the thing at this point that stands out to us is the nature of the area being quite a - a quiet rural area, it's going to introduce a new source of noise and impacts to the area and we've seen the concerns raised associated with the application from the local residents. I guess most recently in terms of the response to the conditions one of the things that we were looking for was potentially some more requirements, in-depth requirements through the conditions in terms of monitoring networks on the site, be it a combination of attended noise monitoring or real-time noise monitoring.

30 At this stage I can see that a noise management plan was required so probably a lot of the detail that may be called into that we haven't had a lot of the benefit to view at this point. I guess, as Adam requested earlier, if one of those management plans were to be approved at a later date that we'd welcome the opportunity to have a look at any of those drafts and provide comments and feedback on those at that time as well.

PROF. BARLOW: Thank you. Thanks, Ryan. Back to you, Adam.

40 MR MATLAWSKI: Commissioner, we don't have representation from our traffic team in the meeting today so on their behalf I think I just reference in a related conversation to the amenity issues associated with noise. There's the question of movements of, I guess, heavy vehicles and on the road network around dust and road condition impacts. I know that again there are certain conditions proposed to address those kind of things. I also note that there's conditions there referenced in relation to maintenance of Council's infrastructure through the contribution complaint components.

50 Again they're elements that are encouraging but certainly we do have regular representations from segments of the local community there about the impacts of heavy vehicle movement in and around the local - the local road network and certainly the suitability of those particular things and in part that comes down to the individual,

I guess, way those trucks move potentially beyond the direct control of the proponent in terms of just the behaviours of - and speed behaviours of some vehicle operators in that particular component. So certainly they're the elements that we expect if the proposal's proceeding per recommendation that we'll be getting certain questions from the community around the impacts of traffic on that wider - wider component within the locality so that's probably where my thoughts were specifically on those particular components.

10 In terms of social issues and local impacts to the community, not significant commentary from us in relation to those specifically. I think we've - we've largely covered with the speakers we've had to date the major concerns that the Council held in its original submission and unless there was anyone from the Mid-Coast team who wanted to - to add any individual comments. So from a water quality perspective Prue's indicated there's nothing that they'd be looking - that that team are looking to raise. Yeah, so I think in terms of the general components it's really probably for us to come back with some detail around the primary concerns we had around site, around the biodiversity elements and tying some detailed elements around the conditions as drafted to the submissions we've had and the commentary we've provided today.

20 PROF. BARLOW: And you will also note, Adam, that the public hearing on the 13th is open for requests to speak so you'll have an opportunity there. If the Council wishes to make a presentation you could cover some of those issues there and in the submission that follows that oral presentation at the public hearing.

MR MATLAWSKI: Absolutely. And that will be an internal discussion about the role we're playing but certainly we will - if we're of a mind to have that conversation publicly we will. Gerard, just from your - your water team's view is there any - any thoughts or comments you had specifically?

30 MR GERARD TUCKERMAN: Adam, in relation to water quality, no, I think we've covered that adequately. We're - sometime ago Prue and I have had a look at this and, yeah, I think the concerns we have were around sedimentation from the road network, for instance, discharge from the quarry, yeah, I think those issues are generally technical issues, engineering issues and they can be managed so we got to the point where we were satisfied that the disturbance and the impact on, in this case, Deep Creek, could be - could be managed. Prue, I don't know whether you want - if you've got any additional things to add to that?

40 MS TUCKER: No, I'm good, thanks.

MR MATLAWSKI: Probably just in closing generally, I mean, the condition - draft condition suite is really comprehensive and points to overall management and a number of plans that the Applicant needs to prepare in response to, you know, to the things we would normally expect for a development of this scale and potential impacts. So in terms of that overall condition said - certainly we believe all of the relevant considerations have been addressed as would be the case. So no - no further feedback on that other than we would probably like to confirm some of the detail around the 450 plantings that are proposed on Deep Creek and those linked to Matt's comments before so - - -

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PROF. BARLOW: Yes. You were saying you need more detail on those plantings and long Deep Creek?

MR MATLAWSKI: I think about the delivery, I think that was more Matt's point there was that there was some elements there that - and he's had to drop off for another meeting so apologies for that - just in terms of what that looks like in terms of the successful of those and their long term viability for sure.

10 PROF. BARLOW: Yes, yes, yes, yes. O.K. Well, thanks, Janett and Ken, do you have any questions of what we've heard already from the Council?

MS MILLIGAN: Thanks. I'd just like to, Adam, take you back to your comment about traffic and your comment that you get sort of, you know, reasonably regular approaches from the local community and you seem to be saying that in the conditions, yes, there are plans that address these but you're talking about the actual implementation and the monitoring. For example, you talked about the behaviour of drivers, I think you were talking about the way drivers are - the driving people and there's a code of conduct proposed, there are various things proposed but I'm  
20 understanding you to be saying that the detail of that and the monitoring and how you actually get confidence that that will happen is an issue for you, is that what you're saying?

MR MATLAWSKI: It's a much broader issue, yes, and I'm saying that we have conditions of consent and management plans in place but often the issues we have are in responding to those and with other operations of quarries around our LGA we do regularly get calls for an understanding of number of truck movements and commentary around appropriateness of speed on particular roads given their condition and those components and I acknowledge that as - it's well beyond an Applicant or  
30 proponent to control some of those behaviours beyond the site but certainly it's just something to be mindful that these are the - the calls, I guess, on the wider resource pool of MidCoast to be in a place to respond to those and often it's difficult for us to, you know, have resource out there to be looking at how people might be meeting those particular conditions of those consents and those components.

So it was really just a bit of a call to say that we will potentially through this process have a great framework in place but often we get down to individual instances and behaviours in terms of what that looks like in delivery, that it can still create nuisance really is all I'm really trying to suggest. Just put it on the record.

40 MS MILLIGAN: Thank you.

PROF. BARLOW: Do you have any questions?

MR KANOFSKI: Yes, just a couple. Just actually a bit of a follow-on. I mean, in your - in your 2021 document you talk about other quarries breaching the 6.00am to 7.00am timeframe so is that - is that a common problem that you have? Is that - do you have a - (a), do you have a common - is that condition pretty typical of what you're other quarries have got and you've got issues with that being breached and, I  
50 guess, the last part of that then is, and what - what happens when that happens? How do you deal with it?

MR MATLAWSKI: The - that's a standard framework we're applying and we've got a lot of - I mean, the quarries are becoming more of a demand in terms of the infrastructure projects that are out there. There's a lot of call for fill for large infrastructure projects and also delivery of, you know, other developments in and around the LGA. So we are - we have a number of sites where we are really unable to enforce those types of conditions to the extent the community expects.

10 When I say it's a widespread problem, probably not in the volume of requests we get but for the local community and the members that are impacted we do get repeat reports of these things and they feel for themselves and quite validly that it is something that - that impacts the amenity and the way they enjoy their own spaces. So, I guess, where it's an issue it's a significant issue for the local community. Is it - is it a largely populous thing we need to deal to in the balance of all the requests for compliance? No, not necessarily.

MR KANOFSKI: Yes. O.K. And just to traffic for a second. The section of Bucketts Way where that haul road joins is in your Council area, as I understand it, the other section's in Port Stephens Council area, is that - and so did your team look  
20 closely at that performance of that intersection and interaction of trucks turning right onto - because they predominantly turn right when they're laden onto - onto Bucketts Way and how that would interact with the - with the performance of that - of Bucketts Way for other traffic?

MR MATLAWSKI: I would have to say, Commissioner, I'll probably take that one on notice. Without having an expert on the line I probably wouldn't like to provide comment without doing further - further research on that so if it's O.K. to come back with some commentary on that I will.

30 MR KANOFSKI: Yes, just - yes, just - just interested in, you know, did - you know, did they look at the - I mean, clearly the Applicant provided a traffic study which you'd expect but, you know, I'm just interested in what the Council did in terms of that. I'm presuming Transport for New South Wales looked after the bigger intersection so - - -

MR MATLAWSKI: Yeah.

MR KANOFSKI: And that's not in your Council area anyway.

40 MR MATLAWSKI: And the status of the Bucketts Way in itself is going through a bit of a transition as well so that's - - -

MR KANOFSKI: Yes. So just on that, so it's to be transferred to a state road, is that - or it's on that list of - - -

MR MATLAWSKI: I think - I think I best say it's on the list.

MR KANOFSKI: Yes. Yes. O.K.

50 PROF. BARLOW: What's the timeframe for that or you just don't know?

MR MATLAWSKI: I would probably say I'm not aware and I'm happy to come back with specifics if that's public knowledge.

PROF. BARLOW: O.K. Thanks, Adam. So, Janett and Ken, you're happy we move on to what amounts to Council's submissions to the Department which may be pretty much the same thing that we'd be dealing with but is there any other issues in that, Adam, that you would want to bring up?

10 MR MATLAWSKI: I wouldn't think so. Not at this stage. I think we - you know, a fair amount of work went in for the first couple of phases of this so we'd be just looking to come back with a confirmation of that. For mine, nothing else has been raised.

PROF. BARLOW: Yes, yes. Well, thank you for that. And similarly, key issues for consideration. You know, biodiversity which we have had a response, we have had a response on water, traffic and transport. You haven't mentioned amenity aspects. Do you want to say anything more in those amenity aspects? You mentioned amenity a couple of times.

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MR MATLAWSKI: I probably wouldn't add anymore to what's already been raised just around, I guess, noise and, I guess, that - that issue around traffic movement specifically for some of those communities. Yeah, I wouldn't - I wouldn't choose to add any commentary other than what we've already documented.

PROF. BARLOW: O.K. Thanks.

MS MILLIGAN: I'd be interested to hear Council's view if they - if they have one, on the proposal for engaging with the community, the - the community benefits fund, just  
30 the proposal in the social impact assessment and how the proponent's planning to engage community. You may or may not have any comment on that but if you do we're interested to hear it.

MR MATLAWSKI: Other than reviewing the conditions that talk about establishing the panels and, I guess, the mechanism for that nothing specific. More than happy to go away and just have a brief conversation with our - internal stakeholders who aren't represented in the meeting here today and allow them to maybe give a couple of supplementary notes if that's O.K.

40 MS MILLIGAN: That would be great, thanks.

PROF. BARLOW: In that, Adam, you mentioned that within your municipality you do have other qualities, are you aware of how their community consultative committees work and how well they work?

MR MATLAWSKI: Look, I think - and, Gerard, jump in here if you've got any context around where the model of those are working with the mining industry before but certainly I'm not aware of a quarry of this scale that's actually got a mechanism in place similar to the one proposed through this particular set of conditions and this  
50 proposal. I know there was some elements around Stratford Mine and the like that

were in play but I'm not - I'm not sure of the status of where that's at, whether that's continuing or not with the - where that's headed. Gerard, have you got anything on that?

MR TUCKERMAN: Yes, I can add to that. So the Duralie Coalmine which is at Stroud Road area, Wards River area so, yeah, that had - obviously had a community consultative committee. That committee was responsible for being obviously the conduit between the community and the mine around issues of dust, blasting noise, all the operational issues but they also had oversight or a level of involvement into the expenditure of the community contributions fund so that was, - yeah, that as money invested into the Stroud - Stroud Road, Wards River community.

Also they - Council had an environmental or catchment contribution that was paid by the mine so that started off, I think it was something like 120,000 per year indexed for the life of the mine. So that provided for catchment management in the Karuah system which discharges into important oyster farming areas in Port Stephens. So that was a really strong point for that community that they wanted to see some benefit for their catchment from - from the coalmine because there were concerns about under extreme rainfall conditions there could be discharge or there was going to be discharge from - from the holding ponds.

That money was administered by Council, that came to Council as a contribution, that was agreed upfront between the Duralie Coalmine and the Council so the amount was incorporated as a condition. There are - it's something we regularly discuss with Applicants to try and get an agreement to invest locally in that catchment recognising - recognising, you know, there's some sensitivities there about you're coming to town with, you know, a development proposal, a quarry but there's other industries going on here which depend on - on maintaining clean water and actually trying to - you know, the idea of the fund was to try and repair the conditions in the catchment.

So we've certainly raised these issues with, not just this quarry, other quarries but it is a voluntary, being it's not something we can legally impose that they set up a catchment - catchment contributions fund. So that's sort of one example. That was for a coalmine which operated for about 12 years. There is a consultative group for the Karuah, that's a hard rock quarry just north of Karuah near the North Arm Cove area. I've had less involvement or really no involvement of that, only some of my team like Matt Bell, for instance, on the ecological issues of there's koala habitat issues there and offset management issues so Matt was involved in those - those issues as a technical expert but particularly it's generally a councillor who's represented on that group because the sort of issues that are coming up, you know, they're varied and they're community issues. So that's the conduit and then it's sort of spread out to the technical people as required.

So, yeah, I guess it comes down to the scale of the - of the operation, scale of the impact geographically. I think in this case you've already got issues of truck noise concerns, dust, blasting, habitat loss, what's the quality of their rehab going to be like. Like the community tend to want to know about those things so it's a good way to report back to the community.

PROF. BARLOW: Gerard and Adam, we're spilling a little bit over into the final thing on the - final agenda item of, you know, Applicant contributions but we noted in the base conditions that the Applicant contributions were almost exclusively for road, is that through road maintenance?

MR MATLAWSKI: Yeah. That's the applicable contributions plan we have in place through the 7-11 framework at the moment, yes.

10 PROF. BARLOW: So any broader contributions would be on top of that, is that correct?

MR MATLAWSKI: Any - any broader contributions, I think Gerard referenced it, so when you look at the community development fund that's proposed, the 50,000 capped per annum and the minimum 10,000 for initial set-up, yeah, it would be - I guess the framework that's built into the community impact statement through the conditions that you'd be potentially applying. So we don't have any other contribution plans that talk about other infrastructure delivery or wider elements that apply for this development site.

20 PROF. BARLOW: O.K. Yes. No, I was just wanting to clarify that because, you know, in terms of the catchment management, et cetera, et cetera. So at this stage it's a sum of 50, \$60,000 for community development and then the remainder of that sum would go to road maintenance, that's probably a good summary, is it?

MR MATLAWSKI: Yes, we have a haulage rate that applies for developments that quarries need to keep logs in and make contributions on a per kilometre basis.

PROF. CLARK: Yes. O.K.

30 MS MILLIGAN: Can I ask one last question?

PROF. BARLOW: Of course, Janett.

MS MILLIGAN: On this consultative committee. I mean, given that Council does have, you know, quite broad experience of these committees in various places, on various projects over time do you have any - you know, do you have an approach to how they should work or do you have, you know, minimum requirements or - because it seems to me that each Applicant's coming to this fresh usually, whereas Council's seeing this over and over again and so I'm just wondering is there anymore assertive or helpful role Council could take in describing to Applicants how these work well?

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MR MATLAWSKI: Interesting point. I'll use the term lessons learnt or at least experience from - from those other examples that we might be able to put forward as either a framework or a structure or points of charter maybe for that group to work through. So between Gerard and myself we might go and bring some - something back to you if that's O.K.

MS MILLIGAN: O.K. We'd be interested in that.

PROF. BARLOW: Yes. So to build in Janett's question, Adam, I suppose it's the transparency of some of those consultancies. What - how available are - is the minutes of the meetings when those consultative committees meet so that members of the community can monitor what the discussions between the consultative and the - well, consultative committee which includes the proponent, so what's happening on those committees. Often it seems to be the case there is minutes if you look hard enough for them but they're not immediately obvious though when you look through the Council meetings. So that's just a question that we have encountered over the time of how available to the broader community are the discussions that are going on in the  
10 community consultative committee.

MR MATLAWSKI: Historically - - -

MR FENNING: Adam - - -

MR MATLAWSKI: Sorry.

MR FENNING: Sorry. I was just going to comment, I'm actually on the Stratford and the Duralie community consultative committee meetings for the mines in our area.  
20 So all of those - all the information there in terms of monitoring, meeting minutes and things like that are put onto the mine's website and at each meeting the company provides us an overview where they go through and present any of their monitoring data in terms of material one, air quality monitoring results, noise monitoring results.

It's made up of members of the community, a Council representative, councillor and also following each meeting a media release is done as well which was previously circulated through local newspapers and the like in the area but, yeah, I would say the - the committees that I've been on recently, that information - you know where to look on their websites, it is quite readily available and it was also that aspect of trying to  
30 promote it as well through releases as well to try and, I guess, encourage people who are interested to go and have a look at some of the available reports and documents and the like and as I said, yeah, generally the clients have been very proactive in uploading those onto their websites for anybody to view.

MS MILLIGAN: So it sounds as though that's sort of, you know, the seeds of a good practice guide that maybe Council could offer to some of these Applicants.

MR MATLAWSKI: Yeah, absolutely. Thanks - and thanks for commentary, Ryan, that's - that's good firsthand experience in relation to that so and we do - there are  
40 updates I know through the Council reporting system about some of those things, through the monthly reporting cycle of council so again we can - we can turn our mind to that, that's - that's great.

PROF. BARLOW: And we sort of have - had covered the section 7-11 Council contributions. We take it that the company - the proponent has agreed to pay, you know, your road maintenance fee according to what your requirements are, is that correct, Adam?

MR MATLAWSKI: There's conditions that require them to meet the contribution  
50 plans in the draft so, yes.

PROF. BARLOW: Yes. O.K. So, Ken, do you have any further questions for the Council?

MR KANOFSKI: (NO AUDIBLE REPLY)

PROF. BARLOW: O.K. And Janett?

10 MS MILLIGAN: Nothing - nothing more from me, thank you.

PROF. BARLOW: O.K. Phoebe, have - is there anything else more we have to cover?

MS PHOEBE JARVIS: Nothing from my end, thanks, Snow.

20 PROF. BARLOW: O.K. Thank you. And so thank you, Adam, and your team in the Council for that very open information sort of gathering meeting that we've had which we're in that process now, of course, as we begin to get - come to grips with this project prior to determining it. So thank you all for your time today and we wish you all the best for the rest of the day.

MR MATLAWSKI: Thank you, Commissioners, on behalf of us and thanks for accommodating our technical challenges at the beginning, we - we'll ensure that room gets a bit of a rework. Thanks for that. Cheers. Appreciate your time.

PROF. BARLOW: Thank you. Thank you very much.

MEETING CONCLUDED