

Compliance Issues

Objection to Champions Quarry Modification 4 – Truck number increase

I object to proposed modification to double the daily truck movements at the quarry site to 200 per day. This is an unreasonable impost on other road users, families of neighbouring properties, families residing on the quarry routes, road damage, noise and dust from intensified doubling of permitted truck movements to 200 trucks per day.

I question the compliance of the operation and feel future compliance of doubled truck numbers will not be upheld if granted and the community will suffer.

The quarry is operating a very small operation and has not demonstrated their ability to safely and appropriately manage the current permitted 50 laden trucks per day. If you check their daily laden truck numbers you will find they are operating at well below the permitted daily 50 trucks and have no proven track record as yet.

Will the Dept of Planning & Environment please check into compliance history of the quarry?

Penalties from DPE listed below.

Has Champions quarry paid the \$3,000 and \$15,000 penalties to the Dept. ?

Has Champions quarry paid any road maintenance contributions to Lismore City Council following their official caution for failing to do so. ?

From DPE January 2018 compliance report Penalty notice issued to Champions Quarry 2 Pty Ltd (Champions Quarry, PA 09_0080, Lismore LGA) *On 25 January 2018, the Department issued a \$3000 Penalty Notice to Champions Quarry 2 Pty Ltd (Champions) for providing false and misleading information as part of the Modification 3 assessment. Champions provided the Department with a misleading remittance advice indicating they had paid the assessment fee, when at that time the payment had not been transferred to the Department. The assessment fee has subsequently been paid in full.*

From DPE June 2017 compliance report Penalty Notice issued to Champions Quarry 2 Pty Ltd (Champions Quarry, Lismore, PA09_0080) *On 19 June 2017, the Department issued a \$15,000 Penalty Notice to Champions Quarry 2 Pty Ltd for failing to undertake noise monitoring of the quarry, its plant and equipment in accordance with the approved Noise Management Plan. This non-compliance was identified following a review of the quarry's 2016 Annual Review (a report required by their approval). Champions Quarry 2 Pty Ltd cooperated with the Departments investigation, expressed remorse and has committed to reviewing its noise monitoring procedures to ensure appropriate implementation*

From DPE June 2016 Compliance Report Official Caution - Champions Quarry was served an Official Caution for failing to pay road maintenance contributions required by the conditions of approval. The quarry cooperated with the compliance investigation and has paid the contribution.

Landscape Management Plan – Champions Quarry– Version 3.1 (March 2017)

LMP 3.2.6 as below states Champions quarry is required to calculate and lodge a Conservation and Rehabilitation bond within 6 months of approval of the LMP – was this paid by September 2017 ?

3.2.6 CONDITION 46 OF SCHEDULE 3 OF THE PROJECT APPROVAL (CONSERVATION AND REHABILITATION BOND) Condition 46 of Schedule 3 of the Project Approval states: "Within 6 months of the approval of the Landscape Management Plan, the Proponent must lodge a Conservation and Rehabilitation Bond with the Department to ensure that the Biodiversity Offset Strategy and the rehabilitation of the site is implemented in accordance with the performance and completion criteria set out in the Landscape Management Plan

LMP 3.2.7 as below states Champions quarry is required to review and revise (and I assume report to the Secretary) the sum of the Conservation and Rehabilitation Bond after completion of each Independent Environmental Audit. Has the Dept received reviews and revision of each Independent Environmental Audit within 3 months as required ?

3.2.7 CONDITION 47 OF SCHEDULE 3 OF THE PROJECT APPROVAL Condition 47 of Schedule 3 of the Project Approval states: "Within 3 months of the completion of each Independent Environmental Audit (see condition 8 of schedule 5), the Proponent must review, and if necessary revise, the sum of the Conservation and Rehabilitation Bond to the satisfaction of the Secretary. This review must consider the: (a) effects of inflation; (b) likely cost of implementing the Biodiversity Offset Strategy and rehabilitating the site (taking into account the likely surface disturbance over the next 3 years of the project); and (c) performance of the implementation of the Biodiversity Offset Strategy and rehabilitation of the site to date."

From Community Consultative Committee Minutes (Draft) 14/9/2017

Vote on the number of meetings of CCC to be held annually

The Chairperson advised the vote was to be determined by majority not unanimous. Jeff Champion proposed one CCC meeting per year and right to call additional meeting if so required.

Moved by unanimous vote (Matt Kelly and Andrew Gordon) to hold 1 CCC meeting per annum with a right to call a special meeting if there is a change in operations.

Next Meeting Matt Kelly put forward to have inspection at Quarry as part of next CCC Meeting.

Next meeting proposed to be around March 2018 at Champions Quarry."

At this date in July, 2018 it appears the CCC meeting proposed for March 2018 was not held.

Schedule 5 Condition 6 Community Consultative Committee states local community member be part of the Committee. It would appear the quarry is not meeting this requirement as there is no local community member on the committee. A local non-biased CCC member is imperative to enable community members be able to approach the CCC without fear and intimidation.

The 2018 Annual Review is not visible on the quarry website. It appears that these conditions of consent have not been met.

Schedule 5 , Condition 4. Requires the Annual Review by the end of March each year. The 2018 Annual Review is not available on Champions Quarry website at this date in July, 2018.

Did the Dept received the 2018 Annual Review by the end of March 2018 ?

Schedule 5 Condition 11(a) states that information (including Annual Reviews) be made publically available on the quarry website.

Schedule 5 Condition 11 (b) “keep this information up to date.”

***Independent Environmental Audit 2014/15 – latest one available on CQ website.**

When will a more recent one be available ?