



# MADDINGLEY

BROWN COAL

Landfill & Resource Recovery Operations

## MBCCC Meeting 24 Agenda

**Title: Maddingley Brown Coal Community Consultative Committee**

<b>Date /time</b>	4.30pm to 5.10pm, 15 December 2020	
<b>Location</b>	Online or in-person: <ul style="list-style-type: none"> <li>• Boardroom, 11 Tilley's Rd, Maddingley</li> <li>• Teams invitation</li> </ul>	
<b>Attendees</b>	Allan Comrie, Chair Rick Dickson, Neighbour Keith Jackson, GCWWRRG Tim Faragher, EPA Anne Marie McCarthy, EPA Lyndon Watson, Don Watson Transport	Dylan Nichols, Calleja Group Ben Calleja, MBC Jay Connor, MBC David Maltby, MBC Tim Tillig, MBC/WST Alice O'Mara, WST Community Liaison Paula Lawrence, Facilitator
<b>Apologies</b>	David Marnie Nicholas DeLeur, CFA	
<b>Attending via Teams</b>	TBC	

<b>1.</b>	<b>Welcome</b>	<b>AC</b>
	- Minutes from last meeting approved Keith Jackson, seconded Tim Tillig	
<b>2.</b>	<b>Presentation from EPA</b>	<b>TF, AM, TT</b>
	- Representatives from the EPA attended the meeting to provide context to members surrounding the recent quashing of the TBM EMP [Tunnel-Boring Machine environmental management plan] for all sites tendering to receive spoil from the West Gate Tunnel Project. - Being mindful of legal proceedings, the EPA revoked its approval of the TBM EMP's due to a technical legal error. The EMP approvals were conditionally granted which, in retrospect, was not a lawful approval. WST and other proposed sites will be required to resubmit their EMP with the requirements of these conditions fulfilled.	

	<p>Context from Tim Tillig, MBC:</p> <ul style="list-style-type: none"> <li>- An application was submitted under the TBM regulations in September 2020 by MBC and two other proponents. These were approved by the EPA, later challenged by Bacchus Marsh Grammar and the Moorabool Environment Group.</li> <li>- MBC are revising the EMP to resubmit, taking the approval conditions, and incorporating, where possible, that material into a revised EMP.</li> <li>- This doesn't really change what MBC currently have approval for, or what we might end up having approval for. It's an administrative error, tying back to the TBM regulations and what the EMP requires.</li> <li>- WST immediately commenced revision of the EMP to reflect the required changes. There will be a small delay due to the revision, which will push over into the new year.</li> </ul> <p>EPA Comments:</p> <ul style="list-style-type: none"> <li>- It is important to note that the original TBM EMP was rigorously reviewed and approved after a thorough assessment by experts across the organisation and we were satisfied that the design and subject to conditions, was protective of human health and the environment. This has not changed. This is the first time the regulations have been utilised. The EPA has been cautious of how they were assessed and having a new application to address the administrative errors.</li> </ul>	
<b>3.</b>	<b>EPA update for MBC</b>	<b>TF, AM</b>
	<ul style="list-style-type: none"> <li>- Three complaints received since September regarding dust and one regarding wet waste leaking from a vehicle.</li> <li>- These have been resolved and are no longer under investigation</li> <li>- EPA have visited site over the last few weeks</li> </ul> <p>MBC response:</p> <ul style="list-style-type: none"> <li>- We have investigated these reports and we have another third party that does all our observation for amenity related monitoring. We have had no record or indication that that activities resulted in any offsite dust impacts</li> </ul>	
<b>4.</b>	<b>Western Soil Treatment (WST) Update</b>	<b>DN</b>
	<ul style="list-style-type: none"> <li>- We have received PSA which provided us with the necessary approvals to commence construction of the facility</li> </ul>	

	<ul style="list-style-type: none"> <li>- It has been broken down into two stages</li> <li>- There are a number of conditions in the PSA that relate to stage two of the project, for example stage two traffic management plan, additional work required for visual impact assessments, rehabilitation plans and flora and fauna. All this work is being commissioned by MBC.</li> <li>- We need to have the stage two application for the PSA submitted to the Minister prior to operation of the facility..</li> <li>- As far as the approval for stage one. This does while it does allow us to commence construction, we are still working with the JV on the tender process. There are some preliminary works that we are looking at completing, however we've delayed those works.</li> <li>- While we resolve some of the communication related milestones that we feel was important to get out to stakeholders around what we can and cannot do in the context of our existing approval. Certainly from a planning perspective. We do have the green light to commence construction of a facility however there are commercial items still need to be resolved.</li> <li>- There are also some monitoring requirements that were that we are working on ensuring that we will have those in place before we do commence construction and that includes amenity related conditions for noise, and dust. There are additional groundwater wells that need to be installed.</li> <li>- You may have seen some additional activity that has occurred on roads that relate to my VMS boards. The PSA has a requirement for us to complete a pre-construction Traffic Management Plan, which includes a number of mitigation measures relating to lighting and changes of speed along Geelong-Bacchus Marsh Road. We have have implemented those in accordance with the approved traffic management plan that was approved by the Department of Transport. They are effectively mitigation measures that were deemed necessary before we commence. Any haulage of construction related materials that, not so much the floating of plant, but that rather the crushed rock, and liner material that we use in construction of the facility so more product based truck movements. So those words have been completed.</li> <li>- We are looking to meet with Moorabool Shire Council in the coming weeks, after request a meeting with them some</li> </ul>	
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	<p>weeks ago, to discuss multiple items of which one of them was traffic related.</p> <ul style="list-style-type: none"> <li>- There's also some additional work that's been done on the assessment of the bridges on Woolpack Road, and we're still awaiting those reports, to determine whether they are structurally fit for purpose for this project as far as the truck movements that are proposed to occur during the course of the project</li> <li>- Q: Given that Council has very publically been not very pro the WST project, are you finding that you are coming across stumbling blocks at the council end?</li> <li>- A: It is a challenge. The attempts that we have made to engage with counsel, have been met with some hurdles. However, we feel out of the planning scheme amendment has been issued, that, that there is opportunity for both parties to come together and, and have constructive conversations about ensuring that that this project has minimal impact possible on the community. Although the Planning Scheme Amendment did bypass Moorabool Shire Council, it is important to note that they were provided oversight with about 20 technical documents that supported that application, and MSC were given an opportunity to comment on the technical reports and those comments were then integrated into the PSA that was approved. So, although it was a process that didn't really bypass Moorabool Shire as the direct planning authority for a number of reasons. Moorabool Shire Council still had that opportunity to ensure that their view was not just heard but also incorporated into, the formal approval document, and Moorabool Shire Council will be the responsible authority for ensuring that the WST facility does comply with the PSA</li> </ul>	
5.	<b>Engagement update</b>	<b>MBC</b>
	<ul style="list-style-type: none"> <li>- We have committed to the stakeholder communication requirements of the next stage of the project, focusing on proactive engagement with the community and making sure that notices of works on site are provided within an agreed timeframe</li> </ul>	
6.	<b>Questions</b>	
	<ul style="list-style-type: none"> <li>- Q: What is Bacchus Marsh Grammar's involvement in the community group?</li> </ul>	

	<ul style="list-style-type: none"> <li>- A: They are involved in the current legal action with the Moorabool Environment Group. We are unsure about any further involvement.</li> <li>- Q: As someone who has been in the area for over 30 years, I recall when Bacchus Marsh Grammar chose to complete a land swap with MBC in the early 90s for the site of their current school. They have then proceeded to build a car park and sporting grounds on the overburden. It would be interesting to see the test results from the soil on that site given the Grammar's current position on MBC and the WST project.</li> <li>- A: MBC will not be completing any testing of the BMG site. We are aware of the history of the BMG site and its prior land use.</li> </ul>	
<b>7.</b>	<b>General business</b>	<b>AO, PL</b>
	- NIL	