



Regional Quarries & Concrete Pty Ltd
trading as Cleary Bros

ABN: 95 682 599 882

Supplementary Response to Submissions

for the

Gerroa Sand Quarry Modification 2 Application

March 2026



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Prepared by:

Regional Quarries & Concrete Pty Ltd
trading as Cleary Bros

ABN: 95 682 599 882

Telephone: (02) 4275 1000

Email: info@clearybros.com.au

81 East West Link
CROOM NSW 2527

PO Box 145
OAK FLATS NSW 2529

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1. Introduction

1.1. Background

Regional Quarries & Concrete Pty Ltd trading as Cleary Bros (Cleary Bros) operate the Gerroa Sand Quarry, approximately 2km southwest of Gerroa, NSW, which allows the transport of up to 80,000t of product from the site annually. Cleary Bros are proposing to modify Project Approval MP05_0099 to increase the annual product transport limit at the Quarry by 50% to 120,000tpa (Mod 2).

A Modification Report was lodged on 3 October 2025 and placed on exhibition from 16 October 2025 to 6 November 2025. A Submissions Report was prepared in response to the submissions received from the public, community organisations and government agencies, and lodged on 19 January 2026.

Additional comments have been received in response to the Submissions Report from four government agencies. The Supplementary Submissions Report has been prepared to respond to these additional comments received from government agencies in response to the Submissions Report. All agency responses received have been categorised and responded to in Section 3.

Further assessment and clarification of matters raised in the submissions is included in Section 2.

1.2. Further Consultation

Since the lodgement of the Submissions Report, Cleary Bros has held a meeting of the Community Consultative Committee on 12 February 2026. The Mod 2 application was included as an agenda item, and Cleary Bros included the following update in the business papers ahead of the meeting.

Cleary Bros have submitted a modification application to increase the transportation limit of the site from 80,000t to 120,000t per year, representing a 50% increase in the maximum transportation rate. No other changes to site operations are proposed, with no changes to the footprint or current conservation strategies.

The application was placed on public exhibition for 3 weeks in October/November 2025, with a range of submissions received from government agencies, local councils, interest groups, and individuals.

Cleary Bros considered all submissions received, and lodged a Submissions Report to the Department of Planning, Housing and Infrastructure (DPHI) in January 2026.



At the time of preparing this report, Cleary Bros are waiting on feedback from the DPHI on the Submissions Report.

During the meeting, which was attended by one community representative and a representative of the Gerroa Environmental Protection Society, a Cleary Bros representative provided a further update on the progress of the application as follows:

Feedback on the Submissions Report has been received by Kiama Municipal Council and the NSW DCCEEW-Water Division, and yet to be received from Shoalhaven City Council and National Parks and Wildlife Service. Once all further feedback has been received, Cleary Bros will respond to any matters raised.



2. Supplementary Assessment

2.1. Heavy Vehicle Volumes

Kiama Municipal Council in their letter dated 4 February 2026 suggested that 28 laden trucks per day would be required to transport 120,000tpa of product from the site. This was based on an extrapolation from the Masson Wilson Twiney report (MWT, 2001), which outlined that 14 truck loads per day were used to transport 59,559 tonnes from the site in FY99. The Traffic Impact Statement (Cardno, 2018) scaled these 14 laden trucks per day to the 80,000tpa limit to calculate their figure of 19 laden trucks per day. If this volume were directly scaled up to the proposed 120,000 tpa transport rate as calculated by Kiama Municipal Council, this would equate to 28 laden trucks per day.

However, efficiencies gained across the road freight network since 2001 have increased the use of larger capacity truck configurations for haulage of bulk materials since this time. The MWT report calculated that the average load size of trucks leaving the Project site in FY99 was 17.7t. A review of transport records from the previous 12 months for the Project site (1/2/2025 – 31/1/2026) show an average load size of 33.8t. Based on the current average load size of trucks leaving the Project, this would equate to an average of 14.9 laden truck movements per day to transport 120,000tpa from the Project. This is less than the number of truck movements assessed in the 2001 and 2018 studies, which assessed the impact of an average 19 laden truck movements daily on the local road network.

The Traffic Impact Statement (Cardno, 2018), forecasted total heavy vehicle volumes on Fern St, Gerringong to be 514 movements/day by 2034. Based on the modelled truck movements from the site of 19 loads (38 movements) per day, the proportion of heavy vehicle movements related to the Project would be 7.4%, which is minor in the overall context of the use of the road. Given that average daily movements are likely to be less than 19 loads/day in the proposed scenario where 120,000tpa are transported from the Project at recent load sizes, Project contributions to local traffic would not be greater than that previously assessed.

Since the most recent Project Approval in 2008, various improvements have been made to the transport routes to the benefit of road users and pedestrians including:

- Upgrade to the intersection of Beach Road and Crooked River Road.
- Widening of the shoulder along Crooked River Road.
- Extension of the (now) 50km/h zone along Crooked River Road to the south.
- Reduction of the speed limit through the Gerroa and Gerringong residential areas.



- Construction of 2 median islands and 2 splitter islands on Fern and Belinda streets in Gerringong to improve pedestrian safety when crossing these roads.
- Upgrade of the intersection with the Princes Highway to a grade separated interchange.

With the number of heavy vehicle movements proposed under Modification 2 no greater than that previously assessed for the Project, there is no impetus for a road safety audit of the existing haulage routes.

2.2. Road Pavement Impacts

The *Guide to Pavement Technology Part 2: Pavement Structural Design* (Austroads, 2025) states that the damage caused to a road pavement by the passage of a heavy vehicle depends not only on its gross weight but also on how this weight is distributed to the pavement. In particular, it depends on:

- the number of axles on the vehicle
- the manner in which these axles are grouped together – into axle groups
- the loading applied to the pavement through each of these axle groups – the axle group load.

Light vehicles contribute very little to structural deterioration of road pavements, and as such only heavy vehicles are considered in pavement design and life. Design traffic loading is commonly described in terms of the number of Equivalent Standard Axles (ESA). This measure is used to standardise the various heavy vehicle configurations and allow comparisons between truck types, in terms of their respective impact on road pavements.

The following table provides the ESA and typical tonnages of the range of vehicles historically used to transport quarry materials from the Project.

Vehicle Type	Payload (t)	ESA	ESA/tonne
6-wheeler (Rigid)	12	3.6	0.30
Truck & Tri-axle dog	32	7.1	0.22
Truck & Quad-axle dog (PBS)	38	9.1	0.24
Tri-axle semi-trailer	26	4.9	0.19
8-wheeler (Rigid)	15	3.5	0.24
Small truck	8	3.0	0.38
Utes/trailers	1	0.0	0.00

The table above shows the impact on road pavements from larger tri- and quad-axle dogs is greater than for smaller rigid trucks per vehicle movement. These larger heavy vehicle configurations have an overall impact per tonne of material moved generally less than smaller capacity trucks.



When considering the numbers of each vehicle type modelled in the MWT Report for the FY99 period, the volume-weighted average impact is 0.23 ESA/tonne. With the current use of predominantly tri- and quad-axle dogs, the volume-weighted average impact of recent transportation from the Project is approximately 0.22 ESA/tonne. This suggests the use of a greater proportion of larger vehicle configurations will not increase the impact on road pavements for an equivalent tonnage of material transported.

The proposed increase in transportation of quarry materials from the site will reduce the life of the road pavement, however this is provided for in the per tonne contribution to the local road authorities under Schedule 2 Condition 9 of the Development Consent.

2.3. Section S94 (now 7.12) Contributions

Schedule 2 Condition 9 of the Development Consent applies a per tonnage rate for material transported from the site to both Kiama Municipal Council and Shoalhaven City Council. An increase in the transport of material from the site will proportionally increase contributions to both councils.

All future payments will be calculated using the rates included in Schedule 2 Condition 9 of the Development Consent and indexed in line with the indexation provisions in Section 14 of the 2024 revision of the Section 7.12 Contributions Plan of Kiama Municipal Council and Section 5 of the Contributions Plan for Shoalhaven City Council. It is noted that previous payments were indexed using the *All Groups CPI; Australia* index rather than the *Sydney* index, however there is minimal difference between these indexes.

Neither Council's contributions plans consider arrangements for the calculation or payment of recurring and variable contributions such as that generated from this project. These contributions have traditionally been calculated for each calendar year based on material transported in the year adjusted for indexation, and then paid in the first half of the following year. Neither Council have previously raised concerns around the timing of payments, and as such it is proposed to continue this approach.

The current contributions for the Project when indexed to the December 2026 Sydney CPI equate to \$0.77/t of material transported, or \$0.090/t per km when travelling north up to the entrance to the Princes Highway (\$0.096/t per km when travelling south). A review of contributions plans of other councils where a per km rate of road transport is specified was undertaken to ascertain the adequacy of the current contributions rate. The Goulburn Mulwaree Council Contributions Plan requires a contribution of \$0.063/t/km (indexed to Dec 2026) for heavy vehicle haulage associated with quarries in its LGA.

Various councils refer to Land & Environment Court judgement *Collin C Donges & Associates Pty Ltd v BHSC* in 1989 which calculated an effective rate for road



contributions of \$0.0277/tonne for a sand quarry in the Hill Shire based on costs associated with road damage and upgrades related to transportation from the sand quarry. When indexed to December 2025, this equates to a contribution of \$0.076/t/km. These comparable rates are lower than the current rate of contributions for the Project and suggests that the current rate is fair and provides a reasonable contribution to Council to reflect the impacts on the road pavement associated with transportation of sand products from the site.

2.4. Traffic Noise Impacts

The Environmental Noise Impact Assessment (Renzo Tonin & Associates, 2005) included a traffic noise assessment. The traffic noise assessment assessed the impact of the development against the NSW Environmental Criteria for Road Traffic Noise (ECRTN) policy, which has since been replaced by the NSW Road Noise Policy (2011; RNP). A review of the RNP against the ECTRN policy shows:

- No changes to the road traffic noise assessment criteria, as related to existing sub-arterial and local roads.
- The noise model used to predict road noise emissions is included in the RNP as a suitable model for use under the RNP.

The key inputs to the traffic noise assessment included:

- An allowance for 8 truck movements/hour along the northern route and 6 truck movements/hour along the southern route. For the northern route, this equates to 4 truck loads/hour, representing a rate approximately double the total average load rate (of 2.1 loads/hour based on 19 loads/day over 9 hours), and as such reflects a peak in truck movements.
- Maximum truck speed of 60 km/hr through residential areas. The posted speed limit has since been reduced to 50km/hr through all residential areas of Gerroa and Gerringong, or 40km/hr in close proximity to the intersection of Belinda and Fern St, Gerringong.
- Traffic volumes of between 448-633 vehicles/hour along the northern transport route. This is likely to be slightly above the current traffic volumes due to the upgrade of the Princes Highway since this assessment. However this would only influence the background noise levels, and not the noise generated by the Project.

The modification does not alter the total number of heavy vehicle movements from that originally assessed. Traffic noise impacts under the RNP are primarily driven by the volume and frequency of vehicles rather than truck size. As vehicle movement numbers would remain unchanged from those previously assessed, no increase in noise



associated with heavy vehicle transport from the Project is expected from that previously assessed.



3. Response to submissions

Agency	Agency comment	Cleary Bros Response
<p>Kiama Municipal Council</p>	<p>Council staff maintain that the modification report has not adequately addressed the impacts of transport routes and heavy vehicles, where changes conflict detail provided in the traffic impact statement by Cardno in 2018 through Mod 1 and previous studies that formed the basis of prior approvals.</p> <p>Council requests DPHI ensures the requested assessments including information requested under item 3 above (Council reference 25/373OC) are provided to support the application prior to making a determination.</p> <p>It is also maintained that a modification will be required for Condition (9) in relation to contributions for the maintenance/repair of public roads. Council requests that the updated details of the traffic impact assessment inform DPHI to provide clear conditions as to how the contributions are calculated, indexation method, timing of payment; including review of cost/tonne of material haul and fair distribution to the Local Government Road Authorities.</p>	<p>Additional information provided in Section 2 to clarify matters raised by Council, including:</p> <ul style="list-style-type: none"> • Predicted heavy vehicle volumes associated with the Modification 2 proposal, including matters related to the safety of other road users and pedestrians. • Predicted impacts to road pavements associated with the expected heavy vehicle movements. • A review of the arrangements and suitability of the current contributions rates, including a comparison with contributions in other council areas. • A review of the previous traffic noise assessment against the updated Road Noise Policy, including a review of the assumptions of the previous assessment. <p>The additional information demonstrates that the Modification 2 application would not generate environmental or social impacts associated with the transportation of quarry materials from the Project that is significantly different to that previously assessed.</p>
<p>DCCEEW-Water</p>	<p>The proponent has estimated maximum take of 162.5ML/year. The proponent currently holds 106 shares and must obtain an additional 56.5ML/year. While the proponent has noted they have registered for the 2025 Controlled Allocation process, it is understood that the outcomes of this have not yet been determined.</p>	<p>Cleary Bros notes the 2025 Controlled Allocation Order – Registration of Interest timeline on the DCCEEW-Water website (https://www.water.dcceew.nsw.gov.au/our-work/allocations-and-availability/controlled-allocations), which indicates that applications are under evaluation in January and February April 2026. If successful, and in line</p>



Agency	Agency comment	Cleary Bros Response
	<p>Without the determination of a controlled allocation, the proponent cannot rely on this as a current source as the outcome cannot be predicted.</p> <p>The proponent must seek alternative options to ensure sufficient entitlement can be obtained. DCCEE Water notes the Metropolitan Coastal Sands Groundwater Source has a total entitlement of 2852 shares, and although there has been temporary trading in recent years, permanent trading which this project requires, has not occurred. This indicates a risk to obtaining entitlement should the Controlled Allocation outcome not be successful. The proponent therefore should investigate the ability to obtain entitlement via permanent trading should that be required.</p> <p>DPHI should request the proponent to update the Water Management Plan to consider Modification 2. This is required as there is water take changes expected.</p>	<p>with this timeline, Cleary Bros anticipate the additional entitlements to be available between April and August 2026. As water take is largely driven by rainfall and evaporation, and rainfall has been slightly above average for the current water year (2025-2026), Cleary Bros currently holds sufficient entitlements to satisfy water take in the current water year under an increased (120,000tpa) production rate, even in the event there is no further rainfall for the remainder of the water year.</p> <p>In the event that Cleary Bros is unsuccessful in securing additional entitlements in the current Controlled Allocation Order, Cleary Bros will not extract above 80,000tpa in future water years unless able to demonstrate that the rainfall/evaporation balance is such that Cleary Bros holds the required water allocations for the increased production.</p> <p>In the event the Modification 2 application is approved, Cleary Bros will review the adequacy of all management plans, and revise as necessary in line with Schedule 5 Condition 2B.</p>
<p>NPWS</p>	<p>Revising the Gerroa Quarry Environmental Management Plan, to:</p> <ul style="list-style-type: none"> • recognise the most up-to-date NPWS estate boundary information • apply the Guidelines for developments adjacent to National Parks and Wildlife Service lands (DPIE, 2020) to identify likely impacts on the NPWS estate and in the selection of priority monitoring under revised operational plans 	<p>In the event the Modification 2 application is approved, Cleary Bros will review the adequacy of all management plans, and revise as necessary in line with Schedule 5 Condition 2B, with consideration of the NPWS recommendations on the Quarry Environmental Management Plan and Water Management Plan.</p> <p>Separately, Cleary Bros will update the Pollution Incident Response Plan for the site to reflect the new NPWS</p>



Agency	Agency comment	Cleary Bros Response
	<ul style="list-style-type: none"> • include public road safety monitoring, incident and complaints reporting. <p>Revising the Gerroa Quarry Water Management Plan to:</p> <ul style="list-style-type: none"> • confirm adequacy of the surface and groundwater monitoring framework and the presented bore array to detect variation in response to quarry operations. • nominate key priority areas, downstream of the quarry operations within Blue Angle Creek, where maintenance flows are prescribed. • ensure trigger response plan includes notification to NPWS if impacts to land reserved or acquired under the NSW National Parks and Wildlife Act 1974 are detected. • incorporate the outcomes of all the environmental audits, utilising up-to-date data and a clear interpretation of performance status linked to water quality, water levels, acid sulphate soil management <p>Where environmental monitoring is proposed on the NPWS estate, approval must be sought via NPWS Shoalhaven Area.</p>	<p>acquisitions downstream of the Project adjoining Blue Angle Creek.</p> <p>Environmental monitoring is not proposed within the NPWS estate other than a continuation of the noise monitoring program at the picnic areas of Seven Mile Beach NP. Cleary Bros will write to NPWS seeking approval to undertake this noise monitoring prior to the next monitoring event, which is planned for winter 2026.</p>
<p>Shellharbour City Council</p>	<p>Any net increase to truck movements (if any) to and from the operational concrete batch plant within the Albion Park Quarry, from Gerroa Sand Quarry. If needed, to be addressed in traffic modelling or reporting.</p>	<p>The proposed modification will not impact the number of sand deliveries to the concrete plant at Cleary Bros Albion Park Quarry, however it may impact the source of the sand supply. In the event Mod 2 is not approved, additional sand will need to be sourced from other sources to meet existing demand for concrete manufactured at the Albion Park batch plant, as has been the case in recent years. As such there</p>



Agency	Agency comment	Cleary Bros Response
		would be no change to the number of truck movements at the Albion Park Quarry as a result of Mod 2.



4. Conclusion

In light of the assessment presented throughout the Modification Report, Submissions Report, and this Supplementary Submissions Report, it is concluded that the Proposed Modification to the Gerroa Sand Quarry could be implemented and operated in a manner that would satisfy all relevant statutory goals and criteria, environmental objectives, and reasonable community expectations and is overall in the public interest.



5. References

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