

**Minutes of the Ordinary Meeting**  
**Cleary Bros Albion Park Quarry Community Consultative Committee**  
**Held at the Albion Park RSL Club, Albion Park**  
**Thursday 14 December 2017 at 1:37 pm**

**Present:**

Chairperson	Brian Weir (BW)
Fig Tree Hill Representative	Susan Dunster (SD)
Shellharbour City Council Representative	Darren Moon (DM)
Cleary Bros Environmental Officer	Mark Hammond (MH)
Cleary Bros Representative	Geoff Robinson (GR)

**Record of Minutes**

BW welcomed all members and acknowledged the Traditional Owners of the land and paid his respects to Elders past and present.

**Item 1: Apologies**

John Murray submitted his apologies for the meeting.

**Item 2: Declaration of pecuniary or other interests**

Brian Weir indicated that he received a small sitting fee to chair the meeting.

Mark Hammond and Geoff Robinson indicated they are employees of Cleary Bros.

Susan Dunster represents Fig Tree Hill.

**Item 3: Business arising from previous minutes**

The Chair advised that, following on from his report to the last meeting, DPE contacted him calling for applications for people wishing to nominate as a Chairperson. He submitted an application, however no feedback yet received on this matter. The aim of the pool of Chairs is as a source of appointments, replacements or fill-ins in the event the approved Chairperson is unable to attend a meeting. He explained that it is expected that for new committees, the Department would nominate someone from the existing pool. BW has previously been appointed as the chairperson for this committee by the DPE, which remains current.

**Item 4: Correspondence**

Nil correspondence received or sent since the last meeting.

## Item 5: Cleary Bros reports and overview of activities

The following report was provided to all members prior to the meeting, and read out by MH:

### i) Progress of the project

Currently excavating rock from Stage 3 and some parts of Stage 4. From 1st July to 31st October 2017, approximately 188,854 tonnes of hard rock products were produced on site (annualized rate of 566,562 tonnes), including approximately 121,169 tonnes of blue basalt products and 67,685 tonnes of red agglomerate. Production over the next six months is expected to remain at approximately the same rate.

Revision of management plans is underway to allow extraction from Stages 5 & 6 of the quarry; If further information becomes available, it will be provided at the meeting.

### ii) Issues arising from site visits

No site visit is planned for this CCC meeting.

### iii) Monitoring and environmental performance

#### Dust

Sealing of the parking and turning areas at the front of the quarry was completed since the last CCC meeting, which has reduced measured dust levels in the gauge closest to the Albion Park Rail community from a rolling annual average of 3.2g/m<sup>2</sup>/month in June to 2.8g/m<sup>2</sup>/month at the end of November 2017. Other dust gauges have been varied, one increasing slightly (2.5 → 2.8) and other two gauges decreasing (2.2 → 1.0 and 3.1 → 2.7 respectively).

High Volume Air Sampler rolling annual average (to 27/10/17) of 20.2 µg/m<sup>3</sup>, with two samples recorded above the 50 µg/m<sup>3</sup> investigation level since the last meeting. Both samples were on days with elevated background levels, and one sample on a day where the monitor was upwind of the site, such that the monitor was measuring the background levels and not quarry impacts. Incremental impacts on these days determined to be 40.4 µg/m<sup>3</sup> and 22.0 µg/m<sup>3</sup>, below the 24-hr incremental limit.

#### Boreholes

Cleary Bros have temporarily increased groundwater monitoring from biannually to quarterly to improve understanding of groundwater systems on site. Monitoring results since the last CCC are steady and consistent with historical results and climate.

#### Blasting

All blast results have complied with EPA and DP&E limits. FY18 (as at 13th November 2017) average and maximum blast overpressure at nearest sensitive receptor were recorded as 105.4 dB(L) and 112.0 db(L) respectively. FY18 (as at 13th November 2017) average and maximum blast PVS vibration at nearest sensitive receptor were recorded as 1.67mm/s and 2.57mm/s respectively.

### Rehabilitation and Revegetation

Revised rehabilitation strategy implemented at the start of the year has so far been successful, with most seedlings surviving despite poor rainfall, due to regular watering of plants. There have been no signs of feral goats inside the electrified enclosure. Provided sufficient rainfall replenishes current soil moisture deficit, additional plantings are planned to be undertaken in or around March 2018.

Progress of rehabilitation actions will continue to be reported on in subsequent inspections and CCC meetings.

### **iv) Community complaints and response to these complaints**

Three community complaints have been received so far in FY18 (up to 6th November), all in July 2017, with 2 related to dust from the quarries in the area and one related to the effects of noise and vibration from blasting. One dust complaint was excluded due to the prevailing wind direction on the day of concern, while the other complaint related to a previous complaint reported and investigated during the previous period. As discussed, sealing of the front parking and turning areas has proved effective in reducing dust generation in the areas closest to the Albion Park Rail community, based on results of depositional dust monitoring in the period since. Blast results recorded for the blast which generated a complaint were reviewed and were within compliance with licence limits. Recent blasts have largely recorded lower vibration measurements, however blast overpressure has generally remained at similar levels.

### **v) Information provided to the community and any feedback**

The Cleary Bros website is regularly updated to ensure all required information is current, including approvals, management plans, and environmental monitoring data.

Cleary Bros recommends the above report is received and noted by the CCC

Signed: Mark Hammond (Environmental Officer) 13/11/2017

### **Verbal report to the meeting**

MH provided further updates as follows:

**Item (i):** *FY18 production of hard rock products to the end of November 2017 was 227,153 tonnes, including 147,650 tonnes of blue basalt products and 79,503 tonnes of red agglomerate. Revised Air Quality Management Plan, Noise and Blast Management Plan, and Rehabilitation Management Plan, have all been approved by the Department of Planning and Environment (DPE). Revised Heritage Management Plan is currently under consideration by the DPE, while the Vegetation Management Plan, Water Management Plan, and Quarry Environmental Management Plan are currently under revision by Cleary Bros.*

**Item (iii) Dust:** *The updated 12-month average HVAS results to the end of November 2017 is 19.4 µg/m<sup>3</sup>.*

**Item (iii) Blasting:** Updated FY18 average blast vibration and air overpressure is now 1.72 mm/s and 104.9 db(L) respectively. Maximum recordings are unchanged from the above report.

## Discussion

- i) SD asked what changes were being made to the management plans. MH explained minor changes only to Noise & Blast MP; Air Quality MP was changing from the current fixed dust monitoring points to a real-time monitoring system; Heritage MP changes relate mostly to scope of dilapidation surveys and actions to be taken in the event of identifying heritage items while quarrying.

SD asked about the Heritage MP and recent activities undertaken at 'Belmont', including the removal of fences, doors left open, and the placement of silage in the vicinity of the property. MH and GR advised that they had not been to 'Belmont' recently. GR to follow up on these concerns. SD asked about the previous dilapidation surveys that were required to have been undertaken on 'Belmont'. MH advised that no surveys were required or had been undertaken in past 18 months since commencing with the company, however he would follow up to identify any previous surveys undertaken on 'Belmont'.

**GR to inspect 'Belmont' and provide feedback to SD relating to the abovementioned concerns.**

**MH to research original Consent requirements of safeguarding 'Belmont', and advise SD.**

MH asked how members would prefer to receive updated documentation. MH explained that the information was available on the Cleary Bros website, and could either be provided as a link to the relevant file, or a hard copy of the document. BW and DM indicated that a link to the location would be acceptable. SD indicated a hard copy would be preferable. MH provided a hard copy of the Air Quality Management Plan, Noise and Blast Management Plan, and Rehabilitation Management Plan to SD.

SD asked about the location of the new real-time dust monitors. MH explained one was to be located adjacent to 'Belmont', one to be placed near the front gate, and a third to be placed between CB and Holcim quarries. MH explained that the existing monitors, including dust deposition gauges and high volume air sampler would be removed following a commissioning process. SD queried the removal of the dust gauge on the Fig Tree Hill property. MH explained that the monitor at the Belmont would provide measurements between the quarry and Fig Tree Hill residences, with the proposed location selected as it is the site of historical and continuous high volume air sampler monitoring, and would allow a continuing record. MH suggested that this monitor could be relocated closer to the Fig Tree Hill property in the future if requested.

- ii) BW suggested a site visit could be included in the next CCC meeting for the project. All parties accepted that this would be beneficial.
- iv) DM asked about the complaint handling process regarding dust complaints and following up with complainants. MH explained that dust complaints came through government reports, and the details of the complainants were generally limited to a

*neighbourhood. As such responding directly with the complainant was generally not possible. However, the process taken recently included reviewing the wind direction on the day of the complaint to determine if CB could be contributing to the dust, noting that Holcim also operated nearby. Where CB are upwind of the complainant, then dust controls on site are reviewed. GR explained that this normally involved additional water sprays to the front gate of the quarry with the big water cart, and reviewing site activities. MH explained that sealing of the front parking and turning areas was also likely to reduce potential dust impacts to nearby residents. SD asked about the blast notification process, and whether she could be advised of the location of the blast at an earlier stage. SD explained that while she was advised of the date and time of the blast a few days ahead of time, she was only ever advised of the location of the blast shortly before it is fired. GR suggested that he could contact SD when a new area is established for a future blast, although the timing of the blast would not be known at this stage. However this would allow SD to be aware of the area of the planned blast once notification is received. SD accepted this approach.*

**Resolved: Report received and noted**

## **Item 6: Other Agenda Items**

### **i) Effect of recent changes to CCC Guidelines on the operation of the APQ CCC**

The following report was provided to all members prior to the meeting, and read out by MH.

The July 2017 CCC meeting included an action item for Cleary Bros to provide a summary report to clarify any changes that may be required to functioning of current CCC due to new guidelines. It was agreed that Mark Hammond, Environmental Officer with Cleary Bros, would report back on this matter at the next CCC meeting.

#### **Context**

The currently approved Modification 3 of Development Consent 10639/2005 requires that Cleary Bros "operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Secretary" (of the Department of Planning and Environment). "This CCC must be operated in general accordance with the *Community Consultative Committee (CCC) Guidelines for State Significant Projects* (Department of Planning, 2016, or its latest version)." There are no specific requirements in the Development Consent for this particular CCC, other than operating in general accordance with the Guidelines.

#### **Differences between the revised Guidelines and how the APQ CCC currently operates**

##### *Membership*

The Guidelines now permit up to seven community representatives (previous consent specified at least 2 representatives from local community including one from Fig Tree Hill)

Previously all members had to be approved by the Department of Planning and Environment (DPE). Now only community representatives and Independent Chairperson are to be approved by the DPE. Councils and CB are now entitled to nominate their own representatives with no external approvals required.

Previously there was minimal guidance on the process for recruiting, appointing and reviewing the performance of the Chairperson (other than their approval). The Guidelines now hold the DPE responsible for these processes.

##### *Chairperson Responsibilities*

Historically, all secretarial duties, including the preparation and distribution of agendas and meeting minutes has been undertaken by CB, with approval from the Chairperson received prior to distribution. The Guidelines, however, assign these responsibilities to the Chairperson, including the option of electing a separate note-taker if required. The Chairperson is now required to report annually to the DPE on the operation of the committee.

The Guidelines outline the following responsibilities of the Chairperson when facilitating meetings:

- Formulate the agenda for all meetings in consultation with the members of the committee;
- Convene and run meetings in a fair and independent manner;
- Facilitate discussion to ensure all members have an opportunity to speak and share their views;
- Identify any items of a confidential nature and assist committee members to understand how this information may, or may not, be used;
- Support constructive dialogue; and
- Resolve disagreements or differences of opinion in a fair, transparent and supportive manner.

#### *Community Representatives*

Community Representatives are divided into "local community representatives" and "stakeholder groups". For the APQ CCC, *Fig Tree Hill* would be considered as a stakeholder group. Historically, Cleary Bros has progressed the appointment of community representatives to the satisfaction and with the approval of the DPE, while the Guidelines assign these responsibilities to the Chairperson. The Department must still approve any nomination for a community representative.

#### *Alternate representatives*

The Department is responsible for appointing an alternate for the Chairperson in the event they cannot attend the meeting. Council, CB, and Fig Tree Hill are able to nominate their own alternates from within their organisation/group. Alternate local community representatives are to be selected by the Chairperson.

#### *Meeting Minutes*

Historically the minutes of meetings have been prepared by CB, approved by the Chairperson, and then distributed by CB, with any feedback provided at the next CCC meeting. However, the revised Guidelines require the Chairperson to distribute draft minutes to all committee members within 1 week of the meeting. Committee members then have a week to provide any feedback to the Chairperson, who will finalise the minutes.

Whilst not obliged to do so, Cleary Bros is prepared to continue to undertake the secretarial duties that it has historically performed in the operation of the CCC, under the direction of the Chairperson.

Cleary Bros recommends that this summary and comparison report is received and noted.

Signed: Mark Hammond (Environmental Officer) 13/11/2017

*BW asked if there were any comments or queries relating to the report. MH asked if the CCC members were happy with the company continuing to undertake the secretarial duties of the CCC, under the direction of the Chairperson. No objections were raised to this approach. No other comments were raised on this item.*

### **Resolved: Report received and noted**

#### **ii) Other Matters**

*SD queried whether noise monitoring was sufficient, as it was only undertaken once per year. MH explained that this was for a 10 day period during Winter, which is the time of the year that noise amenity was most likely to be affected. SD asked about the mobile crushing activities undertaken in the quarry. MH asked what part of the quarry SD was referring to. SD pointed out the previous quarrying area to the west of the main processing plant on a map of the area in the Noise and Blast Management Plan. MH explained that this area relates to a separate council approval with different approved operating hours from the Quarry Extension.*

*SD asked about the drilling rigs that had been drilling across the site recently. MH explained that the site had encountered an area of low quality rock, which was only identified after drilling and blasting. This resulted in significant cost to the*

*business, and so to delineate the zone of low quality rock and to improve data quality across the site, additional drilling of the resource had been commissioned. While the drill rig was on site, additional exploration drilling of parts of the CB property, not approved for extraction under the current Consent, was also undertaken to improve data about the wider resource. MH explained that this will be used to guide future decision making regarding the property. SD stated that the parts of the land were not zoned for extraction, and any development would affect the use of her property.*

## **Item 7: General Business**

### **Independent Environmental Audit**

*MH stated that the three yearly Independent Environmental Audit required by the Development Consent was undertaken in November 2017. The audit was undertaken by Environmental Resources Management, who were approved by the Department of Planning and Environment to undertake the audit. The audit covered the conditions of the Development Consent and the Environmental Protection Licence. CB are still waiting on the draft report from the consultants, however based on initial feedback received, there are no major non-conformances, however some minor non-conformances that will need to be addressed. The audit report will be provided to CCC members once finalised.*

### **Next Meeting**

DM requested that the next meeting be held at Council's new office building. BW suggested a site visit could be held beforehand. There were no objections to this approach.

**Next meeting to include a site visit followed by regular meeting to be held at Shellharbour City Council's new offices.**

## **Meeting Closed 2:18 pm**

Next meeting planned for late July 2018 on a Thursday afternoon.