

Minutes of the Ordinary Meeting
Cleary Bros Albion Park Quarry Community Consultative Committee
Held at the Shellharbour Civic Centre, Shellharbour City
Thursday 25 July 2019 at 1:07 pm

Present:

Chairperson	Brian Weir (BW)
Fig Tree Hill Representative	Susan Dunster (SD)
Community Representative	John Murray (JM)
Shellharbour City Council Representative	Mark Miller (MM)
Cleary Bros Environmental Officer	Mark Hammond (MH)
Cleary Bros Representative	Geoff Robinson (GR)

Welcome

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

Item 1: Apologies

No apologies submitted 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, adjoining land owner.

Item 3: Record of Minutes & Business arising from previous minutes

Minutes accepted as an accurate record of meeting held 13/12/2018. No matters arising.

Item 4: Correspondence

Nil received or sent

Item 5: Cleary Bros reports and overview of activities

The following report was provided to all members as an attachment to the agenda, and read out by MH:

i) Progress of the project

Currently excavating rock from Stages 5 and 6. In the 11 months to the 31 May 2019 525,610 tonnes of hard rock products were produced on site, including approximately 442,278 tonnes of blue basalt products and 83,331 tonnes of red agglomerate. Production going forward is expected to remain at approximately the same rate.

ii) Issues arising from site visits

No site visit is planned for this CCC meeting.

iii) Monitoring and environmental performance

Dust

Cleary Bros are currently commissioning the real time particulate monitors at the Albion Park Quarry. These will replace the existing depositional gauges and high volume air sampler, and allow modifications to site activities where required in real time to respond to the monitors.

Depositional dust levels have varied across the site (12-month average), with the gauge closest to the entrance increasing to 6.0g/m²/month in response to the Albion Park Rail bypass earthworks directly adjacent. All other gauges have recorded between 1.5 and 2.0g/m²/month, which represents only minor changes (either up or down) since previously reported.

There have been no exceedances of the daily PM₁₀ criteria as recorded by the High Volume Air Sampler since the last CCC meeting. The annual average (to 26/5/19) has increased slightly from the past report to 21.2µg/m³ reflecting the continuing rainfall deficit experienced over the last 12 months.

Boreholes

Cleary Bros have continued quarterly sampling of groundwater bores. Groundwater levels as recorded across the monitoring network are generally at lower levels compared with the historical average, with some variability that appears to be correlated with rainfall. Despite the low groundwater levels, there do not appear to have been any adverse impacts to groundwater quality.

Blasting

All blast results have complied with EPA and DP&E limits. FY19 average and maximum blast overpressure at nearest sensitive receptor were recorded as 105.3 dB(L) and 110.2.8 db(L) respectively. FY19 average and maximum blast PVS vibration at nearest sensitive receptor were recorded as 2.11mm/s and 3.86mm/s respectively.

Rehabilitation and Revegetation

Planted vegetation within the revegetation areas are now largely self-sufficient with no additional watering required. The focus in these areas is now on restricting annual weed growth around the smaller seedlings, to ensure they

can compete. In the eastern extent of the rehabilitation area, tree growth has surpassed expectations, and is largely self-sufficient.

Planning has progressed on the remaining revegetation areas on the western slope, with fencing and preparatory works anticipated for July 2019.

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

iv) Community complaints and response to these complaints

One community complaint has been received since the last CCC meeting, relating to vibration from blasting activities on site. The complaint has been investigated with a response provided to the complainant.

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

Verbal report to the meeting

MH provided further verbal updates as follows:

Item (i): *FY19 production of hard rock products from the extension area was 620,813 tonnes, including 507,926 tonnes of blue basalt products and 112,887 tonnes of red agglomerate from the quarry.*

Item (iii): Air Quality - *TIS average dust deposition in gauges DDG1 to DDG4 for FY19 was 6.0, 2.0, 1.5, 1.9g/m²/month respectively. Annual average PM₁₀ as measured by HVAS was 21.8µg/m³ for FY19.*

Item (iii): Blasting – *Average and maximum overpressure for FY19 were 105.7 and 111.4 dB(lin) respectively. Average and maximum vibration for FY19 were 2.18 and 3.86mm/s respectively.*

Item (iv): *Five complaints have been received since the last CCC meeting. Four relate to noise and vibration impacts of blasting and one relates to regional dust.*

Discussion

SD advised that the dust gauges were still leaning over.

MH responded that the gauges had been replaced to reduce the likelihood of this happening. MH committed to follow up with monitoring contractor to ensure dust gauges were set up level when changed out monthly.

MM stated that Council had recently received a similar complaint (see item 7).

MH stated that he had not been informed of this complaint, and requested further information so that it could be investigated.

SD mentioned the last couple of blasts have been more noticeable.

BW asked whether the blasting notification regime is working.

GR and SD agreed that the current blast notification regime was working.

BW enquired about the complaints received since the last CCC meeting.

MH elaborated on what actions were taken in response to each complaint. MH explained that in relation to the dust complaint from the EPA, an internal investigation identified that dust was present in the region prior to Cleary Bros commencing operations on the morning of the complaint, with no operations in the preceding 40 hours, and as such the dust was not attributable to Cleary Bros.

Resolved: Report received and noted.

Item 6: Other Agenda Items

i) Development Application for Stage 7 of the Quarry

MH verbally reported that Cleary Bros are currently preparing a scoping report for submission to the Department of Planning and Environment for the next stage of the quarry, which is being called Stage 7. It is envisaged that extraction would be undertaken in a similar manner in Stage 7 to the existing operations in Stages 5 and 6 with the extracted rock transported through Stages 1 to 6 to the crushing and screening plant. Cleary Bros does not intend to modify any operational procedures including operational hours for the proposed quarry area, with the annual production limit maintained at 900 000 tpa.

Cleary Bros have met with key stakeholders including all fenceline neighbours and Council to briefly discuss the proposed application.

The intention is to submit this scoping report in the next week. The DPE will then consult with relevant stakeholders in preparing their Secretary's Environmental Assessment Requirements (SEARs), which will guide what is to be assessed as part of the EIS process. The project will be classed as a State Significant Development, with an application made under Part 4.1 of the Environmental Planning and Assessment Act 1979, and won't be a modification of the existing Development Consent. The proposal is limited to land currently zoned RU1.

MH tabled a map of the proposed Stage 7 area, which is attached to the minutes.

Discussion

BW asked about the timing of the proposal.

MH explained that once the scoping report is submitted, the DPE may take a month or two to prepare the SEARs. CB will then prepare an EIS in response to these SEARs. The timing of the EIS submission is uncertain, but in any event, project determination is not expected to occur prior to the next CCC meeting.

SD asked what opportunities there would be to provide comment on the application, including any opportunities at earlier stages of the planning process.

MH explained that once the EIS is prepared, this would be placed on exhibition for public comment. MH wasn't certain whether the DPE would invite comment from the public as part of the preparation of the SEARs, however would make enquiries into this process and inform SD.

Item 7: General Business

MM advised a complaint had been received by Council in regards to activities on the Cleary Bros quarry. The issues raised in the complaint included noise, dust, and drilling outside of the approved area of the quarry.

MH stated that he was unaware of this complaint and requested further details. SD asked whether neighbours were required to be notified of drilling activities. SD raised concerns about dust and noise emissions from drilling activities on the eastern ridge in May 2019. SD elaborated that no notification was made to her advising that this drilling would be taking place. SD also raised concerns with surveyors accessing parts of the Fig Tree Hill property without contacting landowners.

MH committed to SD that all persons who may need to access the eastern spur will do so either via the existing quarry or the approved access road without otherwise encroaching on her property, and that this would be communicated internally within Cleary Bros.

MH committed to providing advance notice to SD of any activities on the eastern spur area that may impact on the amenity of residents of Fig Tree Hill.

SD raised concerns that Fig Tree Hill were not notified by Council that CB had made an application for the reprocessing of material in the Pit 2 area, and also that no notification was made by Council when the application was approved by Council. Council seemed to have missed out notifying nearby landowners.

MM acknowledged that this was due to the land title reference being solely relied upon for adjoining owner notification, and in this case the owner of the adjoining land title was the proponent. MM stated that he would raise this matter with Council Planners regarding notification provisions for relevant properties in the area associated with quarry developments.

SD raised concerns that in the proposed development, noise and visual impacts to Fig Tree Hill residences won't be able to be adequately mitigated. SD stated that she wanted to ensure there was no further degradation in relation to noise and dust amenity associated with quarry developments in the area.

SD mentioned that the dry stone wall on the property boundary with Cleary Bros was in need of repair, with some stones from the wall having fallen onto their property encroaching on the pasture.

MH agreed to look at the fence to determine what repairs may be required.

SD stated that the Belmont heritage listing as described in the Council records is inaccurate.

MH suggested SD raise these inaccuracies with the Council archaeologist, so that this record can be corrected.

There being no further General Business, the Chairperson closed the meeting.

Meeting Closed 2:00 pm

Next meeting planned for Thursday 5 December 2019 at 1:00pm at the Cleary Bros Quarry commencing with a site visit.