

**Minutes of the Ordinary Meeting**  
**Cleary Bros Gerroa Sand Resource Community Consultative Committee**  
**Held at the Gerroa Fishermans Club, Gerroa**  
**Thursday 27 July 2017 at 10:43am**

**Present:**

Chairperson	Brian Weir (BW)
Kiama Municipal Council Representative	Cr. Andrew Sloan (AS)
Community Representative	Kel Sekulic (KS)
Community Representative	Christopher Rowland (CR)
Cleary Bros Representative	Ashley Mathie (AM)
Cleary Bros Environmental Officer	Mark Hammond (MH)

**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**

Nil apologies received.

**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 Ashley Mathie indicated they are employees of Cleary Bros.

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

Nil matters raised

**Item 4: Correspondence**

**i) Chairperson's report**

The Chairperson verbally reported the following:

New CCC guidelines have been released, which include the following changes:

- Set a preferred meeting structure/agenda
- New process for nominating and approving chairpersons
- Requirements and changes to the responsibilities of the chairperson

- Broadened to apply to all State Significant Developments

The Department of Planning and Environment are still finalizing how these changes are to be implemented, and so have left some unknowns at this stage as to how certain matters are to be implemented, such as annual reporting from the chairperson.

Other points to note:

- Encourages CCC representatives to discuss matters relating to the CCC with the community they represent.
- Representatives cannot make comments publicly on behalf of the CCC, but can do so as an individual. Only the Chairperson is entitled to speak on behalf of the CCC.
- Applies to all new State Significant Developments, and where applicable to existing projects.

Further information can be found on the website:

[www.planning.nsw.gov.au/communityconsultativecommittee](http://www.planning.nsw.gov.au/communityconsultativecommittee)

*General discussion around conflicts between CCC requirements of Development Consent and new Guidelines.*

AS moved that Cleary Bros provide a summary report to clarify any changes that may be required to functioning of current CCC due to new guidelines. CR seconded.

Motion carried.

## **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**

Davidson Dredging contractors returned to site in March 2017 to continue dredging after a 6 month break. Sand production has been maintained at approximately the same rate since the last meeting, with FY17 sand production expected to be 80,005 tonnes, with 15 tonnes of other products sold from site. Cleary Bros have notified the DPE of the exceedance of the 80,000t annual limit.

Currently sourcing additional sand resources to reduce demand on the Gerroa resource. This includes sand sourced from 3rd parties, as well as continuing to introduce manufactured sand, produced by the quarry at Albion Park, into the concrete mixes. Currently using manufactured sand in lower strength concretes, with the plan to progressively include in higher strength concretes next year.

### **ii) Issues arising from site visits**

No site visit is planned for this CCC meeting. The previous CCC meeting in December 2016 included a site visit.

### iii) Monitoring and environmental performance

#### AEMR

AEMR has been provided to all members at the CCC as an email or hard copy.

#### Meteorology

Automatic weather station continues to operate well.

#### Dust

Dust gauges 1A, 2A, and 3A averaged 4.1, 1.7, and 2.7 g/m<sup>2</sup>/month respectively for the financial year. Dust gauge 1A experienced suspected sabotage during one monitoring period, recording 20.1g/m<sup>2</sup> for the month and comprised mostly of material not consistent with site-generated dust. Excluding this result the average for this gauge was 2.6g/m<sup>2</sup>/month. Dust gauge 3A was affected by excessive insects and vegetative matter on two occasions, skewing the annual result. Excluding these results, the average for the year was 1.5g/m<sup>2</sup>/month.

#### Dredge Pond

Dredge pond water quality is generally stable and consistent with historical level results. It has shown a close relationship with rainfall patterns in the past 6 months. Total Oxidisable Sulphur of sand extracted remains steady during the past 6 months, ranging between <0.02 and 0.04%.

#### Boreholes

Borehole water levels have continued to fluctuate following rainfall patterns, while remaining within historical ranges. Water quality of the bores has also remained largely stable with all measurements generally within the historical range or recorded measurements for each bore with the exception of bore MW1, which experienced spikes in various analytes in the December 2016 sampling period due to decaying organic matter, naturally contaminating the sample. Water quality in this bore has since returned to the historical ranges for this bore. Bore MW1 continues to exhibit a saline influence.

#### Revegetation and Rehabilitation

As previously reported, all revegetation zones are now planted and well established. Quarterly inspections have been carried out with positive results. Infill planting has been undertaken to boost revegetation success and weed control is ongoing when conditions permit. Ongoing management of these areas continues based on the advice provided in the quarterly internal inspections and annual inspections by an ecologist.

#### Independent Environmental Audit

Cleary Bros engaged ERM Consulting and KMA with the approval of DPE to undertake the three yearly Independent Environmental Audit of the sand mine in November. The audit reports were sent to all CCC members in December 2016 following report finalization. Audit reports have demonstrated general compliance with conditions of Development Consent, with only minor opportunities for improvement. These have now largely been addressed and are included in the following table:

Description of Condition	Comment	Recommendation	Proposed Action	Completion Date
<p>The Proponent shall implement all practicable measures to prevent or minimise any harm to the environment that may result from the construction, operation and rehabilitation of the development.</p>	<p>A minor leak of diesel fuel was observed adjacent to the diesel above ground storage tank which fuelled the dredged material sorting plant. Staining from the leak extended over &lt;1m<sup>2</sup> and appeared to relate to disconnecting the hose from the tank to the plant (rather than an ongoing leak). It is noted that this represents a contractor management issue (i.e. CB did not cause the leak). ERM notes that the minor spill is not likely to be causing material environmental harm. However, best practice would dictate that the spills should be cleaned up.</p>	<p>Work with contractor to develop procedure to uncouple fuel lines from plant without causing spill. Refresh training regarding spill response with contractor. The diesel impacted sand should be excavated, classified in accordance with the NSW Waste Classification Guidelines, and disposed of using a suitably licenced contractor to an appropriately licenced facility.</p>	<p>Excavate contaminated soil and dispose of as per POEO Act and Regulations.  Review current practices and infrastructure arrangements to reduce likelihood of future spills.</p>	<p>31/1/2017  31/1/2017</p>
<p>The Proponent shall ensure that all truck movements travelling to or originating from areas: (a) south of the site use the Princes Highway, via Beach Road (except as provided for by condition 32 below); and (b) north of the site use the Princes Highway, via Beach Road, Crooked River Road, Fern Street and Belinda Street.</p>	<p>Drivers are inducted when they first visit the site by the Site Manager. The induction materials had recently been updated and did not include details of the correct and legal routes to take for drivers. Instructions are posted in the site office, where trucks are required to sign in, which outline the correct routes for trucks to take.</p>	<p>ERM recommends that the driver induction materials are amended to include details of the correct and legal routes to take for drivers under the conditions of consent.</p>	<p>Update site induction to include approved truck routes</p>	<p>31/1/2017</p>
<p>The Proponent shall ensure that no trucks associated with the project use Gerroa Road, except where the destination lies along or adjacent to that road.</p>	<p>Drivers are inducted when they first visit the site by the Site Manager. The induction materials had recently been updated and did not include details of the correct and legal routes to take for drivers. Instructions are posted in the gatehouse, where trucks are required to sign in, which outline the correct routes for trucks to take.</p>	<p>ERM recommends that the driver induction materials are amended to include details of the correct and legal routes to take for drivers under the conditions of consent.</p>		
<p>The Proponent shall prepare and implement an Environmental Management Plan for the project to the satisfaction of the Director-General.</p>	<p>ERM observed that the number in QEMP 24hr complaints line does not match number on website. CB informed ERM that the website was currently being redesigned, which will include the realignment of relevant contact numbers.</p>	<p>Ensure the complaints hotline number, the contact details on the gate and on the CB website are consistent.</p>	<p>Update website, signage, and QEMP with Cleary Bros switchboard number to ensure call is appropriately directed.</p>	<p>28/2/2017</p>

<b>Description of Condition</b>	<b>Comment</b>	<b>Recommendation</b>	<b>Proposed Action</b>	<b>Completion Date</b>
<p>Within 3 months of submitting a copy of the audit report to the Director-General, the Proponent shall review and if necessary revise:</p> <ul style="list-style-type: none"> <li>(b) the sum of the Landscape and Rehabilitation Bond (see Schedule 3). This review must consider: <ul style="list-style-type: none"> <li>• the effects of inflation;</li> <li>• any changes to the total area of disturbance; and</li> <li>• the performance of the rehabilitation against the completion criteria of the Landscape and Rehabilitation Management Plan, to the satisfaction of the Director-General</li> </ul> </li> </ul>	<p>CB provided the basis of the bond calculations. This appeared to be in compliance with the requirements of the development consent. However, it is noted that correspondence from the DP&amp;E stated the following regarding the bond: "For Gerroa, although the calculation accounts for the entire disturbance area, inflation has not been accounted for since this time. We request that at the time of the Albion Pk bond recalculation in Oct 2017; that a review of the Gerroa bond is also undertaken to account for the effects of inflation."</p>	<p>Ensure Gerroa bond calculation considers inflation when Albion Park bond calculation is undertaken in October 2017</p>	<p>Review Gerroa bond calculation in October 2017 as per DP&amp;E request.</p>	<p>31/10/2017</p>
<p>Within 3 months of the date of this approval, the Proponent shall:</p> <ul style="list-style-type: none"> <li>(a) enter into a Planning Agreement</li> <li>(b) register the Planning Agreement</li> </ul>	<p>CB submitted a copy of the signed Planning Agreement to DoPI on 18 November 2013 Awaiting execution by the Minister before registering Agreement</p>	<p>Awaiting execution by the Minister before registering Agreement</p>	<p>Follow up discussions with DP&amp;E to ensure Planning Agreement is signed and registered on the title of the land.</p>	<p>30/6/2017</p>

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

No community complaints have been received since the last CCC meeting.

**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.

AS moved that Item 5 be received and noted. CR seconded. Motion carried.

**Item 6: Other Agenda Items**

**i) Annual Environmental Management Report**

*MH confirmed with all parties that they had received a copy of the 2016-2017 Annual Environmental Management Report.*

*CR queried response to high readings of algae and certain other analytes. MH explained that the dredge pond was closed to the public and an enclosed pond with no*

*discharges, so risk is minimal. The guidelines are broad, state based guidelines and not based on previous local data from the dredge pond. Nutrients are likely sourced from surrounding agricultural activities, as there is no source of these parameters from dredging and related activities.*

*CR asked about fencing in report. AM explained the 1.8m high fence was installed around the entrance to the property for security. An existing fence runs alongside the Crooked River road which hasn't been changed.*

*CR queried whether the dust gauge which recorded the high, anomalous measurement during the period has been relocated. MH explained that it hasn't at present, as this was a once-off event. In the event of future sabotage, this may be considered.*

*CR queried expected life, and rationale for 2022-2023 lifespan in report. AM explained that this was based on approvals, however expect sand resource to be exhausted in 3-5 years at recent historical production rates, depending on resource, with less confidence in depth of resource in current extraction areas.*

#### **Item 7: General Business**

Nil matters raised

#### **Meeting Closed 11:35am**

Next meeting planned for early December 2017 on a Thursday morning.