

Minutes of the Meeting of the Albion Park Quarry CCC

Held on: 7/12/2023 – 12:30pm to 2:00pm

At: Cleary Bros Albion Park Quarry

Chaired by: Mr Brian Weir PSM

Attended

Mr John Murray, Community Representative

Ms Susan Dunster, Figtree Hill Representative

Mr Mark Miller, Shellharbour City Council Representative

Mr Todd Kalajzich, Cleary Bros Representative

Mr Mark Hammond, Cleary Bros Representative

Apologies

Nil

Declarations of interest

The usual interests being Messrs Hammond and Kalajzich being employees of Cleary Bros, the Chairman being paid a meeting fee and M/s Dunster being an adjoining land owner, were declared.

Agenda item discussion

Item 1. Site visit

All representatives met at the weighbridge to the site. All were escorted to the Quarry Manager's office where visitor inductions including safety protocols were completed, and representatives were asked what they would like to see. It was agreed to go into this quarry pit on this visit, and wait until the next visit before going to the Stage 7 area as quarrying activity had not yet commenced in Stage 7. All participants were driven to the Gate 4 crib room area where there is a view over the quarry excavation area. Participants observed the various activities visible at this point, including drilling, primary crushing, truck hauling, road watering, water management, and revegetation areas. After approximately 20 minutes, and there being no further questions, the participants were driven back to the Quarry Manager's office for the scheduled meeting.

Item 2. Welcome and Apologies

The Chairperson opened the meeting at 1:34pm and welcomed all Members and acknowledged the Traditional Owners of the Land on which the meeting was being held and paid his respects to Elders Past, Present and Emerging.

Albion Park Quarry Community Consultative Committee

The Chairperson acknowledged the usual declarations of interest being Messrs Hammond and Kalajzich as employees of Cleary Bros., the Chairman as paid a meeting fee and Ms Dunster as an adjoining land owner.

Item 3. Business Arising from previous Minutes dated 27 July 2023

No matters raised.

Item 4. Correspondence

The Chairperson referred to the CCC Annual Report for 2022 which was circulated to all representatives prior to the meeting. All representatives agreed that it looked correct, and support it being distributed to the Department of Planning and Environment.

Item 5. Cleary Bros reports and overview of activities

The Chair invited Mr Hammond to speak to the report, and invited comment and feedback from committee members on each item in turn.

Mr Hammond spoke to each part of the report, highlighting the key points and providing an update of advancements around Stage 7. Mr Hammond showed members a map of the currently proposed biodiversity stewardship site for an enlarged area along the southern extent of Stages 1-7 and southeast of Stage 7, as well as an additional biodiversity stewardship site behind the Pit 2 area that is also proposed. Mr Hammond showed representatives the Heritage Interpretation Plan for the Belmont still in development, including what Cleary Bros were trying to capture as part of this process. Mr Hammond added that approval had now been granted from the Commonwealth for impacts to Matters of National Environmental Significance, which represents the last government planning approval required for the Stage 7 area.

Ms Dunster asked who the descriptions in the model had been prepared by.

Mr Hammond advised that heritage architect Andrew Conacher had provided the content, however the draft model would be shared with relevant stakeholders including Ms Dunster for their input. Mr Hammond advised that a copy of the text had already been provided to the Shellharbour Council and Museum for an early review.

Mr Weir asked whether there had been any licence breaches or other relevant matters.

Mr Hammond responded that there had been no licence or development consent breaches since the last meeting. Mr Hammond added that the EPA had recently visited the site, and Cleary Bros were working with the EPA to include modern dust monitoring requirements in the licence, similar to what is planned under the Stage 7 development. The dust deposition gauges would no longer be used.

Mr Miller asked about the location of the proposed real time monitors.

Mr Hammond advised that one would be close to the Dunsters residence, one on the far east of Cleary Bros property east of the Stage 7 area, and one would be near the site entrance, all being designed to focus on the main sensitive receiver groupings.

Albion Park Quarry Community Consultative Committee

Item 6. Other Agenda Items

a) Review new CCC Guidelines:

The Chair noted that there had been an update to the CCC Guidelines, with the new Guidelines distributed to all members prior to the meeting. The Chair noted that there were new requirements around a Terms of Reference document, Workplace Health and Safety requirements, and forms for the code of conduct and declaration of interests.

i. CCC Terms of Reference (as attached)

The Chairperson tabled the new CCC Terms of Reference template, which had been shared with all members prior to the meeting. The Chair ran through each of the sections of the template, and the committee agreed on content to be included in the Terms of Reference for the Cleary Bros Albion Park Quarry CCC. The significant changes from current operation included changing the meeting frequency to 3 times per year (generally every 4 months targeting March, July, and November each year). It was also agreed that recording of meetings could be permitted only with agreement beforehand of the chairperson and the committee.

The committee members discussed and agreed to adopt the Terms of Reference in line with the protocols discussed and accepted at the meeting.

ii. Composition and operation of CCC

Mr Hammond added that as part of the Stage 7 Development Consent, it was necessary to revise the membership of the CCC. Mr Hammond acknowledged the collaborative approach of all current members and expressed a desire to retain the existing membership, while perhaps broadening to include additional representation from community representatives and the local Aboriginal Land Council.

Mr Murray suggested that as he lived in the Shell Cove area and represented that locality, it may be worthwhile encouraging new membership from the Albion Park area.

Mr Miller provided advice from other CCC's where they considered membership based on groupings of localities, consistent with Mr Murray's suggestion. Mr Miller also noted that currently no other quarry CCC includes representatives from the Aboriginal community. Mr Miller also suggested that a representative from the suburb of Flinders should be encouraged, given that is the source of previous quarry-related complaints around blasting received by Council.

The Chairperson suggested a Shell Heights representative might be appropriate given the expected impacts of the Stage 7 development to this locality.

Mr Hammond suggested, and it was agreed by all members, that the CCC would ask for expressions of interest from suitable community members, and then review any relevant applicants in line with these discussions. Mr Hammond noted that the process for appointing new community and stakeholder representatives is detailed in Section 3.2 of the Guidelines.

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It was agreed by all that Mr Weir would write to the Department to seek endorsement of increasing membership of the CCC.

iii. Other governance matters

The members agreed to execute the Code of Conduct and Interest Declaration following the closure of the meeting.

b) 2022 Annual Report

This matter was discussed and agreed under the Correspondence agenda item.

Item 7. General Business

No general business was raised by any members.

Item 8. Next Meeting

Mr Hammond suggested that the next meeting be held on March 21, 2024, and include a site visit of the Stage 7 area. It was agreed that the next meeting will be held on this date, and that attendees should meet on Dunsters Lane near the Fig Tree Hill residence, unless agreed otherwise beforehand.

Meeting concluded 2.18pm

Action Items

Action	Responsible	Status
Send the 2022 Annual Report of the APQ CCC operation to the Department of Planning and Environment	Chairperson	
Write to the Department to seek endorsement of one additional community representative on the CCC.	Chairperson	
The Chair is to advise the Department of the adoption of the Terms of Reference and member declarations.	Chairperson	

Other comments

Nil

Upcoming meetings

March 21 2024 12:30pm at the Albion Park Quarry weighbridge.

Item 6 – Albion Park Quarry CCC Meeting 7th December 2023

Cleary Bros reports and overview of activities

Progress of the project

Currently excavating rock from Stages 4, 5 and 6. For FY24 to the 31st October 2023, 267,779 tonnes of hard rock products were extracted and transported from the site, including approximately 187,158 tonnes of blue basalt products and 80,621 tonnes of red agglomerate. This represents an annualised rate of approximately 800,000t. Production going forward is expected to remain at this level.

Albion Park Stage 7 update

Cleary Bros were granted consent for the Stage 7 development on 29 September 2023. This followed a series of minor Requests For Information (RFI's) since the last CCC meeting relating to managing flyrock risks, visual screening, and the final landform. No significant changes were made from the Amendment Report submitted in May 2023.

A copy of the Development Consent (SSD 10369) is available on Cleary Bros website at <http://www.clearybros.com.au/APQ7/>

This page also has all the environmental assessments prepared and submitted over the past two years, and will be updated with other documents such as management plans for the project once they are approved.

Cleary Bros are still waiting on approval from the Commonwealth in relation to the impact to Matters of National Environmental Significance. This includes the impacts to the *Zieria granulata* plant and to the Illawarra Subtropical Rainforest vegetation community. At the time of preparing this report, the Commonwealth department responsible for this decision have issued a draft decision indicating they plan to approve the project subject to various conditions, which are largely consistent with the existing development consent.

Cleary Bros are currently preparing the following management plans which will describe how the quarry will be operated in line with the conditions of approval, and largely reflect what was proposed in the EIS:

- Environmental Management Strategy
- Biodiversity Management Plan
- Blast Management Plan
- Historic Heritage Management Plan
- Rehabilitation Strategy
- Rehabilitation Management Plan
- Water Management Plan

Quarrying won't commence in the Stage 7 area (including clearing or topsoil stripping) until these have been approved by the Department of Planning and Environment.

Some advance works have commenced in the Stage 7 area including surveying boundaries. Cleary Bros have also been negotiating with third parties to purchase biodiversity credits required for the first part of the Stage 7 area, as well as started setting up a biodiversity stewardship site on Cleary Bros property which will hopefully meet all other credit requirements for the project (this process may take 18 months). Advance works to further capture and record the *Belmont* house and surrounds are progressing, and Cleary Bros are meeting with the Shellharbour Museum and Council to provide an update of the 3D model and animation and to seek input into these prior to their finalisation.

Cleary Bros are hoping that all pre-development requirements are met by the end of January 2023, which will allow quarrying in the Stage 7 area to commence at that time.

Site visit

A site visit is planned for this meeting.

Monitoring and environmental performance

Air Quality

Depositional dust, which consists of larger dust particles that can settle out on surfaces, have varied across the site (12-month average), with the gauge closest to the site entrance averaging 4.9g/m²/month (down from 5.1/m²/month at the time of the last meeting), while all other gauges recorded between 1.2 and 1.4g/m²/month, which is similar to the levels reported at the last meeting. A wheel wash has been installed near the site entrance, which should see continued improvements in dust levels at this site. The wheel wash is still being tweaked to improve its performance.

The High Volume Air Sampler (HVAS) records dust particles that are suspended in the air and are smaller than 10 micrometers, which is referred to as particulate matter (PM₁₀). The rolling annual average is relatively unchanged from the last report, reducing slightly from 12.3 µg/m³ to 12.1 µg/m³ at the end of October. This is slightly higher than the levels last year. There were no exceedances of the incremental criteria since the last meeting, with the highest incremental measurement of 34.4 µg/m³ below the criteria of 50 µg/m³.

All measurements of air quality are within the criteria of the Development Consent and Environment Protection Licence for the Quarry.

As part of the Stage 7 development, Cleary Bros are currently preparing a new Air Quality Monitoring Program. The proposed changes to the monitoring program include:

- Decommissioning of the dust depositional gauges.
- Relocation of the HVAS to near to the closest sensitive receiver (on the Figtree Hill property).
- Relocation of the real time dust gauges to 3 locations around the northern and eastern boundaries of Cleary Bros property (including one next to the HVAS). These will send messages to Quarry staff in the event of high readings to review dust controls, and will not be used to assess compliance against the limits of the development consent.

Boreholes

Cleary Bros have continued quarterly sampling of groundwater bores since the last report. Groundwater levels in the shallow bores have declined slightly over the last 12 months, while those in the deep bores have varied, with one bore dropping and the other rising. The concentrations of most major salt components and overall salinity have increased over the past year following two years of general declines.

Groundwater management and monitoring is in compliance with the Development Consent for the Quarry.

As part of the Stage 7 development, Cleary Bros will be expanding the groundwater monitoring program to include an additional 5 bores within and to the east of the Stage 7 extraction area.

Blasting

All blast results have complied with Development Consent and Environmental Protection Licence limits. FY24 average and maximum blast overpressure (noise) at the nearest sensitive receptor were recorded as 101.7 dB(L) and 108.4 dB(L) respectively. FY24 average and maximum blast vibration at the nearest sensitive receptor were recorded as 1.55 mm/s and 2.55 mm/s respectively.

As part of the Stage 7 development Cleary Bros are updating the Blast Management Plan, with the main change relating to a flyrock strategy which will be used to model the likely flyrock impacts of each blast to ensure no risk to persons or property.

Rehabilitation and Revegetation

Revegetation works are now in the maintenance phase, in accordance with the Revegetation Management Plan approved under the Development Consent. Works undertaken in the previous 12 months have focused on the primary control of woody weeds and some secondary (follow up) weed control, including along the existing amenity bund.

For the Stage 7 development, the existing Revegetation Management Plan will be rolled into the Biodiversity Management Plan and Rehabilitation Management Plan for the site. Cleary Bros will be implementing three mass planting strips over the next 6-8 months which will form visual screens for the Stage 7 area.

Noise

Cleary Bros undertook the annual noise compliance survey in July-August 2023. Noise levels were less than the limits of the Development Consent by between 1-3 dBA at each site.

For the Stage 7 development, Cleary Bros are currently preparing an updated Noise Monitoring Program. The program is proposed to include a real time noise monitor with trigger capability at the nearest receiver which will feed into operational decision making, supported by biannual attended monitoring which will be used to assess compliance with the noise limits for the Quarry.

Independent Environmental Audit

Cleary Bros recently engaged ERM Consulting to undertake the 3-yearly Independent Environmental Audit of the Albion Park Quarry. The audit included a site inspection on 7 November 2023. At the time of preparation of this report, the audit report has not yet been received.

Community Complaints

Cleary Bros have received no community complaints since the last meeting.

Community Engagement

Following the approval of the Stage 7 extension, Cleary Bros suggest that is a timely opportunity for a routine review of the makeup and operation of the Community Consultative Committee to ensure it is still in line with the requirements and objectives of the current Guidelines.

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 recommend the above report is received and noted by the CCC

Signed:

Mark Hammond (Environmental Officer)

21/11/2023

Terms of reference

We have supplied this template so each committee can complete its terms of reference. Each committee may decide how it will operate, in accordance with the *Community consultative committee guideline: State Significant Projects 2023* and any minimum requirements that are established through conditions of approval or consent.

The _____ Community Consultative Committee terms of reference is in accordance with the NSW Department of Planning and Environment's *Community consultative committee guideline: State Significant Projects 2023*.

Purpose of the community consultative committee

The committee has been established to provide a forum for open discussion between _____, representatives of the community, stakeholder groups and _____ on issues directly relating to the _____.

Purpose and scope

The purpose of this committee is to serve as a forum for ongoing communication about the project and its environmental performance. It is not a decision-making body but performs an advisory and consultative role.

The scope of this committee includes:

- discussing the resolution of community concerns and complaints
- discussing the implementation of any conditions of approval or consent and management plans
- consulting on any proposed amendments or modifications to projects
- reviewing the results of any monitoring, annual reviews or independent audits
- consulting on any community initiatives
- conducting site visits to view the project
- add other items as necessary

Committee membership

Chairperson

The appointed chairperson is

Committee members

The committee members are:

1. : community member
2. : community member
3. : community member
4. : community member
5. : representative
6. : representative
7. : representative
8. : representative
9. : the proponent
10. : the proponent
11. : the proponent

Alternate representatives

The appointed alternate representatives are:

1. : alternate community member
2. : alternate representative
3. : alternate representative
4. : alternate representative

Meeting frequency, location and timing

Meeting frequency

The committee will meet at least _____ times for the _____. The meeting frequency is to be a minimum of once a year unless otherwise specified by the conditions of consent or approval.

The chairperson will give members at least _____ week/s notice before a regular committee meeting.

Extraordinary meetings

Any committee member may ask the chairperson to convene an extraordinary committee meeting if there are important and urgent matters requiring consideration.

The chairperson will decide if the extraordinary meeting is called for, or if the matters can be addressed in other ways.

The chairperson will give members _____ week/s notice before an extraordinary meeting.

Site visits

Site visits may be organised, as needed, including as part of the regular meeting, or immediately before the meeting for convenience.

_____ is responsible for ensuring that work health and safety measures are in place for all who attend the site visit. Committee members must follow any requirements of the proponent, including work health and safety requirements, while on site.

Meeting venue and format

Committee meetings may be held

_____ in person at _____ or
_____ via MS Teams/Zoom/Google meets or similar collaboration tool or
_____ as a mix of in-person and online meetings.

Meeting time

The normal meeting time will be _____ to _____, unless the chairperson proposes an alternative.

Meeting procedures

Meeting agenda

The chairperson will call for agenda items at least _____ week/s before the scheduled meeting.

The chairperson will distribute the agenda and any supporting documents to committee members at least _____ week/s before the meeting.

The chairperson may decide if the committee will consider late items at the meeting or defer them to a following one. This includes:

- late agenda items raised after the agenda has been circulated
- late supporting documents provided within a week of the meeting
- late agenda items proposed by a committee member during the meeting.

The chairperson should consider how much time the committee members will need to review and consider the matters adequately, if enough information has been provided to discuss the matter, as well as its urgency and importance.

Standard agenda items

Declarations of interest should be included as a standard agenda item at the start of each meeting. It is the responsibility of each member to keep their declaration of interests up to date.

Annual agenda items

A discussion and approval of these terms of reference must be included as an annual agenda item.

Meeting minutes

The chairperson (or identified note-taker) will take minutes for each committee meeting.

These minutes must accurately summarise the matters that were discussed at the meeting, including:

- any community feedback expressed, and enquiries made
- any opposing views of members on a matter (recorded on request)
- any actions to be taken before the next meeting, who is responsible for them, and by when.

The chairperson will distribute draft minutes to all committee members within _____ week/s of the meeting. Within 2 weeks of the meeting is the maximum period for distribution.

Committee members have _____ week/s to give their feedback.

The minutes will be finalised and published within _____ week/s of receiving this feedback.

If there are any disagreements between members on the minutes, the chairperson will have the final say on the matter.

Recording of meeting

Recording of meetings by recording device, telephone or any other electronic device is not permitted.

only permitted with agreement beforehand of the chairperson and the committee.

Meeting recordings are only for the benefit of members/chairperson and cannot be published.

Publishing of meeting recordings can only occur with permission of the chairperson.

Attendance and conduct

Attendance

The chairperson should be notified as soon as possible if a community or stakeholder group member cannot attend an upcoming meeting so that an appointed alternate member may be invited.

Other members should advise the chairperson in advance of the meeting if an alternate representative is attending on their behalf. Any alternate representatives must sign the committee members' code of conduct and declaration of interest form before attending their first meeting.

The chairperson may reconvene the meeting if not enough members (including at least one proponent member) can attend.

Observers, advisers and subject matter experts

Observers may attend a meeting, at the invitation of the chairperson. The chairperson may invite the observer to give input into the discussions of the committee.

The committee may call upon advisers or subject matter experts, including specialist environmental consultants or construction contractors, to attend meetings to give information as needed. The proponent will engage and facilitate the attendance of independent advisers or specialists for meetings, at the request of the chairperson.

The agenda will advise if non-committee members will attend.

Conduct

Everyone in attendance at the meeting must act in accordance with the relevant committee code of conduct. Each committee member is to verbally re-confirm their commitment to abide by the code of conduct on an annual basis. This should be recorded in the meeting minutes.

Changes to membership

The chairperson will inform the committee of any newly appointed members or other changes to membership.

Review

The chairperson will annually review a committee's performance and effectiveness over the previous 12 months. The committee may update the terms of reference following the review.

Agreement

The _____ agrees to these terms of reference as at _____ and they will remain in force until otherwise changed, replaced or voided.

Chairperson:

Signature:

Date: