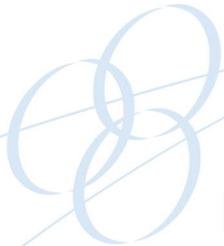


DUNMORE HARD ROCK QUARRY INDEPENDENT ENVIRONMENTAL AUDIT 2020

Prepared for Boral Resources (NSW) Pty Ltd

Prepared by EPS

LOT 1 DP 213575
LOT 3 DP 1030504
LOT 4 DP 1030504
LOT 4 DP 227046
LOT 1 DP 1002951
LOT 1 DP 224597
LOT 2 DP 224597
LOT 4 DP 571406
LOT 6 DP 1001931



Contact Information and Declaration

Declaration: The opinions and declarations in this Independent Environmental Audit (IEA) are ascribed to Environmental Property Services (EPS) and are made in good faith and trust that such statements are neither false nor misleading. In preparing this IEA, EPS has considered and relied upon information obtained from Boral Resources (NSW) and the public domain, supplemented by discussions between key EPS staff, representatives from governing agencies and independents.

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Subject land and address: Lot 1, DP 213575
Lot 3, DP 1030504
Lot 4, DP 1030504
Lot 4, DP 227046
Lot 1, DP 1002951
Lot 1, DP 224597
Lot 2, DP 224597
Lot 4, DP 571406
Lot 6, DP 1001931



Quality Assurance and Version Control Table

Project	Dunmore Independent Environmental Audit			
Client	Boral Resources (NSW) Pty Ltd			
Rev No.	Date	Reference	Author	Reviewer
01	21/07/2020	20200921_11497_Boral IEA	A. Tipper	T. Kelly/S. McCall

Checked by T. Kelly

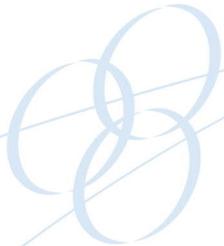
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EXECUTIVE SUMMARY

This Independent Environmental Audit has been prepared in accordance with Schedule 5, Condition 10 of the Development Consent DA 470-11-2003 for Boral Hard Rock Quarry. The quarry is owned and operated by Boral Resources (NSW) Pty Ltd. Schedule 5, Condition 10 includes requirements for assessment of compliance with the Development Consent and the Environmental Protection Licence (EPL). It also provides for assessment of environmental performance of the site and, where applicable, issuing recommendations for improvement.

This audit has been conducted and prepared with consideration of the *AS/NZS 19011:2019 Guidelines for auditing management systems*.

CLOSE-OUT OF 2017 AUDIT

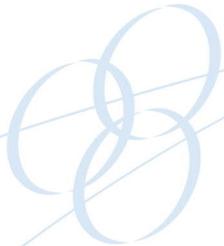
The 2017 audit findings were reviewed, and an assessment was made regarding the sufficiency of actions implemented by Boral Resources in response. Of the 10 recommendations identified the status is as follows:

- Complete and Satisfactory: 4
- Complete and Unsatisfactory: 0
- Incomplete and Satisfactory or N/A: 0
- Incomplete and Unsatisfactory: 6

COMPLIANCE WITH DEVELOPMENT CONSENT 2020 AUDIT

The findings of assessment against the conditions in Schedule 3 – 5 of the Development Consent is presented below. Of the 118 conditions, 87 were assessed as compliant, 6 non-compliant, and 2 not able to be determined.

Schedule	Audit Finding				Total
	Compliant	Non-compliant	N/A	Not Able to Determine	
3	8	1	6	0	15
4	66	3	17	2	88
4a	1	1	0	0	2
5	12	1	0	0	13
Total	87	6	23	2	118



COMPLIANCE WITH EPL 2020 AUDIT

Since 2016/2017 1 non-compliance was recorded, and it relates to licence condition R4.1. The non-compliance resulted in the issue of an EPA Formal Warning but did not result in the issue of a Penalty Notice.

ADEQUACY OF STRATEGIES, PLANS AND PROGRAMS 2020 AUDIT

A number of project strategies, plans and programs have been reviewed and updated since the 2017 audit in line with the revised consent conditions. Overall documents are considered adequate for the purposes as they meet the conditioned requirements, follow a relatively consistent structure and are operational documents.

In general, the strategies, plans and programs lack integration. Furthermore, some of the plans have not been reviewed and revised in accordance with the conditions of consent and require update/finalisation (e.g. the Lower Dam Transition Plan). A number of recommendations are made to improve the project documents and to help ensure they remain current.

OPPORTUNITIES FOR IMPROVEMENT 2020 AUDIT

A total of 22 opportunities to promote improvement in terms of regulatory compliance and environmental performance are included in the audit report for Boral's consideration and action.

OVERALL ASSESSMENT OF ENVIRONMENTAL PERFORMANCE 2020 AUDIT

Noting there are a number of matters that require improvement, the overall environmental performance based on the observed condition of the site, the low number of non-compliances and incidents, and low number of complaints, is considered **'satisfactory'**.



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APPENDIX 1 Development Consent

APPENDIX 2 Environment Protection Licence

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1. INTRODUCTION

1.1. BACKGROUND

Environmental Property Services (EPS) has been approved by Department of Planning, Industry and Environment (DPIE) to complete the Independent Environmental Audit (IEA) of the Dunmore Hard Rock Quarry. The quarry is owned and operated by Boral Resources (NSW) Pty Ltd (Boral). Located on Tabbita Road, approximately 12km north-west of Kiama, the quarry is adjacent to Boral Dunmore Sand and Soil Quarry and the Boral Dunmore Concrete Batching Plant. The audited quarry produces hard rock which is crushed to produce coarse aggregates, road construction materials and fines which are typically used as manufactured sand, bedding material or soil additive.

The quarry, originally approved in November of 2004 (DA 470-11-2003), has been the subject of eleven (11) modifications. A summary of the approved modifications is as follows:

- Modification 1 – New amenities block.
- Modification 2 – Vegetation offsets and transport route.
- Modification 3 – New workshop, office and amenities buildings.
- Modification 4 & 5 – Extension to extraction area and truck parking facility.
- Modification 6 – Increase extraction area and road haulage.
- Modification 7 – Proposed blending plant and modification to noise monitoring requirements.
- Modification 8 – Construction of a bund in preparation for extension of the extraction area and modernising of various conditions.
- Modification 10 – Modification of Condition 33 of Schedule 4 of the consent to rectify the inconsistency of the lower dams capacity specified in the development consent and the existing dams capacity.
- Modification 9 – Extension of the extraction area into the Croom West Pit.
- Modification 11 – Increased road transport tonnage.

At the time of writing no further modifications are lodged or under assessment.

The current consent is attached in Appendix 1.

This audit has been completed to satisfy Schedule 5, Condition 10 of the current development consent.

The previous audit was completed by EPS in 2017.



1.2. AUDIT SCOPE AND SCHEDULE

1.2.1. Audit Scope

This audit is designed to address the requirements of Schedule 5, Condition 10 of DA 470-11-2003 as amended by Modification 11. The requirements are as follows:

- a. Be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
- b. Include consultation with the relevant agencies and the CCC;
- c. Assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL and/or Water Licences (including any assessment, plan or program required under these approvals);
- d. Review the adequacy of any approved strategies, plans or programs required under the abovementioned approvals;
- e. Recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under the abovementioned approvals; and
- f. Be conducted and reported to the satisfaction of the Secretary.

1.2.2. Audit Timeframe

The audit period for the 2020 IEA is April 2017 to April 2020.

1.3. REPORT STRUCTURE

This report has been structured to be consistent with the previous IEA. The structure is as follows:

- **Executive Summary**
- **Section 1 – Introduction:** background, scope, timeframe and contextual information.
- **Section 2 – Audit Methodology:** overview of the methodology used to conduct and deliver the audit and the terminology used within the audit report.
- **Section 3 – Previous Environmental Audit:** results and responses to the previous environmental audit and an assessment of response adequacy.
- **Section 4 – Compliance with the Development Consent:** review of compliance with the development consent DA 470-11-2003 as amended by Modification 11.
- **Section 5 – Compliance with the EPL:** review of compliance with EPL 77.
- **Section 6 – Adequacy of Strategies, Plans and Programs:** review of adequacy of approved strategies, plans or programs required under the consent.
- **Section 7 – Audit Conclusions.**



2. AUDIT METHODOLOGY

This audit has been conducted and prepared with consideration of the *AS/NZS 19011:2019 Guidelines for auditing management systems*. The method used to conduct the audit can be summarised as follows:

Document Review

The following documents were reviewed as part of the document review process:

- The project Environmental Impact Statement (EIS) and modifications;
- Previous audit report;
- Management strategies, plans and programs;
- Monitoring records and reports;
- Correspondence between Boral and relevant agencies; and
- Guidelines and standards.

Consultation

Consultation was undertaken with the following key government agency and Community Consultative Committee members as part of the audit:

- Georgia Dragicovic – Department of Planning, Industry and Environment;
- James Crawford – Environmental Protection Agency;
- Mark Miller – Shellharbour City Council; and
- James Bailey – Community Consultative Committee.

Interviews

Interviews with the following relevant staff members were completed as part of the audit:

- Brodie Bolton – Dunmore Quarry Manager;
- Ben Williams – Environmental Co-ordinator;
- Peter Scioscia – Environmental Business Partner for NSW;
- Dale Todd – Maintenance Supervisor; and
- Stuart McLean – Production Supervisor.

Site Inspection/Visual Verification

A one and a half (1.5) day site inspection was completed to undertake interviews and inspect the site. The site inspection was conducted by the Lead Auditor (Alina Tipper) and the Audit Assistant (Tegann Kelly). The site inspection was completed from 10am on 08/05/2020 to 11am on 09/05/2020.

2.1. TERMINOLOGY

In accordance with the previous audit, the terminology listed in Table 2-1 has been applied when assessing compliance with the Development Consent, Environment Protection Licence (EPL) and the adequacy of other strategies, plans and programs. DPIE letter dated 06/05/2020 specified that the term ‘partial compliance’ may not be used.

Table 2-1: Terminology

Term	Definition
Compliant	Processes have been established and implemented that are consistent with the requirement.
Non-compliant	Failure to develop and/or implement processes to meet the requirement to an effective standard.
Opportunity for improvement (recommendation)	Identification of an opportunity to improve processes or implement changes to add value or clarify compliance with requirements.
N/A, Non-applicable	Requirement not applicable to this audit. May have been updated in previous audit.
Not able to determine	Compliance not able to be assessed as the information available was not sufficient.
Complete	Non-compliances from the previous audit have been addressed and finalised.
Incomplete	Non-compliances and recommendations from the previous audit have not been finalised.
Satisfactory	The actions implemented in response to non-compliances and recommendations from the previous audit are sufficient.

2.2. AUDITOR QUALIFICATIONS

Schedule 5, Condition 10 specifies the audit “*be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary*”.

Correspondence from the Secretary dated 06/05/2020 endorsed the following audit team:

- **Alina Tipper** – Lead Auditor, Senior Environmental Consultant; and
- **Tegann Kelly** – Audit Assistant, Associate Director of Planning and Law.

The team engaged for this audit previously completed the 2017 IEA for the site, but otherwise do not have prior involvement with the Dunmore Hard Rock Quarry.



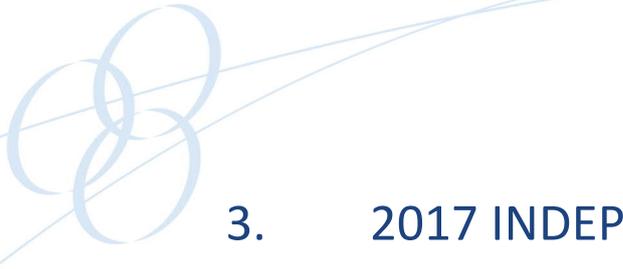
2.3. AUDIT RESPONSE AND CLOSE-OUT

Consistent with DPIE letter dated 06/05/2020 and the previous audit, Boral was provided the opportunity to respond to the recommendations and provide evidence of implementation of actions prior to audit close out. Where applicable, these responses are presented in the compliance tables as evidence or commitments. Where the response was deemed sufficient to close-out the audit finding and assessment of 'satisfactory' or 'complete' has been provided in parentheses.

2.4. RISK ASSESSMENT

In accordance with *AS/NZS 19011:2019 Guidelines for auditing management systems*, each non-compliance has been assigned as risk rating.

Risk Rating	Definition
Low	Minor/administrative risk.
Medium	Significant risk that can cause an impact but not considered serious or major.
High	Serious major risk to environment and project.



3. 2017 INDEPENDENT ENVIRONMENTAL AUDIT CLOSE-OUT

This section provides an overview of the *Boral Resources (NSW) Pty Ltd Dunmore Quarry Independent Environmental Audit 2017* (EPS, 2017). It summarises the actions taken by Boral in response to the recommendations and non-compliances identified in the previous audit.

3.1. 2017 AUDIT FINDINGS PROGRESS

Ten (10) recommendations were made in the 2017 audit and are presented in Table 3-1 along with progress noted during the 2020 audit. The 2017 audit concluded a number of deficiencies relate to strategies, plans, programs and other documentation not being produced, reviewed or approved in the required time periods, and insufficient monitoring and record-keeping. Compliance with the EPL and adequacy of strategies, plans and programs was also reviewed as part of the 2017 audit. The previous audit concluded the overall environmental performance of the site was 'satisfactory'.

Table 3-1: 2017 Audit Close-Out

#	Consent Condition/Issue	2017 Audit Finding	Response/Action	Evidence Noted During the 2020 Audit	2020 Conclusion
DQ1/17	Schedule 3, Condition 6 – Quarrying Operations	The AMER/Annual reviews report on the production and transport figures as financial year, not calendar year. It is recommended reporting is updated to be consistent with the condition which clearly nominates calendar year.	The FY17 Annual Review to report on calendar year for production and transportation figures	2016/17, 2017/18, and 2018/19 Annual Reviews all report production and transport figures in calendar year.	Complete and Satisfactory
DQ2/17	Schedule 4, Condition 14 – Noise Monitoring	Review and revise the Noise Monitoring Program in accordance with the Schedule 4, Condition 14 and DP&E request.	The Noise Monitoring Program to be reviewed in FY18.	Noise Management Plan prepared in December 2017. The Noise Management Plan (2017) contains a program in ‘Section 4 – Noise Monitoring Methodology’.	Complete and Satisfactory
DQ3/17	Schedule 4, Condition 31 – Storm Water Management System	Update the ‘Where addressed in this document’ column of Table 2-1 of the Water Management Plan (Arcadis, 2016) to reference the correct section numbers. Some refer to ‘Section 0’ which is not a component of the report.	Water Management Plan to be reviewed and updated accordingly by December 2017.	Revised Water Management Plan is in draft at time of audit.	Incomplete and Unsatisfactory Opportunity for improvement [DQ1/20]: Finalise revised Water Management Plan.

#	Consent Condition/Issue	2017 Audit Finding	Response/Action	Evidence Noted During the 2020 Audit	2020 Conclusion
DQ4/17	Schedule 4, Condition 33 – Offline Dam	Management action # WMP07 requires a letter report to be issued to the Secretary confirming the Condition 33(a) – (e) have been met. The letter is required to be appended to the WMP and this has not been completed.	When the letter is made available, letter to be attached to sites Water Management Plan.	Revised Water Management Plan is in draft at time of audit.	Incomplete and Unsatisfactory See DQ1/20.
DQ5/17	Schedule 4, Condition 38 – Other Water Management Works	Consider requesting DP&E revises or removes this condition if it has been sufficiently closed out.	Currently in discussions with Boral Senior Planning and Development Manager.	EPA inspected the works and after they were satisfied the works were completed, they amended the licence in 2006. No evidence of notification of the DPE. Condition states “to the satisfaction of EPA and the Secretary”.	Incomplete and Unsatisfactory Opportunity for improvement [DQ2/20]: Follow up approval from DPE.
DQ6/17	Schedule 4, Condition 40 - Monitoring	Boral consider entering into discussions with DP&E regarding definition of ‘regional’.	Currently in discussions with Boral Senior Planning and Development Manager.	No evidence of discussions with Senior Planning and Development Manager supplied. Note the condition specifies: <i>On the provision of two years of monitoring data that shows negligible impact on the regional groundwater network, the Secretary may agree to suspend monitoring of regional groundwater levels and/or quality.</i>	Incomplete and Unsatisfactory Opportunity for improvement [DQ3/20]: Determine if ‘regional’ monitoring that has been completed is satisfactory and the regional monitoring can be suspended.
DQ7/17	Schedule 4, Condition 63 – Road Haulage	In case of any future unexpected mud	Pollution Incident Management Plan has	Pollution Incident Response Management Plan was updated in	Incomplete and Unsatisfactory

#	Consent Condition/Issue	2017 Audit Finding	Response/Action	Evidence Noted During the 2020 Audit	2020 Conclusion
		generation along the transport route, Boral is to formulate a temporary solution that prevents mud-tracking onto public roads.	been updated to include and manage the potential for unexpected mud generation on site.	2019 and does not include information on preventing mud tracking onto public roads.	Opportunity for improvement [DQ4/20]: Ensure updated WMP includes plan to prevent mud tracking onto public roads.
DQ8/17	Schedule 4, Condition 70 – Waste Minimisation	EPA should be consulted with regards to tyre storage on-site and storage should align with the RFS Fire Safety Guideline for bulk storage of rubber tyres.	Site to initiated discussions with EPA regarding storage of tyres on site. The RFS Safety Guidelines are currently being reviewed on site to ensure correct storage of tyres.	<p>During the 2020 audit the tyre tracking register was reviewed estimating in 2019 approximately 460 tyres were stored onsite.</p> <p>A licence is required under the <i>Protection of the Environment Operations Act 1997</i> to store more than 5 tonnes of waste tyres (being casings, seconds, shredded tyres or tyre pieces) or 500 waste tyres at any time or a business involved in processing more than 5,000 tonnes of waste tyres per year.</p> <p>During interviews for the 2020 audit it was noted that a revised Bushfire Management Plan was submitted with South Coast RFS in 2019 but has not yet been reviewed or comments provided.</p>	<p>Complete and Satisfactory</p> <p>Opportunity for improvement [DQ5/20]: Confirm tyres stored on site is less than 500, and if there is a requirement for more than 500 tyres, consult with EPA regarding a licence.</p> <p>Opportunity for improvement [DQ6/20]: Finalise revised Bushfire Management Plan and ensure it covers safe storage of tyres in accordance with Tyre Stewardship Australia <i>Best Practice Guidelines for Tyre Storage and Emergency Preparedness</i> (March 2019) guidelines and Fire & Rescue NSW <i>Fire Safety Guideline</i> –</p>

#	Consent Condition/Issue	2017 Audit Finding	Response/Action	Evidence Noted During the 2020 Audit	2020 Conclusion
					<i>Guideline for bulk storage of rubber tyres</i> (December 2014).
DQ9/17	Schedule 4, Condition 72 – Reporting	As per the recommendations from previous audit [DQ18/14]: types or weights/volumes of waste generate and recycles could be included in the Annual Review to allow comparison over time, and measurement of the effectiveness of reduction measures.	Waste and classifications to be reported in FY17 annual review.	2016/17, 2017/18, and 2018/19 Annual Reviews contain waste breakdown. 2018/19 Annual Review shows over time trends.	Complete and Satisfactory
DQ10/17	Schedule 5, Condition 4 – Revision of Strategies, Plans and Programs	Ensure all documents are reviewed in accordance with this condition of consent. Update the relevant management plans to contain information on timing of review.	All management plans to be reviewed in accordance with the consent.	Some of the plans have not been prepared, reviewed and revised in accordance with the conditions of consent and require update/finalisation (e.g. the Lower Dam Transition Plan).	Incomplete and Unsatisfactory Opportunity for improvement [DQ7/20]: Ensure all management plans are prepared and reviewed in accordance with the requirements of the conditions of consent. It is suggested a review record/register is maintained.

4. COMPLIANCE WITH DEVELOPMENT CONSENT

An assessment of compliance with the conditions contained within Schedule 3, 4, 4a and 5 of Development Consent has been completed and presented in Table 4-2. The assessment lists the conditions, evidence and information sources considered and an assessment against compliance. Where applicable, opportunities for improvement have been identified.

Modifications of the Development Consent since it was issued in 2004 have been included in Table 4-2. Changes are noted in coloured highlighted as follows:

- Modification 1 – Blue;
- Modification 2 – Red;
- Modification 3 – Green;
- Modification 4 and 5 – Pink;
- Modification 6 – Purple;
- Modification 7 – Maroon;
- Modification 8 – Orange;
- Modification 10 – Aqua;
- Modification 9 – Light green; and
- Modification 11 – Yellow highlight.

4.1. SUMMARY OF FINDINGS

A summary of findings is presented in Table 4-1.

Table 4-1: Summary of Findings

Schedule	Audit Finding				Total
	Compliant	Non-compliant	N/A	Not Able to Determine	
3	8	1	6	0	15
4	66	3	17	2	88
4a	1	1	0	0	2
5	12	1	0	0	13
Total	87	6	23	2	118

Of the six non-compliances, two are considered medium risk and four are considered low risk. Where non-compliances are identified the associated risk is noted in Table 4-2.

Table 4-2: Table of Compliance with Development Consent

Number	Details	Evidence Sources/Questions	Audit Finding
Schedule 3			
Obligation to Minimise Harm to the Environment			
1	The Applicant must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the development.	Environmental Controls, Environmental Management Plans.	Compliant
Terms of Approval			
2	The Applicant must carry out the development generally in accordance with the: <ul style="list-style-type: none"> (a) DA 470-11-2003; (b) EIS titled <i>Environmental Impact Statement for the proposed Dunmore Quarry Production Increase</i>, Volumes 1 & 2, dated November 2003, and prepared by R. W. Corkery & Company Pty Limited; (c) The letter from Boral Quarries to the Department dated 20 October 2005 about the application to modify Dunmore Quarry development consent DA 470-11-2003, and accompanying plans 4034032_01 issue E, and 4034032_EL issue B; (d) modification application MOD 59-4-2006 and letter from Boral Quarries to the Department dated 13 April 2006; (e) Modification Application 470-11-2003 Mod 3, letter to the Department dated 28 March 2008, and accompanying plans GE-DU-2961-02 Rev D; GE-DU-2962-01 Rev B; GE-DU-2963-01 Rev 0; and GE-DU-2964-02 Rev 0; and (f) Modification Application 470-11-2003 Mod 4 and accompanying SEE titled <i>Statement of Environmental Effects for the proposed Dunmore Hard Rock Quarry Extension</i>, dated May 2008, and letter from Boral Quarries & Recycling to the Department dated 22 September 2008; 	Consolidated Consent, EIS and EA's, strategies, plans and programs, and site inspection.	Compliant



Number	Details	Evidence Sources/Questions	Audit Finding
(g)	Modification Application 470-11-2003 Mod 5 and accompanying letter from Boral Quarries & Recycling to the Department dated 16 September 2008 (and accompanying plan GE-DU-2966-01 Rev E);		
(h)	Modification Application 470-11-2003 Mod 6 and accompanying document titled <i>Environmental Assessment Dunmore Hard Rock Quarry– Modification 6</i> , prepared by EMGA Mitchell McLennan and dated 19 November 2012;		
(i)	Modification Application 470-11-2003 Mod 7 and accompanying document titled <i>Proposed Blending Plant Dunmore Hardrock Quarry DA 470-11-2003 – Modification 7, Environmental Assessment</i> , dated December 2014; and		
(j)	Modification Application 470-11-2003 Mod 8 and accompanying document titled <i>Dunmore Quarry – Modification 8 Environmental Assessment</i> dated August 2016 and accompanying Response to Submissions, dated 22 September 2016.		
(k)	Modification Application 470-11-2003 Mod 10 and accompanying documents titled <i>Environmental Assessment: Dunmore Quarry Modification 10</i> , dated 23 May 2017, and supplementary <i>Environmental Assessment</i> titled <i>Environmental Assessment: Dunmore Quarry Modification 10</i> , dated 16 June 2017;		
(l)	Modification Application 470-11-2003 Mod 9 and accompanying documents titled <i>Dunmore Quarry – Modification 9 Environmental Assessment</i> , dated 17 February 2017, and <i>Response to Submissions</i> titled <i>Dunmore Quarry – Modification 9 Response to Submissions</i> , dated 17 August 2017; and		
(m)	Modification Application 470-11-2003 Mod 11 and accompanying document titled <i>Dunmore Quarry – Modification 11 Environmental Assessment</i> , dated 28 September 2018, <i>Response to Submissions</i> titled <i>Dunmore Quarry – Mod 11 Response to Submissions</i> , dated 7 November 2018, and additional information titled <i>Traffic Impact Assessment Addendum</i> , dated 24 January 2019.		

Number	Details	Evidence Sources/Questions	Audit Finding
2A	The Applicant must carry out the development in accordance with the conditions of this consent.	Consolidated Consent, strategies, plans and programs, and site inspection.	Compliant
3	If there is any inconsistency between the documents in condition 2, the most recent document shall prevail to the extent of the inconsistency. The conditions of this consent shall prevail over the documents in condition 2 to the extent of any inconsistency.	N/A	N/A
4	The Applicant must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: <ul style="list-style-type: none"> (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent (including any stages of these documents); (b) any reviews, reports or audits commissioned by the Department regarding compliance with this consent; and (c) the implementation of any actions or measures contained in these documents. 	Correspondence with DPIE	Compliant
Quarrying Operations			
5	The Applicant may carry out quarrying operations on the site until 30 September 2034. <i>Note: Under this consent, the Applicant is required to rehabilitate the site and carry out additional undertakings to the satisfaction of the Secretary. Consequently, this consent will continue to apply in all other respects other than the right to conduct quarrying operations until the rehabilitation of the site and those undertakings have been carried out to a satisfactory standard.</i>	N/A	N/A
6	The Applicant must not produce or transport more than 2.5 million tonnes of quarry products a calendar year from the development.	Production, sales and transport records.	Compliant <u>2017:</u> Produced = 1,827,087t



Number	Details	Evidence Sources/Questions	Audit Finding
		Interview with Production Supervisor.	Transported = 1,700,441t <u>2018:</u> Produced = 2,028,544t Transported = 1,833,937t <u>2019:</u> Produced = 937,000t Transported = 1,738,147t <u>2020:</u> A review of the available data for 2020 revealed the limits have not been exceeded thus far. Transport total at 30 April 2020 is 449,157t, and total production is 287,840t.
Transportation			
7	A maximum of 2.5 million tonnes of quarry products may be transported from the site in any calendar year.	Production, sales and transport records. Interview with Production Supervisor.	Compliant <u>2017:</u> Transported = 1,700,441t <u>2018:</u> Transported = 1,833,937t <u>2019:</u> Transported = 1,738,147t <u>2020:</u> Transport total at 30 April 2020 is 449,157t.
7a	The Applicant must not dispatch more than: a) 33 laden trucks from the site in any hour between 6 am and 9 am; b) 40 laden trucks from the site in any hour between 9 am and 3 pm; c) 23 laden trucks from the site in any hour between 3 pm and 6 am; and d) a total of 400 laden trucks from the site per day.	Production, sales and transport records. Interview with Environmental Co-ordinator.	Non-Compliant – Low Risk Within the limit of 400 laden trucks from the site per day. Highest number of trucks leaving site 298 per day.



Number	Details	Evidence Sources/Questions	Audit Finding
	<p>Note: In this condition, “day” means any 24-hour period.</p>		
			<p>11 exceedances in hourly limits recorded: 7am 39 trucks on 20/04/2020 35 trucks on 30/04/2020 3pm 27 trucks on 05/12/2019 25 trucks on 12/12/2019 25 trucks on 10/03/2020 25 trucks on 12/03/2020 25 trucks on 18/03/2020 25 trucks on 06/04/2020 26 trucks on 08/04/2020 24 trucks on 15/04/2020 24 trucks on 23/04/2020</p>
			<p>Opportunity for improvement [DQ8/20]: A Traffic Management System should be developed to monitor and control truck dispatch movements in accordance with limitations.</p>
			<p>Opportunity for improvement [DQ9/20]: If the hourly truck dispatch limitations are not practical</p>



Number	Details	Evidence Sources/Questions	Audit Finding
			for operations, consultation with DPIE should occur to understand if modification of this condition is appropriate.
Surrender of Consents			
8	Deleted	N/A	N/A
Structural Adequacy			
9	<p>The Applicant must ensure that any new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> • Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for any building works. • Part 8 of the EP&A Regulation sets out the detailed requirements for the certification of development 	Interview with Quarry Manager.	N/A No new buildings or structures created.
Demolition			
10	The Applicant must ensure that all demolition work is carried out in accordance with AS 2601-2001: <i>The Demolition of Structures</i> , or its latest version.	Interview with Quarry Manager.	N/A No demolition has occurred.
Protection of Public Infrastructure			
11	<p>The Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating any public infrastructure that needs to be relocated as a result of the development.</p>	Interview with Quarry Manager.	N/A No public infrastructure has been damaged or relocated.

Number	Details	Evidence Sources/Questions	Audit Finding
Operation of Plant and Equipment			
12	The Applicant must ensure that all plant and equipment at the site, or used in connection with the development, are: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Interview with Quarry Manager, interview with Maintenance Supervisor, sighted maintenance schedule, consultation with EPA.	Compliant Opportunity for improvement [DQ10/20]: Prioritise maintenance checks of bag houses in crushing and screening plant to ensure they are maintained in a proper and efficient condition.
Compliance			
13	The Applicant must ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.	Interview with Quarry Manager, interview with Environmental Co-ordinator, review of induction package, induction records for employees, contractors and sub-contractors.	Compliant
Schedule 4			
Identification of Boundaries			
1	Within 6 months of the date of this consent and any subsequent modification involving a change to the approved limits of extraction, the Applicant must: (a) engage a registered surveyor to mark-out the boundaries of the approved limits of extraction; (b) submit a survey plan of these boundaries to the Secretary; and (c) ensure that these boundaries are clearly marked at all times in a permanent manner that allows operating staff and inspecting officers to clearly identify those limits.	Review of modifications approved, review of survey plan '171230 Approved DQ Mod 9 Extraction Boundary' (CEH Consulting Pty Ltd, 2017)	Compliant Site extraction boundary markers sighted (photographs included in Attachment 1(ii)). Modification 9 involved extension of extraction area. Survey plan reviewed. Could



Number	Details	Evidence Sources/Questions	Audit Finding										
			<p>not be determined if survey plan had been submitted to Secretary.</p> <p>Opportunity for improvement [DQ11/20]: Confirm survey plan has been submitted to the Secretary.</p>										
2	<p>Upon receiving a written request for acquisition from the landowner of the land listed in Table 1, the Applicant must acquire the land in accordance with conditions 3 and 4 below.</p> <table border="1" data-bbox="394 754 1249 925"> <thead> <tr> <th>Land Owner</th> <th>Land Identification</th> </tr> </thead> <tbody> <tr> <td>Creagan</td> <td>Lot 5 DP1001931</td> </tr> <tr> <td>Stocker</td> <td>Lot 1 DP745632</td> </tr> <tr> <td>McParland/ Fogarty</td> <td>Lot 10 DP977931</td> </tr> <tr> <td>Kimmorley Property</td> <td>Lot 1 DP998321</td> </tr> </tbody> </table> <p><i>Table 1: Land Subject to Acquisition on Request</i> <i>Note: Land titled 'McParland/Fogarty' has been acquired and is now quarry owned.</i></p>	Land Owner	Land Identification	Creagan	Lot 5 DP1001931	Stocker	Lot 1 DP745632	McParland/ Fogarty	Lot 10 DP977931	Kimmorley Property	Lot 1 DP998321	No written requests received.	Compliant
Land Owner	Land Identification												
Creagan	Lot 5 DP1001931												
Stocker	Lot 1 DP745632												
McParland/ Fogarty	Lot 10 DP977931												
Kimmorley Property	Lot 1 DP998321												
3	<p>Within 6 months of receiving a written request from the landowner, the Applicant must pay the landowner:</p> <p>(a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development the subject of this DA, having regard to the:</p> <ul style="list-style-type: none"> existing and permissible use of the land, in accordance with the applicable environmental planning instruments at the date of the written request; and 	No written requests received.	N/A										



Number	Details	Evidence Sources/Questions	Audit Finding
	<ul style="list-style-type: none"> • presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner’s written request, and is due to be completed subsequent to that date; and (b) the reasonable costs associated with: <ul style="list-style-type: none"> • relocating within the Shellharbour or Kiama local government areas, or to any other local government area determined by the Secretary; and • obtaining legal and expert advice for determining the acquisition price of the land and the terms upon which it is to be acquired; and (c) reasonable compensation for any disturbance caused by the land acquisition process. <p>However, if within 6 months of receiving this written request, the Applicant and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution. Upon receiving such a request, the Secretary shall request the NSW President of the Australian Property Institute to appoint a qualified independent valuer to consider submissions from both parties, and determine a fair and reasonable acquisition price for the land, and/or the terms upon which the land is to be acquired. If either party disputes the independent valuer’s determination, the independent valuer must refer the matter back to the Secretary for resolution. If the landowner refuses to accept this offer within 6 months of the date of the Applicant’s offer, the Applicant’s obligations to acquire the land cease, unless otherwise agreed by the Secretary.</p>		
4	The Applicant must bear the costs of any valuation or survey assessment requested by the independent valuer or the Secretary , and the costs of determination referred to in Condition 3 above.	No written requests received.	N/A

Number	Details	Evidence Sources/Questions	Audit Finding
5	If the Applicant and landowner agree that only part of the land should be acquired, then the Applicant must pay all reasonable costs associated with obtaining Council approval for any plan of subdivision, and registration of the plan at the Office of the Registrar-General.	No written requests received.	N/A
6	While the land listed in Table 1 is privately-owned land, the Applicant must comply with the requirements applying to this land in these conditions of consent.	Conditions of Consent	Compliant Collected where relevant throughout this table.
6a	<p>Upon receiving a written request from the landowner of any residence on the land listed in Table 1 or Table 1A, the Applicant must implement additional mitigation measures at or in the vicinity of the residence, in consultation with the landowner. These measures must be consistent with the measures outlined in the Voluntary Land Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Development (NSW Government, 2014), as may be updated or replaced from time to time. They must also be reasonable and feasible and proportionate to the level of predicted impact.</p> <p>If within 3 months of receiving this request from the landowner, the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.</p>	No written requests received.	N/A

Receiver Locations	Mitigation Basis
Locations AA, D, F, G and Z	Noise

Table 1A: Land Subject to Mitigation on Request

Noise			
Noise Limits			
7	The Applicant must ensure that the noise generated by the development does not exceed the criteria specified in Table 2.	Annual Compliance Noise Monitoring	Compliant



Number	Details	Evidence Sources/Questions	Audit Finding
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Receiver Locations	Noise Limits dB(A)					
	L _{Aeq} (15min)				L _{A1} (1min)	
	Day	Evening	Night	Shoulder	Night	Shoulder
Location K – Stocker Residence	49	44	38	47	48	55
Location O – Dunmore Lakes	49	44	38	47	48	55
Location J – Creagan Residence	Negotiated agreement in place.					
Location AA	38	38	38	38	45	45
Locations AB and T	36	36	36	36		
Locations D, F, G and Z	40	40	40	40		
Location S	37	37	37	37		
Other privately-owned residences	35	35	35	35		

reports 2017, 2018 and 2019, community complaints database, site inspection of monitoring locations

2017
Pre-Modification 9, therefore only required monitoring at Location A (since removed), K, O and J. Monitoring completed at the correct receiver locations, the correct meteorological conditions and the sound levels did not exceed criteria.

2018
Monitoring completed at the 5 monitoring locations representative of the receiver locations and in accordance with the approved Noise Management Plan, and the correct meteorological conditions. Exceedances were measured at Noise Monitoring Location 3 (representative of T). Additional monitoring occurred at Location 3 which demonstrated compliance. It was recommended to complete further noise monitoring in September 2018. The additional monitoring was completed and provided to DPIE. DPIE

Table 2: Noise Impact Assessment Criteria for the Development
Notes:

Number	Details	Evidence Sources/Questions	Audit Finding
1.	Receiver locations <i>are shown in Appendix 2.</i>		confirmed the additional modelling and results were acceptable.
2.	<i>The above table may be varied if the Applicant enters into a negotiated agreement with any of the affected residents, or if existing agreements become void.</i>		
3.	<i>Noise from the development is to be measured at the most affected point on or within the residential boundary or at the most affected point within 30m of the dwelling (rural situations) where the dwelling is more than 30m from the boundary, to determine compliance with the LAeq(15 minute) noise limits in the above table. Where it can be demonstrated that direct measurement of noise from the development is impractical, the EPA may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors presented in Section 4 of the NSW Industrial Noise Policy must also be applied to the measured noise levels where applicable.</i>		2019 Monitoring completed at the 5 monitoring locations representative of the receiver locations and in accordance with the approved Noise Management Plan, and the correct meteorological conditions and the sound levels did not exceed criteria.
4.	<i>Noise from the development is to be measured at 1m from the dwelling façade to determine compliance with the LA1(1minute) noise limits in above table.</i>		
5.	<i>The noise emission limits identified in Table 1 apply under meteorological conditions of: Wind speed up to 3m/s at 10 metres above ground level; or Temperature inversion conditions of up to 3°C/100m and wind speed up to 2m/s at 10 metres above the ground.</i>		

Noise Investigations

8	Deleted	N/A	N/A
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Operating Hours



Number	Details	Evidence Sources/Questions	Audit Finding
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9 The Applicant **must** comply with the operating hours in Table 3:

Activity	Days of the Week	Time
Extraction and processing	Monday - Saturday	6-00am to 10-00pm
Product Transfer to Stockpiles	Monday - Saturday	6-00am – Midnight
Distribution	Monday - Saturday	24 hrs
	Sunday	See Condition 10, Schedule 4
Maintenance	Monday – Sunday	24 hrs
Construction (including construction of the bund under Modification 8)	Monday - Saturday	7-00am to 6-00pm Monday to Friday 8-00am to 1-00pm Saturday

Table 3: Operating Hours for the Development

Reviewed CRONOS system data, interview with Quarry Manager and Maintenance Supervisor and Production supervisor, consultation with CCC and Council.

Compliant
Review of CRONOS data showed no non-compliances with approved operating hours.

10 Deleted.

N/A

N/A

Oversized Material

11 The Applicant **must** not process any oversized raw feed material at the development during the shoulder period.

Interview with Quarry Manager and Maintenance Supervisor

Not able to determine
Insufficient data able to be supplied to determine with



Number	Details	Evidence Sources/Questions	Audit Finding
	<i>Note: For the purpose of this condition “oversized raw feed material” is defined as where more than 50% of the shot is over 900mm in diameter.</i>	and Production supervisor, consultation with CCC and Council.	certainty that oversized raw feed material is not being processed within the shoulder period. Interview with Quarry Manager indicated that it is not occurring, and interrogation of CRONOS indicated that work is being conducted within consented hours of operation, but no documented evidence.
Noise Operating Conditions			
11a	The Applicant must: (a) take all reasonable steps to minimise the construction, operational and transport noise associated with the development; (b) take all reasonable steps to minimise the noise impacts of the development during noise-enhancing meteorological conditions; when the noise criteria in this consent do not apply; and (c) regularly assess noise monitoring data, and modify or stop operations on the site to ensure compliance with the relevant conditions of this consent, to the satisfaction of the Secretary.	Noise Management Plan 2017, Annual Compliance Noise Monitoring reports 2017, 2018 and 2019, community complaints database, site inspection of monitoring locations	Compliant
Noise Monitoring			
12	Deleted	N/A	N/A
13	Within 3 months of the date of this consent, and annually thereafter, unless directed otherwise by the Secretary, the Applicant must: (a) commission a suitably qualified person to assess whether the development is complying with the noise impact assessment criteria in Table 2, in general accordance with the NSW Industrial Noise Policy and Australian Standard (AS) 1055-1997: “Description and Measurement of Environmental Noise”; and	Annual Compliance Noise Monitoring reports 2017, 2018 and 2019, name and details of assessor, date of submission to EPA & Secretary.	Compliant Annual Compliance Noise Monitoring completed in: <ul style="list-style-type: none"> July 2017; September 2018; and July 2019.



Number	Details	Evidence Sources/Questions	Audit Finding
	<p>(b) provide the results of this assessment to the EPA and Secretary within a month of commissioning the assessment.</p>		<p>2017 and 2018 reports were completed by SLR. 2019 was completed by MAC. All assessments were completed in accordance with Table 2 and AS 1055 – 1997 (or the latest version). Submitted to EPA in the annual returns. 2017 was submitted to Secretary as part of the Annual Review in 2017/18. Evidence sighted confirming 2018 and 2019 were also submitted to the Secretary.</p>

Noise Management Plan

14	<p>The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none">(a) be prepared in consultation with the EPA;(b) be submitted to the Secretary for approval prior to commencing quarrying operations in the Croome West Pit, unless the Secretary agrees otherwise;(c) describe the measures to be implemented to ensure:<ul style="list-style-type: none">• compliance with the noise criteria and operating conditions of this consent;• best practice management is being employed;• noise impacts of the development are minimised during stage 3 extraction of the Croome West Pit, particularly during the shoulder period; and• noise impacts of the development are minimised during meteorological conditions under which the noise criteria in this consent do not apply;	Noise Management Plan (EMM, 2017)	Compliant Noise Management Plan approved and addresses (a) – (e) of the condition.
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Number	Details	Evidence Sources/Questions	Audit Finding
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(d) describe the proposed noise management system; and
 (e) include a monitoring program to be implemented to measure noise from the development against the noise criteria in Table 2.

The Applicant must implement the Noise Management Plan as approved by the Secretary.

Reporting

15	Deleted	N/A	N/A
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Blasting and Vibration

Airblast Overpressure Criteria

16 The Applicant **must** ensure that the airblast overpressure level from blasting at the development does not exceed the criteria in Table 4 at any residence or sensitive receiver on privately-owned land.

Airblast overpressure level [dB(Lin Peak)]	Allowable exceedance
115	5% of the total number of blasts over a period of 12 months
120	0%

Table 4: Airblast Overpressure Limits

Airblast monitoring results reported in Annual Returns 01/01/2017 – 06/08/2019, interview with Production Supervisor.

Compliant
 Exceedances recorded:
2017

- 16/08/2017 at 116.0 dB(L) – reported in Annual Return.

2018:

- 14/02/2018 at 117.4 dB(L) – reported in Annual Return.

2020

- 08/04/2020 at 116.3 dB(L) – reported in interview with Production Supervisor and review of monitoring records.



Number	Details	Evidence Sources/Questions	Audit Finding
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All exceedances under 120 dB(L), and within the 5% allowable exceedance.

Ground Vibration Criteria

17 The Applicant **must** ensure that the peak particle velocity from blasting at the development does not exceed the criteria in Table 5 at any residence or sensitive receiver on privately - owned land.

Peak particle velocity (mm/s)	Allowable exceedance
5	5% of the total number of blasts over a period of 12 months
10	0%

Table 5: Ground Vibration Limits

Ground vibration monitoring reported in Annual Returns, interview with Production Supervisor.

Compliant
Exceedances recorded:
2018:
27/02/2018 at 5.59 mm/s – reported in Annual Return.
2020
05/02/2020 at 5.37 mm/s reported in interview with Production Supervisor and review of monitoring records. All exceedances under 10mm/s, and within the 5% allowable exceedance.

Blasting Restrictions

18 Blasting operations at the site may only take place:
a) between 9am and 5pm Monday to Saturday inclusive;
b) are limited to 2 blasts each day; and
c) at such other times as may be approved by EPA.

Airblast monitoring records, interview with Quarry Manager and Production Supervisor

Compliant
Monitoring reports were consistent with the times/frequencies nominated in the condition. No additional times have been approved by the EPA.

Blast Operating Conditions

19 During blasting operations, the Applicant **must:**
(a) take all reasonable steps to:

Interview with Quarry Manager and

Compliant

Number	Details	Evidence Sources/Questions	Audit Finding
	<ul style="list-style-type: none"> (i) protect the safety of people in the surrounding area; (ii) protect public or private infrastructure/property in the surrounding area from any damage; and (iii) minimise blast-related dust and fume emissions; and (b) operate a suitable system to enable members of the public to get up-to-date information on the proposed blasting schedule on the site, to the satisfaction of the Secretary. 	Production Supervisor, consultation with CCC and Council, Blast Management Plan (2019)	

Blast Management Plan

20	<p>The Applicant must prepare a Blast Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be submitted to the Secretary for approval within 6 months of Modification 8, unless otherwise agreed by the Secretary; (b) describe the measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this consent; (c) include measures to manage and monitor the avoidance of impacts on the heritage values on the buildings on Lot 10 DP977931; (d) include measures to manage flyrock; (e) include a monitoring program for evaluating and reporting on compliance with blasting criteria in this consent; (f) included community notification procedures for the blasting schedule, in particular to nearby residences; and (g) include a protocol for investigating and responding to complaints. 	Blast Management Plan (BMP) approved 23/11/2016 (Mod 8 approved 17/11/2016), Updated/current Blast Management Plan (2019)	<p>Compliant</p> <p>A BMP was approved by DPIE in letter dated 23/11/16 in compliance with part (a) of this condition.</p> <p>The BMP has been updated and approved in 2019.</p>
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The Applicant must implement the Approved Blast Management Plant as approved from time to time by the Secretary.

Note: prior to the approval of the Blast Management Plan revised under Modification 8, the most recent approved version must continue to have full force and effect and must be implemented.



Number	Details	Evidence Sources/Questions	Audit Finding
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21 The Applicant **must** monitor the airblast overpressure and peak particle velocity impacts of the development at the permanent monitoring station **as** approved by the **EPA**, to the satisfaction of the EPA and **Secretary**, using the specified units of measure, frequency, sampling method, and location in Table 6.

Confirmed location of the permanent monitoring station and reviewed Annual Returns.

Compliant
As of 16 February 2018 blast monitoring has been undertaken at the Benny Property due to the acquisition of the MacParland property and subsequent reported variation to requirements in the EPL.

No non-compliances with the EPL regarding blast monitoring have been recorded in the audit period.

Monitoring is provided to the EPA via EPL returns, and the Secretary via the Annual Review.

Parameter	Unit of Measure	Frequency	Sampling Method	Measurement Location
Airblast overpressure	dB(Lin Peak)	During every blast	AS2187.2-1993	Not less than 3.5m from a building or structure <i>(or otherwise agreed by EPA)</i>
Peak particle velocity	mm/s	During every blast	AS2187.2-1993	Not more than 30m from a building or structure <i>(or otherwise agreed by EPA)</i>

Table 6: Airblast overpressure and peak particle velocity monitoring

Standards Australia, 1993, AS2187.2-1993: Explosives - Storage, Transport and Use of Explosives

Air Quality
Impact Assessment Criteria



Number	Details	Evidence Sources/Questions	Audit Finding
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22 The Applicant must ensure that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 7 at any residence on privately-owned land.

Air Quality Monitoring Plan, monitoring results, compliance reporting in Annual Reviews and mitigation measures, EPL Annual Returns

Compliant
 The relevant criteria are included the Air Quality Monitoring Plan. A number of exceedances have been noted in the monitoring results within the Annual Reviews/Annual Returns for all years of the reporting period. It is noted that dust deposit sources other than the quarry may be contributing to the exceedances in some instances.
 The intent of this condition is management of ambient air quality on privately owned land, as such a review of the complaints register was undertaken.
 One complaint has been received since 2017 in relation to dust.
 Mitigation measures are in place on-site including use of water truck which was observed in operation on site – See Appendix 3.

Pollutant	Averaging Period	Criterion	
Particulate matter < 10 µm (PM10)	Annual	a,d 25 µg/m3	
Particulate matter < 10 µm (PM10)	24 hour	b 50 µg/m3	
Particulate matter < 2.5 µm (PM10)	Annual	a,d 8 µg/m3	
Total suspended particulates (TSP)	Annual	a,d 90 µg/m3	
^c Deposited dust	Annual	^b 2 g/m2/month	^{a,d} 4 g/m2/month

Table 7: Air Quality Impact Assessment Criteria

Notes:

a Cumulative impact (ie increase in concentrations due to the development plus background concentrations due to all other sources).

b Incremental impact (ie increase in concentrations due to the development alone, with zero allowable exceedances of the criteria over the life of the development).

c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.

d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.



Number	Details	Evidence Sources/Questions	Audit Finding
Air Quality Operating Conditions			
23	<p>The Applicant must:</p> <ul style="list-style-type: none">(a) take all reasonable steps to minimise dust, fume and greenhouse gas emissions of the development;(b) regularly assess meteorological and air quality monitoring data and relocate, modify or stop operations on the site to ensure compliance with the relevant conditions of this consent;(c) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see Note d to Table 7 above); and(d) minimise any visible off-site air pollution, to the satisfaction of the Secretary.	Air Quality Management Plan, inspection of dust mitigation measures during site visit, complaints register.	Compliant Realtime monitors have been installed which will enable proactive approach to management.
Air Quality Management Plan			
24	<p>The Applicant must prepare an Air Quality Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none">(a) be submitted to the Secretary for approval within 6 months of the determination of Modification 9, unless otherwise agree by the Secretary;(b) describe the measures to be implemented to ensure:<ul style="list-style-type: none">• compliance with the air quality criteria and operating conditions of this consent;• best practice management is being employed; and• the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events;(c) describe the proposed air quality management system;(d) include an air quality monitoring program that:<ul style="list-style-type: none">• is capable of evaluating the performance of the development and informing day to day management decisions;• includes a protocol for determining any exceedances of the relevant conditions of consent; and	Air Quality Management Plan, inspection of dust mitigation measures during site visit, complaints register.	Compliant Approved Air Quality Management Plan (May 2019)

Number	Details	Evidence Sources/Questions	Audit Finding
	<ul style="list-style-type: none"> effectively supports the air quality management system. <p>The Applicant must implement the approved Air Quality Management Plan as approved by the Secretary.</p>		
Meteorology Monitoring			
25	<p>For the duration of the development, the Applicant must ensure that there is a suitable meteorological station operating in close proximity to the site that:</p> <p>(a) complies with the requirements in the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007) (as may be updated or replaced from time to time); and</p> <p>(b) is capable of continuous real-time measurement of atmospheric stability category determined by the sigma theta method in accordance with the NSW Industrial Noise Policy (EPA, 2000), (as may be updated or replaced from time to time) unless a suitable alternative is approved by the Secretary following consultation with the EPA.</p>	<p>Site inspection of permanent meteorological stations, review of meteorological monitoring results.</p>	<p>Compliant Real time monitors installed prior to June 2019. Results will be reported in next Annual Review.</p>
26	Deleted	N/A	N/A
Surface and Ground Water			
Pollution of Waters			
27	<p>Except as may be expressly provided by an Environment Protection Licence, the Applicant shall comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> during the carrying out of the development.</p>	<p>Section 120 of the <i>Protection of the Environment Operations Act 1997</i>, L1.1 EPL and EPL Annual Returns.</p>	<p>Compliant</p>
Water Supply			
28A	<p>The applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of quarrying operations to match its availability water supply.</p> <p><i>Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.</i></p>	<p>Water Management Plan (2016), water licences and permits, site inspection.</p>	<p>Compliant The current Water Management Plan (Arcadis, 2016) notes the project holds the following water licences and permits:</p>



Number	Details	Evidence Sources/Questions	Audit Finding
			<ul style="list-style-type: none"> • Surface water extraction licence WAL25152 to extract 227ML pa from Rocklow Creek; • Water Supply Works approval number 10WA103611; and • DA 470-11-2003 permitting use of water from on-site dams. <p>The audit site inspection revealed water in site dams was available for processing and dust suppression. An updated Water Management Plan is under preparation in consultation with EPA and DPIE.</p>
Water Discharge Limit			
28	The Applicant must comply with the discharge limits in any EPL, or with section 120 of the POEO Act.	Inspection of discharge monitoring points, Annual Returns, interviews.	<p>Non-compliant – Medium Risk</p> <p>The following uncontrolled discharge events occurred in the reporting period that resulted in exceedances, or inability to sample:</p> <ul style="list-style-type: none"> • 18/11/2017 • 06/01/2019 • 19/03/2019 • 04/06/2019



Number	Details	Evidence Sources/Questions	Audit Finding
			<ul style="list-style-type: none"> 05/06/2019 <p>Opportunity for improvement [DQ12/20]: Implement updated Water Management Plan when approved to reconfigure storage on site and prevent uncontrolled discharge events.</p>
Site Water Balance			
29	<p>In each Annual Review, the Applicant shall:</p> <ul style="list-style-type: none"> (a) recalculate the site water balance for the development; and (b) provide information on evaporative losses, dust suppression, dam storage levels and (c) evaluate water take against licensing requirements. 	Annual Review.	<p>Compliant</p> <p>2017 Section 2.3.1 of Annual Review. Noted Royal Haskoning DHV was completing site water balance review. Doesn't clearly evaluate against licencing requirements.</p> <p>2018 Section 2.3.2 of Annual review. Doesn't clearly evaluate against licencing requirements.</p> <p>2019</p>



Number	Details	Evidence Sources/Questions	Audit Finding
			<p>Section 5.5.3 of Annual review. Evaluate against licencing requirements.</p> <p>Opportunity for improvement [DQ13/20]: Ensure all future Annual Reviews address the reporting requirements in Schedule 4, Condition 29.</p>
Storm Water Management System			
30	<p>The Applicant must ensure that the storm water management system for the development is designed, constructed and operated to capture and treat polluted waters from storm event(s) of up to and including the 5-day, 95th percentile rainfall event.</p>	<p>Site inspection of stormwater management system, Water Management Plan prepared by Arcadis 2016.</p>	<p>Compliant Water Management Plan prepared and implemented in 2008 by Evans and Peck and updated in 2016 includes provision for a stormwater management system. Section 3.2.4.5 includes Operating Principles designed to address the applicable condition. Water Management Plan is currently being updated.</p> <p>See DQ1/20.</p>
31	<p>The Applicant must ensure that the basins in the storm water management system are managed in accordance with the operating principles within the revised Water Management Plan prepared by Evans and Peck, dated April</p>	<p>Water Management Plan (Arcadis, 2016), Operating Principles (Section 3.2.4.5), basin</p>	<p>Compliant Procedures from Water Management Plan created by Evans and Peck in 2008 have</p>

Number	Details	Evidence Sources/Questions	Audit Finding
	2008, or any subsequent Water Management Plan approved by the Secretary, to maintain the required storm water storage volume.	inspection program, inspection logs, interview of inspection staff.	been incorporated into the 2016 Water Management Plan prepared by Arcadis. Water Management Plan is currently being updated. See DQ1/20.
Offline Dam			
32	<p>By 18 May 2008, or as otherwise agreed to by the Secretary, the Applicant must:</p> <p>(a) modify the existing dam at the site to create increased capacity offline from Rocklow Creek;</p> <p>(b) construct dams within the site of sufficient capacity to ensure that the water quality criteria in condition 29 can be met for all rainfall events up to and including the 5-day duration 95th percentile rainfall event;</p> <p>(c) ensure the discharge and overflow points of the dams do not cause erosion at the point of discharge/overflow;</p> <p>(d) rehabilitate and stabilise the banks of the dams; and</p> <p>(e) ensure the integrity of the dams would not be compromised by flooding; to the satisfaction of the EPA and the Secretary.</p>	Site inspection: dam, discharge points, dam bank, rehabilitation/stabilisation, EPA interview, WMP.	<p>Non-compliant – Medium Risk</p> <p>Water Management Plan is currently being updated.</p> <p>See DQ1/20.</p>
33	<p>Prior to carrying out any of these works, the Applicant must prepare, and subsequently implement, a Dam Upgrade Plan in consultation with the EPA, and to the satisfaction of the Secretary.</p> <p>This plan must include:</p> <p>(a) the detailed design and specifications of the proposed works, which have been certified by a practicing registered engineer;</p> <p>(b) an erosion and sediment control plan for the proposed works, that is consistent with the requirements in the Department of Housing's <i>Managing Urban Stormwater: Soils and Construction</i> manual;</p>	Dam Upgrade Plan	<p>Compliant</p> <p>A Dam Upgrade Plan was developed in 2008 by Coffey Engineering. This plan will require review and update, or will need to be incorporate into, the updated approved Water Management Plan.</p>

Number	Details	Evidence Sources/Questions	Audit Finding
	<p>(c) a vegetation and rehabilitation plan, setting out how the banks of the dam and other relevant pollution control features would be rehabilitated and stabilised, and the baffle and macrophyte zone would be constructed;</p> <p>(d) an acid sulfate soil management plan that is consistent with the <i>NSW Acid Sulfate Soil</i> manual;</p> <p>(e) a construction program for the proposed works; and</p> <p>(f) a program setting out how the modified dam and associated revegetation works would be maintained during the life of the development.</p> <p>The Applicant must implement the approved management plan as approved from time to time by the Secretary.</p>		<p>Opportunity for improvement [DQ14/20]: Ensure Dam Upgrade Plan is updated or incorporated into the updated approved Water Management Plan.</p>
34	<p>Within 1 month of completing the construction works in the Dam Upgrade Plan, the Applicant must submit an as-executed report, certified by a practicing registered engineer, to the satisfaction of the EPA and Secretary.</p>	As-executed Report for previous Dam Upgrade.	<p>Compliant As executed report for Dam Upgrade Plan certified by practicing engineer, Jon Thompson of Coffey Geotechnics Pty Ltd, was approved by the Secretary 20/02/17.</p>
Lower Dam Transition Plan			
35A	<p>Within 3 months of the determination of Modification 9, or as otherwise agreed by the Secretary, the Applicant must prepare a Lower Dam Transition Plan in consultation with the EPA and to the satisfaction of the Secretary. The plan must include a program to:</p> <p>(a) undertake a broader assessment of the site's water management system and potential water pollution impacts; and</p> <p>(b) investigate reasonable and feasible mitigation measures to improve water quality outcomes for the site, including altering the design of the Lower Dam or else transitioning away from its use, within two years.</p>	N/A	<p>Complaint The Lower Dam Transition Plan has been prepared as part of the updated Water Management Plan and is currently in consultation with EPA.</p>



Number	Details	Evidence Sources/Questions	Audit Finding
	The Applicant must not alter the Lower Dam until this plan is approved by the Secretary. The Applicant must implement the approved plan as approved by the Secretary.		Opportunity for improvement [DQ15/20]: Ensure the approved updated Water Management Plan includes the Lower Dam Transition Plan.
Flocculent Management			
35	The Applicant must not use flocculants on the site.	No evidence of flocculent storage during site inspection, Water Management Plan.	Compliant Interview with Quarry Manager and Maintenance Superintendent indicated flocculants are not being used. No flocculants observed in inspection of storage facilities.
36	Deleted.	N/A	N/A
Other Water Management Works			
37	<p>Within 18 months of the date of this consent, the Applicant must carry out the following works:</p> <p>(a) <i>Workshop and Fuel Storage Area</i></p> <ul style="list-style-type: none"> desilt drains and culverts upstream of the workshop to limit flooding; construct a first flush collection basin to capture and store the first 13mm of run-off from the external service bays before it is treated by the oil/water separator; and bund and roof the drum storage area; <p>(b) <i>Magazine Area</i></p> <ul style="list-style-type: none"> reinstate drain through access road to magazines to direct stormwater flows to the main drain; <p>(c) <i>deleted</i></p>	<p>Site inspection of workshop/fuel storage area and magazine area.</p>	<p>Compliant</p> <p>(a) No drainage problems observed. The basin has been constructed, as reported in the 2014 IEA. The bunded and roofed drum storage area has been constructed, as reported in the 2014 IEA.</p> <p>(b) Magazine area unused.</p> <p>Oil drums are not being storage appropriately within</p>



Number	Details	Evidence Sources/Questions	Audit Finding
	to the satisfaction of EPA and the Secretary .		<p>the bounds of banded areas. See Appendix 3. Environmental Coordinator and Quarry Manager note this is a delivery issue they have raised with their contractors on a number of occasions.</p> <p>Opportunity for improvement [DQ16/20]: Banded fuel drum storage area to be used correctly with all oil drums to be positioned within the banded area.</p>
Bunding			
38	Impervious bunds must be constructed around all fuel, oil and chemical storage areas and the bund volume must be large enough to contain 110 per cent of the volume held in the largest container. The bund must be designed and installed in accordance with the requirements of the EPA Environment Protection Manual Technical Bulletin <i>Bunding and Spill Management</i> .	Site inspection of fuel, oil and chemical storage areas.	<p>Compliant Photographs included in Appendix 1(v).</p> <p>Some oil drums located throughout the site did not appear to be located within appropriately banded areas.</p> <p>Opportunity for improvement [DQ17/20]: Ensure all fuel, oil and chemical storage areas occurs in appropriately banded areas.</p>



Number	Details	Evidence Sources/Questions	Audit Finding
Monitoring			
39	<p>The Applicant must:</p> <p>(a) measure:</p> <ul style="list-style-type: none"> the volume of water discharged from the site via licenced discharge points; water use on the site; water transfers across the site; dam and water structure storage levels; <p>(b) monitor the quality of the surface water:</p> <ul style="list-style-type: none"> discharged from the licence discharge point/s of the development; upstream and downstream of the development; <p>(c) monitor flows in Rocklow Creek; and</p> <p>(d) monitor regional groundwater levels and quality; to the satisfaction of the EPA and the Secretary.</p> <p>Note: On the provision of two years of monitoring data that shows negligible impact on the regional groundwater network, the Secretary may agree to suspend monitoring of regional groundwater levels and/or quality.</p>	Annual Review and Annual Returns.	<p>Compliant</p> <p>Measuring and monitoring is occurring and being reported to EPS and DPIE in the Annual Reviews and Annual Returns.</p> <p>See DQ3/20.</p>
Management			
40	<p>Within 12 months of the date of this consent, the Applicant, must prepare, and subsequently implement, a Site Water Management Plan for the development, in consultation with the DoI – L&W, and to the satisfaction of the Secretary. This plan must include:</p> <p>(a) the predicted site water balance;</p> <p>(b) an Erosion and Sediment Control Plan;</p> <p>(c) a Surface Water Monitoring Program</p> <p>(d) a Ground Water Monitoring Program; and</p> <p>(e) an Integrated Water Management Strategy.</p> <p>The Applicant must implement the approved management plan as approved from time to time by the Secretary.</p>	Water Management Plan	<p>Compliant</p> <p>An updated WMP was prepared in November 2016 by Arcadis.</p> <p>(a) Site Water Balance completed by Evans and Peck in 2008. Details are included in Section 5 of the WMP.</p> <p>(b) Section 6.2 of the WMP provides the details of the ESCP.</p> <p>(c) Section 6.3 of the WMP.</p>



Number	Details	Evidence Sources/Questions	Audit Finding
			<p>(d) Section 6.4 of the WMP. (e) Section 4 of the WMP.</p> <p>Water Management Plan is currently being updated.</p> <p>See DQ1/20.</p>
41	<p>The Erosion and Sediment Control Plan must:</p> <ul style="list-style-type: none"> (a) be consistent with the requirements of the Department of Housing’s <i>Managing Urban Stormwater: Soils and Construction</i> manual; (b) identify activities that could cause soil erosion and generate sediment; (c) describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters; (d) describe the location, function, and capacity of erosion and sediment control structures; and (e) describe what measures would be implemented to maintain the structures over time. 	<p>Review of the Erosion and Sediment Control Plan (ESCP), Consistency with <i>Managing Urban Stormwater: Soils and Construction</i> manual (Blue Book).</p>	<p>Compliant</p> <ul style="list-style-type: none"> (a) The revised WMP has addressed the previous inconsistencies with the Blue Book, being: a site layout map and information on timing, responsibilities etc. for maintenance programs. (b) Section 6.2 of the WMP. (c) Section 6.2 of the WMP. (d) Figure 3.2 of the WMP. (e) Section 6.2 of the WMP. <p>Water Management Plan is currently being updated.</p> <p>See DQ1/20.</p>
42	<p>The Surface Water Monitoring Program must include:</p> <ul style="list-style-type: none"> (a) detailed baseline data on surface water flows and quality in Rocklow Creek; (b) surface water impact assessment criteria; (c) a program to monitor surface water flows and quality in Rocklow Creek; 	<p>Review of the Surface Water Monitoring Program.</p>	<p>Compliant</p> <p>Surface Water Quality Monitoring Program is included as Section 6.3 of the WMP.</p> <ul style="list-style-type: none"> (a) Included in Table 6-6.



Number	Details	Evidence Sources/Questions	Audit Finding
	<p>(c1) a program to monitor and minimise surface water and groundwater ingress into the Lower Dam and water egress into Rocklow Creek;</p> <p>(d) a program to monitor bank and bed stability in Rocklow Creek; and</p> <p>(e) a program to monitor the effectiveness of the Erosion and Sediment Control Plan.</p>		<p>(b) Surface water impact assessment criteria is included in Section 6.3.2.</p> <p>(c) Table 6-6 includes monitoring of flow and quality at locations within Rocklow Creek (GS1, GS2, GS3).</p> <p>(c1) Not addressed – must be addressed as part of updated Water Management Plan.</p> <p>(d) Appendix A – Erosion and Sediment Control Checklist includes requirement for inspection of stream bank stability.</p> <p>(e) Appendix A – Erosion and Sediment Control Checklist.</p> <p>Water Management Plan is currently being updated.</p> <p>See DQ1/20.</p>
43	<p>The Ground Water Monitoring Program must include:</p> <p>(a) detailed baseline data on ground water levels and quality, based on statistical analysis;</p> <p>(b) ground water impact assessment criteria; and</p> <p>(c) a program to monitor regional ground water levels and quality; and</p> <p>(d) a program to monitor groundwater inflows.</p> <p>Note: On the provision of two years of monitoring data that shows negligible impact on the regional groundwater network, the Secretary may agree to suspend monitoring of regional groundwater levels and/or quality.</p>	Review of the Ground Water Monitoring Program	<p>Compliant</p> <p>A Groundwater Monitoring Program is included in Appendix H of the WMP.</p> <p>(a) Section 2.2 provides detail on baseline groundwater quality. No baseline groundwater levels are provided, although the</p>



Number	Details	Evidence Sources/Questions	Audit Finding
			<p>document refers to the installation of pressure transducers in groundwater wells for this purpose. No statistical analysis is provided as insufficient data had been recorded at the time of writing the WMP.</p> <p>(b) Includes parameters but does not include criteria as insufficient data had been recorded at the time of writing the WMP.</p> <p>(c) The WMP refers to the planned monitoring at groundwater bores to the immediate west of the planned western extension of the hard rock quarry and to the immediate east of the processing plant. No statement is provided as to whether this is the regional monitoring program.</p> <p>(d) Not addressed – must be addressed as part of updated.</p> <p>Water Management Plan is currently being updated.</p> <p>See DQ1/20.</p>

Number	Details	Evidence Sources/Questions	Audit Finding
44	<p>The Integrated Water Management Strategy must:</p> <ul style="list-style-type: none"> (a) explore a range of options for a sustainable resource alternative for water supply to the site; (b) identification of all possible and available sources of water; (c) consistency with Government Water Reform initiatives and policies; (d) quality of water to meet usage requirements including any possible effects on product; (e) costs of supply; (f) health and environmental impacts; (g) legislative requirements; (h) assessment of the feasibility, benefits and costs of options; (i) a process to identify and evaluate preferred options for implementation; and (j) the identification of a timetable for implementation of the selected options. 	Water Management Plan	<p>Compliant</p> <p>A summary of IWMS is included in Section 4 of the WMP.</p> <p>Site Water Management Plan prepared by Matrix Consulting.</p>

Flora and Fauna

Vegetation Offset Strategy

45	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) establish, conserve, and maintain at least: <ul style="list-style-type: none"> • 4.6 hectares of <i>Melaleuca armillaris</i> Tall Shrubland; and • 8.2 hectares of Blue Gum-White Box Woodland/Forest, on Boral-owned land adjacent to the development; and (b) conserve, maintain, and enhance the vegetation in the area to the south of the development marked on the map in Appendix 3 as Remnant Vegetation Conservation Area; (c) conserve, maintain, enhance and establish the vegetation in the area to the south of the development marked on the map in Appendix 3 as Offset Area, in accordance with the letter from Boral to the Department dated 22 September 2008 titled Dunmore Quarry – Revised Offset for Quarry Extension; and 	Site Inspection, Flora and Fauna Management Plan (2019), Annual Reviews 2017 - 2019	<p>Compliant</p> <p>Flora and Fauna Management Plan has been updated in 2019 to reflect the current requirements, and progress is being reported in the Annual Reviews.</p>
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Number	Details	Evidence Sources/Questions	Audit Finding
	<p>(d) within 12 months of the date of Modification 8, the Applicant must provide a biodiversity offset strategy outlining the measures to offset 48 Illawarra Zieria individuals and 1.94 ha of native vegetation clearing (including 0.05ha of Illawarra Subtropical Rainforest (EEC)) to the satisfactory of OEH and the Secretary. The offset must demonstrate that the biodiversity values in the general vicinity of the site have been maintained or improved; and</p> <p>(e) within 12 months of the date of approval of Modification 9, the Applicant must provide a biodiversity offset strategy outlining measures to offset 162 Illawarra Zieria individuals by no less than 2,268 Illawarra Zieria credits, to the satisfaction of OEH and the Secretary. The offset must demonstrate that the biodiversity values in the general vicinity of the site have been maintained or improved.</p> <p>Note: The Compensatory Habit Area established to address paragraph (a) is marked on the map in Appendix 3.</p>		
46A	Within 12 months of the date of Modification Application 470-11-2003 Mod 4, the Applicant shall make suitable arrangements in consultation with the OEH to provide appropriate long term security for the biodiversity offset referred to in condition 46 (c), to the satisfaction of the Secretary.	Conservation Agreement, FFMP	Compliant Conservation Agreement signed in 2011. Item E on Page 2 of the Conservation Agreement notes that the Minister considers this condition to be satisfied by the Conservation Agreement.
46B	Within 12 months of the date of providing the biodiversity offset strategy required under the condition 46(d), the Applicant must make suitable arrangements to provide long term security for this strategy, to the satisfaction of the Secretary.	N/A	N/A As detailed in Appendix A of Flora and Fauna Management Plan (2019).
46C	Within 12 months of the date of providing the biodiversity offset strategy required under condition 46(e), the Applicant must make suitable	N/A	N/A



Number	Details	Evidence Sources/Questions	Audit Finding
	<p>arrangements to provide long term security for this strategy, to the satisfaction of the Secretary.</p> <p>Note: Mechanisms to provide appropriate long term security to the land within a biodiversity offset strategy in accordance with the NSW Biodiversity Offset Policy for Major Projects 2014, include a BioBanking Agreement, Voluntary Conservation Agreement or an alternative mechanism that provides for a similar conservation outcome.</p>		As detailed in Appendix A of Flora and Fauna Management Plan (2019).
Flora and Fauna Management Plan			
46	<p>Within 12 months of the date of this consent, the Applicant must prepare, and subsequently implement, a Flora and Fauna Management Plan for the development to the satisfaction of the Secretary. This plan must include:</p> <ul style="list-style-type: none"> (a) a Vegetation Clearing Protocol; (b) a Compensatory Habitat Management Plan; (c) a Remnant Vegetation Conservation Plan; and (d) a Biodiversity Offset Management Plan. <p>The Applicant must implement the approved management plan as approved from time to time by the Secretary.</p>	Flora and Fauna Management Plan, EMM (2019), Independent Environmental Audit of Flora and Fauna Management Plan (EPS, 2017)	<p>Compliant</p> <ul style="list-style-type: none"> (a) Appendix B. (b) Section 4.1.1 (c) Section 4.1.2 (d) Not required, addressed in Appendix A. <p>Opportunity for improvement [DQ18/20]: Condition numbering references are incorrect throughout document (see Table 2.1 of the FFMP for an example). Update condition reference numbering in next review.</p>
47	<p>The Vegetation Clearing Protocol must:</p> <ul style="list-style-type: none"> (a) delineate the areas of remnant vegetation to be cleared; and (b) describe the procedures that would be implemented for: <ul style="list-style-type: none"> • pre-clearance surveys; • progressive clearing; • fauna management; 	Flora and Fauna Management Plan, EMM (2019)	<p>Compliant</p> <p>Vegetation Clearing Protocol in place, however it does not cover collecting seed from site, or conserving and reusing topsoil.</p>



Number	Details	Evidence Sources/Questions	Audit Finding
	<ul style="list-style-type: none"> conserving and reusing topsoil; collecting seed from the site; salvaging and reusing material from the site; and controlling weeds. 		<p>Opportunity for improvement [DQ19/20]: Vegetation Clearing Protocol to be updated to address collecting seed from site and conserving and reusing topsoil.</p>
48	<p>The Compensatory Habit Management Plan must:</p> <ul style="list-style-type: none"> (a) describe the compensatory habitat proposal to satisfy condition 46(a); (b) justify why this area(s) is suitable for the compensatory habitat proposal; (c) establish baseline data for the existing habitat in the proposed compensatory habitat area(s); (d) describe how the compensatory habitat proposal would be implemented; (e) set completion criteria for the compensatory habitat proposal; and (f) describe how the performance of the compensatory habitat management proposal would be monitored over time. 	<p>Flora and Fauna Management Plan, EMM (2019)</p>	<p>Compliant Addressed in Section 4 of the Flora and Fauna Management Plan (2019)</p>
49	<p>The Remnant Vegetation Conservation Plan must:</p> <ul style="list-style-type: none"> (a) describe what measures would be implemented to satisfy condition 46(b); (b) establish baseline data for the existing vegetation in the area; (c) set completion criteria for the Remnant Vegetation Conservation Area; and (d) describe how the performance of the Remnant Vegetation Conservation Area would be monitored over time. 	<p>Flora and Fauna Management Plan, EMM (2019)</p>	<p>Compliant Addressed in Section 4.1.2 of the Flora and Fauna Management Plan (2019)</p>
50a	<p>The Biodiversity Offset Management Plan must:</p> <ul style="list-style-type: none"> (a) describe what measures would be implemented to satisfy condition 46(c); (b) describe the biodiversity offset strategies in conditions 46(d)-(e); (c) include a timetable for providing long term security of the offset areas; (d) set performance and completion criteria for the offset areas; and 	<p>Flora and Fauna Management Plan, EMM (2019)</p>	<p>Compliant Biodiversity Offset Strategy prepared (Appendix A).</p>



Number	Details	Evidence Sources/Questions	Audit Finding
	(e) include a program to monitor and report on the effectiveness of the implementation measures, and progress against the performance and completion criteria.		
Reporting			
50	The Applicant must include a progress report on the implementation of the Flora and Fauna Management Plan in the Annual Review .	Annual Review 2017 – 2019	Compliant 2017: Section 2.4 of Annual Review 2018: Section 2.4 of Annual Review 2019: Section 5.7 of Annual Review
51	Within 3 years of the date of this consent, and every 5 years thereafter unless the Secretary directs otherwise, the Applicant must commission, and pay the full cost of an Independent Audit of the Flora and Fauna Management Plan. This audit must: (a) be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Secretary ; (b) assess the performance of the Flora and Fauna Management Plan; (c) review the adequacy of the Flora and Fauna Management Plan; and, if necessary, (d) recommend actions or measures to improve the performance and/ or adequacy of the Flora and Fauna Management Plan.	Independent audit of Flora and Fauna Management Plan (EPS, 2017).	Compliant Next independent audit of the Flora and Fauna Management Plan due 2022.
Rehabilitation			
Rehabilitation			
52	The Applicant must progressively rehabilitate the site to the satisfaction of the Secretary .	Rehabilitation Management Plan (Arcadis, 2016)	Compliant An RMP has been prepared for the site but no evidence of progressive rehabilitation has occurred. The RMP notes as



Number	Details	Evidence Sources/Questions	Audit Finding
<p>majority of the site is operational, opportunities for rehabilitation are not currently feasible.</p>			
<p>Rehabilitation Management Plan</p>			
<p>53</p>	<p>Within 6 months of the date of this consent, the Applicant must prepare, a Rehabilitation Management Plan for the site to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) identify the disturbed area at the site; (b) describe in general the short, medium, and long-term measures that would be implemented to rehabilitate the site; (c) describe in detail the measures that would be implemented over the next 5 years to rehabilitate the site; and (d) describe how the performance of these measures would be monitored over time. <p>The Applicant must implement the approved management plan as approved from time to time by the Secretary.</p>	<p>Rehabilitation Management Plan (Arcadis, 2016)</p>	<p>Compliant</p> <p>The following sections of the current RMP (Arcadis, 2016) address the consent condition:</p> <ul style="list-style-type: none"> (a) Section 3 (b) Section 4 (c) Section 4 and 5 (d) Section 7
<p>Rehabilitation and Conservation Bond</p>			
<p>54</p>	<p>Within 6 months of the date of this consent, the Applicant must lodge a Rehabilitation and Conservation Bond with the Department to ensure that the conservation commitments and rehabilitation of the site are implemented in accordance with the performance and completion criteria set out in the relevant plans and the relevant conditions of this consent. The sum of the bond must be an amount agreed by the Secretary and determined by:</p> <ul style="list-style-type: none"> a. calculating the full cost of implementing the compensatory habitat area (see condition 49) and the offset areas (see condition 50A); b. calculating the cost of rehabilitating all disturbed areas of the site, taking into account the likely surface disturbance over the next 3 years of quarrying operations (see condition 54); and 	<p>Bank guarantee, Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation.</p>	<p>Compliant</p> <p>Bank guarantee and associated documentation sighted. Not lodged in accordance with the timing in the condition.</p> <p>Opportunity for improvement [DQ20/20]:</p> <p>Rehabilitation Conservation Bond not lodged within the</p>



Number	Details	Evidence Sources/Questions	Audit Finding
	<p>c. employing a suitably qualified quantity surveyor or other expert to verify the calculated costs.</p> <p>Notes:</p> <ul style="list-style-type: none"> • Alternative funding arrangements for long term management of the offset areas, such as provision of capital and management funding as agreed by OEH as part of a BioBanking Agreement, or transfer to conservation reserve estate can be used to reduce the liability of the bond. • If capital and other expenditure required by the Flora and Fauna Management Plan or the Rehabilitation Management Plan is largely complete, the Secretary may waive the requirement for lodgement of a bond in respect of the remaining expenditure. • If the conservation commitments/or rehabilitation of the site area are completed (or partially completed) to the satisfaction of the Secretary, then the Secretary will release the bond (or relevant part of the bond). If the Biodiversity Offset Strategy and rehabilitation of the site are not completed to the satisfaction of the Secretary, then the Secretary will call in all or part of the bond, and arrange for the completion of the relevant works. 		<p>required timeframe. Boral to ensure timing requirements are met for obligations under this consent.</p>
55	<p>The Rehabilitation and Conservation Bond must be reviewed and if required, an updated bond must be lodged with the Department within 3 months following an update or revision to the Flora and Fauna Management Plan or the Rehabilitation Management Plan, or following the completion of an Independent Environmental Audit. This review must consider the:</p> <p>(a) effects of inflation;</p> <p>(b) likely cost of implementing the compensatory habitat area and offset areas and rehabilitating all disturbed areas of the site (taking into account the likely surface disturbance over the next 3 years of the development); and</p> <p>(c) performance of the implementation of the compensatory habitat area and offset areas and rehabilitation of the site to date.</p>	N/A	N/A
56	Deleted.	N/A	N/A
Reporting			

Number	Details	Evidence Sources/Questions	Audit Finding
57	The Applicant must include a progress report on the Rehabilitation Management Plan in the Annual Review .	Annual Review 2017 - 2019	Compliant
Traffic and Transport			
North Kiama Bypass			
58	The Applicant must facilitate access to the North Kiama Bypass along Tabbita Road in accordance with the terms set out in the Deed of Agreement between the Applicant and Dunmore Sand and Soil Pty Ltd, dated 29 July 2004.	N/A	N/A Boral now owns Dunmore Sand and Soil Pty Ltd.
Transport Management Plan			
59	<p>The Applicant must prepare and implement a Transport Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared by a suitably qualified traffic consultant, in consultation with RMS and Council, and submitted to the Secretary for approval by 31 May 2014;</p> <p>(b) include a drivers' code of conduct for the development;</p> <p>(c) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> all drivers of development-related vehicles comply with the drivers' code of conduct; and compliance with the relevant conditions of this consent; and <p>(d) include a program to monitor the effectiveness of the implementation of these measures.</p> <p>The Applicant must implement the approved management plan as approved from time to time by the Secretary.</p>	Transport Management Plan (TMP) (Transport Planning Partnership Pty Ltd, 2016), review complaints and compliments register and incident register/reports.	<p>Compliant</p> <p>(a) Prepared by The Traffic Transport Planning Partnership Pty Ltd. Section 2 notes details consultation with RMS and Council. Letter approving plan from Secretary dated 23/11/16.</p> <p>(b) Appendix A of the TMP is the Driver's Code of Conduct.</p> <p>(c) Items addressed in TMP.</p> <p>(d) Section 3.4 of the TMP sets out the Monitoring Program.</p>
Cumulative Traffic Impact Study			
60A	<p>The Applicant must, in conjunction with the operators of the Bass Point Quarry and the Albion Park Quarry, cause to be prepared an independent Cumulative Traffic Impact Study. The study must:</p> <p>(a) be undertaken by a suitably qualified traffic consultant, whose appointment has been approved by the Secretary;</p>	Cumulative Traffic Impact Study	<p>Compliant</p> <p>(a) Prepared by The Traffic Transport Planning Partnership Pty Ltd.</p> <p>(b) Evidence of extension until submission provided.</p>

Number	Details	Evidence Sources/Questions	Audit Finding
	<ul style="list-style-type: none"> (b) be commissioned by 30 June 2014, and completed by 31 October 2014, or as otherwise agreed in writing by the Secretary; (c) be co-funded by the operators of the Dunmore, Bass Point and Albion Park quarries, proportionate to the quarries' respective quarry product road transport limits, as approved at 30 June 2014; (d) include a comprehensive assessment of current and future projected cumulative traffic impacts of the three quarries on the classified road network, undertaken in consultation with the RMS; and (e) identify any reasonable and feasible measures that can be implemented to minimise the traffic and road safety impacts of quarry trucks on Mount Ousley Road, and the likely cost of implementing these measures. 		<ul style="list-style-type: none"> (c) Noted in Section 1 of the document. (d) Items addressed in Cumulative Impact Assessment. (e) Section 4.4 identifies that the assessment and consultation with RMS concluded <i>"improvements are not at this stage considered practical, feasible or warranted"</i> for Mount Ousley Road.
60B	The Applicant must , in conjunction with the operators of the Bass Point Quarry and the Albion Park Quarry, prepare and implement a program to implement any reasonable and feasible measures identified in the Cumulative Traffic Impact Study not already undertaken by the Applicant, in an equitable manner with the two other quarry operators, to the satisfaction of the Secretary . The program must be submitted to the Secretary for approval by 28 February 2015, or as otherwise agreed in writing by the Secretary .	Cumulative Traffic Impact Study	Compliant A Driver Code of Conduct has been prepared as per the Traffic Management Plan.
60C	<p>Within three years of the determination of Modification 11, and every five years thereafter (if directed to do so by the Secretary), the Applicant must commission and pay the full costs of a Transport Options Review for the development. This review must:</p> <ul style="list-style-type: none"> a) be conducted by a suitably qualified, experienced and independent expert/s whose appointment has been endorsed by the Secretary; b) be prepared in consultation with TfNSW, RMS and Council; 	N/A	N/A Not yet triggered as Modification 11 was approved in March 2019



Number	Details	Evidence Sources/Questions	Audit Finding
	<p>c) review the economic, social and environmental costs and benefits of all reasonable and feasible options for the transport of quarry products from the site (including by rail and road);</p> <p>d) review and report on available rail terminal capacity;</p> <p>e) recommend any appropriate measures or actions to: i. reduce the economic, social and environmental costs associated with transport of quarry products by road from the site; and</p> <p>ii. maximise the use of rail deliveries from the site; and</p> <p>f) be conducted and reported to the satisfaction of the Secretary.</p> <p>Within three months of commencing this review, or within another timeframe agreed by the Secretary, the Applicant must submit a copy of the review report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the review report.</p>		
Parking			
60	The Applicant must provide sufficient parking on-site for all quarry-related traffic to the satisfaction of the Secretary.	Site inspection, Annual Review 2019 and interview with Quarry Manager and Environmental Coordinator	Compliant Photographs in Appendix 3. Parking facilities have been upgraded.
Road Haulage			
61	The Applicant must ensure that all loaded vehicles entering or leaving the site are covered.	Site inspection and interviews with operators/staff.	Compliant Photographs in Appendix 3.
62	The Applicant must ensure all loaded vehicles leaving the site are cleaned of materials that may fall on the road before they are allowed to leave the site.	Site inspection and interviews with operators/staff,	Compliant Vehicles leaving site are cleaned by an operating wheel



Number	Details	Evidence Sources/Questions	Audit Finding
		interview with Quarry Manager and Environmental Coordinator.	<p>wash, however mud is being tracked off-site onto Tabbita Road and the ramp to the Princes Highway. Boral has a road sweeper that attends site multiple times a week (Tuesday and Friday), and was observed in operation on Friday by EPS audit team. A complaint was received regarding this matter from Danny Benedetti, Senior Network Safety Officer from Transport for NSW that requested sweeping increase to three times per week. Boral's response was to maintain current arrangements and monitor effectiveness.</p> <p>Opportunity for improvement [DQ21/20]: It is recommended that sweeping increase to three times per week and consideration of further mitigation measures is undertaken.</p>

Aboriginal Heritage



Number	Details	Evidence Sources/Questions	Audit Finding
Aboriginal Cultural Heritage Management Plan			
63	<p>The Applicant must prepare an Aboriginal Cultural Heritage Management Plan for the development to the satisfaction of the Secretary. The plan must:</p> <ul style="list-style-type: none"> (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary; (b) be prepared in consultation with OEH and the Registered Aboriginal Parties; (c) be submitted to the Secretary for approval prior to commencing quarrying operations in the Croome West Pit, unless the Secretary agrees otherwise; and (d) include a description of the measures that would be implemented to: <ul style="list-style-type: none"> • protect, monitor and manage known sites or potential areas of archaeological significance (including any proposed archaeological investigations or salvage measures); • manage unanticipated finds including new Aboriginal objects and Aboriginal skeletal remains that are discovered during the development; • store and display salvaged Aboriginal heritage items; and • ensure ongoing consultation and involvement of the Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site. <p>The Applicant must implement the approved Aboriginal Heritage Management Plan as approved by the Secretary.</p>	Aboriginal Heritage Management Plan (September 2017)	Compliant Aboriginal Heritage Management Plan prepared by Kelleher Nightingale Consulting Pty Ltd in consultation with RAPs in accordance with condition.
64	Deleted.	N/A	N/A
Visual Impact			
Visual Amenity			
65	The Applicant must minimise the visual impacts of the development to the satisfaction of the Secretary .	Site inspection to determine visibility from the highway and presence of screening (e.g. vegetation screens).	Compliant Roadside vegetation offering screening along highway in good repair.

Number	Details	Evidence Sources/Questions	Audit Finding
66	Prior to carrying out any development that would be visible from the areas to the south west of the quarry, the Applicant must construct, and subsequently maintain, the proposed visual/noise bund between the Croome Farm extraction area and the Jamberoo Valley to the satisfaction of the Secretary .	Site inspection to assess effectiveness and maintenance of the visual/noise bund between the Croome Farm extraction area and the Jamberoo Valley.	Compliant Bund constructed and being maintained. Weeds present due to high-level of rainfall following prolonged dry period.
67A	The Applicant must : (a) construct the blending plant in the location shown on the figure in Appendix 4; and (b) ensure the maximum height of the blending plant is no greater than 15.2m.	Aerial photographs, site inspection, interview with Quarry Manager	Compliant Blending plant under construction in the location depicted in Appendix 4 of the consent.
Lighting Emissions			
67	The Applicant must take all practicable measures to prevent and/or minimise any off-site lighting impacts from the development.	Site inspection at night, review of complaints register.	Compliant No lighting impacts have been received in relation to the development. Lighting visible off-site at night from highway but not considered to be impacting the areas surrounding the development. See Appendix 3.
68	All external lighting associated with the development must comply with <i>Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting</i> .	Lighting layout, review of lighting technical data.	Not able to determine Lighting information was not known/collected by Boral. Lighting visible off-site at night from highway but not considered to be impacting



Number	Details	Evidence Sources/Questions	Audit Finding
			the areas surrounding the development. See Appendix 3.
Waste Management			
Waste Minimisation			
69	The Applicant must minimise the amount of waste generated by the development to the satisfaction of the Secretary .	Site inspection, waste monitoring data (classification, volumes, frequency, management), recommendations of previous audit.	Compliant See DQ5/20.
Waste Classification			
70	All liquid and non-liquid wastes resulting from activities and processes at the site must be assessed, classified and managed in accordance with the EPA's Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-liquid Wastes (1999) , or any other EPA document superseding this guideline.	Annual Reviews, site inspection.	Compliant Waste management and classification reported on Annual Reviews. In general, waste on site was being classified and managed appropriately.
Reporting			
71	The Applicant must describe what measures have been implemented to minimise the amount of waste generated by the development in the Annual Review .	Annual Reviews 2017 – 2019.	Compliant 2017: Section 2.6.1 of Annual Review 2018: Section 2.6.1 of Annual Review 2019: Section 5.9 of Annual Review
Emergency and Hazards Management			
Dangerous Goods			



Number	Details	Evidence Sources/Questions	Audit Finding
72	The Applicant must ensure that the storage, handling, and transport of dangerous goods is done in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the Dangerous Goods Code.	Site inspection, review of documentation regarding dangerous goods.	<p>Non-compliant – Low Risk Storage and handling of dangerous goods appears to be mostly occurring appropriately on site.</p> <p>Oil drums are not being storage appropriately within the bounds of banded areas. See Appendix 3. Environmental Coordinator and Quarry Manager note this is a delivery issue they have raised with their contractors on a number of occasions.</p> <p>See DQ16/20.</p>
Safety			
73	The Applicant must secure the development to ensure public safety to the satisfaction of the Secretary .	Incident reporting, site inspection of security fences/gates.	<p>Compliant Site fencing and signage in good repair. See examples in Appendix 3.</p>
Emergency Management			
74	<p>Within 6 months of the date of this consent, the Applicant must document, and subsequently implement measures to minimise the environmental impacts of any emergency situations that could arise as a result of the operation of the Dunmore Quarry to the satisfaction of the EPA. This documentation must:</p> <p>(a) identify any significant threats to the environment and/ or public health that could arise from activities associated with the operation of the</p>	Emergency response documentation, evidence of implementation and awareness via signage and employee interview.	<p>Compliant An initial Emergency Contingency Management Plan was prepared (2005) that met the requirements of this condition and was to the satisfaction of the EPA.</p>



Number	Details	Evidence Sources/Questions	Audit Finding
	<p>quarry or construction works associated with the production increase. These threats may include excessive rainfall, problems during construction and operation, pump failures, excess flocculation, power or other utility failure, natural disaster, landslip, accidental spills and discharges, train derailment, spillage from trucks, fire etc.;</p> <p>(b) identify any subsequent direct or indirect environmental effects as a result of the threats;</p> <p>(c) identify the pollution that would result due to these threats and impacts on operations and what impact the pollution would have on the health of the community and the environment;</p> <p>(d) develop actions to effectively respond to the disruption of operations so the risk of pollution is minimised;</p> <p>(e) develop a communications strategy for alerting relevant agencies and the potentially affected community in the event of the disruption to operations leading to significant pollution;</p> <p>(f) ensure that all relevant employees are familiar with the documentation; and</p> <p>(g) when developing this documentation identify any opportunities to integrate with Boral Emergency Plans.</p>		This report has been superseded by a Pollution Incident Response Management Plan (PIRMP) last updated in 2019.
Bushfire Management			
75	<p>The Applicant must:</p> <p>(a) ensure that the development is suitably equipped to respond to any fires on-site; and</p> <p>(b) assist the Rural Fire Service and Emergency Services as much as possible if there is a fire on-site.</p>	<p>Bushfire Management Plan, site inspection to see if the measures in the BMP have been implemented (incl. evidence of fire response equipment).</p>	<p>Compliant Evidence of fire response equipment present throughout site. See examples in Appendix 3.</p>
76	<p>Within 6 months of the date of this consent, the Applicant must prepare a Bushfire Management Plan for the development, to the satisfaction of Council and the Rural Fire Service.</p>	<p>Bushfire Management Plan, interview with</p>	<p>Compliant BMP implemented since 2005. Document last updated</p>



Number	Details	Evidence Sources/Questions	Audit Finding
		Environmental Coordinator.	August 2016. Evidence of consultation with Shellharbour Council and RMS contained within document. Environmental Coordinator noted that an updated Bushfire Management Plan is with South Coast RFS for review.
Production Data			
77	<p>The Applicant must:</p> <p>(a) provide annual production data to the DRG using the standard form for that purpose; and</p> <p>(b) include a copy of this data in the Annual Review.</p>	Annual Review 2017, 2018 & 2019.	Compliant Confirmed in Annual Reviews in 2017, 2018 and 2019.
Schedule 4A			
Notification of Exceedances			
1	<p>As soon as practicable and no longer than 7 days after obtaining monitoring results showing an exceedance of any criteria in Schedule 4 the Applicant must:</p> <p>(a) provide to any affected landowners and tenants; and,</p> <p>(b) publish on its website the full details of the exceedance.</p> <p>Any exceedance of any criteria in Schedule 4 is an incident that must be notified to the Department in accordance with condition 7 of Schedule 5 of this consent.</p> <p>For any exceedance of the air quality criteria or air quality measures in Schedule 4, the Applicant must also provide to any affected landowners and tenants a copy of the fact sheet entitled Mine Dust and You (NSW Minerals Council, 2011) fact sheet (as may be updated from time to time).</p>	Incident Register	Non-compliant – Low Risk Exceedances not published on website, no records of notification of DPIE.

Number	Details	Evidence Sources/Questions	Audit Finding
Independent Review			
2	<p>If a landowner considers the development to be exceeding the relevant criteria in Schedule 4, they may ask the Secretary in writing for an independent review of the impacts of the development on their land.</p> <p>If the Secretary is satisfied that an independent review is warranted, within 2 months of the Secretary's decision, the Applicant must:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:</p> <ul style="list-style-type: none"> • consult with the landowner to determine their concerns; • conduct monitoring to determine whether the development is complying with the relevant criteria in Schedule 3; and • if the development is not complying with that criteria, identify measures that could be implemented to ensure compliance with the relevant criteria; and <p>(b) give the Secretary and landowner a copy of the independent review; and</p> <p>(c) comply with any written requests made by the Secretary to implement any findings of the review.</p>	<p>Consultation with DPIE, complaints register, interview with Environmental Coordinator</p>	<p>Compliant No requests from landowners received.</p>
Schedule 5			
Environmental Management			
Environmental Management Strategy			
1	<p>If the Secretary requires, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:</p> <p>(a) be submitted to the Secretary for approval within 6 months of the Secretary requiring preparation of the strategy by notice to the Applicant;</p> <p>(b) provide the strategic framework for the environmental management of the development;</p> <p>(c) identify the statutory approvals that apply to the development;</p>	<p>Environmental Management Strategy (2014)</p>	<p>Compliant Environmental Management Strategy prepared by Dunmore Quarry (2014)</p>



Number	Details	Evidence Sources/Questions	Audit Finding
	<p>(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</p> <p>(e) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> • keep the local community and relevant agencies informed about the operation and environmental performance of the development; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the course of the development; • respond to any non-compliance; and • respond to emergencies; and <p>(f) include:</p> <ul style="list-style-type: none"> • copies of any strategies, plans and programs approved under the conditions of this consent; and • a clear plan depicting all the monitoring required to be carried out under the conditions of this consent. <p>The Applicant must implement any Environmental Management Strategy as approved from time to time by the Secretary.</p>		

Evidence of Consultation

1a	<p>Where consultation with any State or local agency is required by the conditions of this consent, the Applicant must:</p> <p>(a) consult with the relevant agency prior to submitting the required document;</p> <p>(b) submit evidence of this consultation as part of the relevant document;</p> <p>(c) describe how matters raised by the agency have been addressed and any matters not resolved; and</p> <p>(d) include details of any outstanding issues raised by the agency and an explanation of disagreement between any agency and the Applicant.</p>	Management plans, correspondence with DPIE	<p>Compliant</p> <p>Management Plans required to be prepared under the consent have been approved by DPIE.</p>
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Management Plan Requirements



Number	Details	Evidence Sources/Questions	Audit Finding
2	<p>The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <ul style="list-style-type: none">(a) detailed baseline data;(b) a description of:<ul style="list-style-type: none">• the relevant statutory requirements (including any relevant approval, licence or lease conditions);• any relevant limits or performance measures/criteria; and• the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;(d) a program to monitor and report on the:<ul style="list-style-type: none">• impacts and environmental performance of the development; and• effectiveness of any management measures (see (c) above);(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;(f) a program to investigate and implement ways to improve the environmental performance of the development over time;(g) a protocol for managing and reporting any:<ul style="list-style-type: none">• incidents;• complaints;• non-compliances with statutory requirements; and• exceedances of the impact assessment criteria and/or performance criteria;(h) a protocol for periodic review of the plan; and(i) a document control table that includes version numbers, dates when the management plan was prepared and reviewed, names and positions of people who prepared and reviewed the management plan, a description of any revisions made and the date of the Secretary's approval.	Management plans, correspondence with DPIE	Compliant Management Plans required to be prepared under the consent have been approved by DPIE.



Number	Details	Evidence Sources/Questions	Audit Finding
<p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>			
<p>Application of Existing Strategies, Plans or Programs</p>			
3a	<p>The Applicant must continue to apply existing approved strategies, management plans, or monitoring programs that have most recently been approved under this consent, until the approval of a similar strategy, plan or program under this consent.</p>	<p>Management plans, correspondence with DPIE, interview with Environmental Coordinator</p>	<p>Compliant</p>
<p>Updating & Staging Submission of Strategies, Plans or Programs</p>			
3	<p>To ensure the strategies, plans or programs under this consent are updated on a regular basis, and that they incorporate any appropriate mitigation measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis.</p> <p>With the agreement of the Secretary, the Applicant may revise any strategy, plan or program approved under this consent without consulting with all the parties nominated under the applicable conditions of consent.</p> <p>Notes:</p> <ul style="list-style-type: none"> • While any strategy, plan or program may be submitted on a staged basis, the Applicant will need to ensure that the existing operations associated with the development are covered by suitable strategies, plans or programs at all times. • If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program. 	<p>Management plans, correspondence with DPIE.</p>	<p>Compliant Management plans have been revised and submitted to DPIE, where appropriate.</p>
<p>Revision of Strategies, Plans and Programs</p>			

Number	Details	Evidence Sources/Questions	Audit Finding
4	<p>Within 3 months of the submission of an:</p> <ul style="list-style-type: none"> (a) incident report under condition 7 below; (b) Annual Review under condition 9 below; (c) audit report under condition 10 below; and (d) any modifications to this consent, <p>the Applicant must review, and if necessary revise, the strategies, plans, and programs required under this consent, to the satisfaction of the Secretary.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</i></p>	<p>Management plans, programs and strategies required under the consent, interview Quarry Manager and Environmental Coordinator</p>	<p>Compliant Environmental Coordinator confirmed that a review of documents is completed in accordance with this condition.</p> <p>Opportunity for improvement [DQ22/20]: The document control tables within the all the plans, strategies and programs required under this consent do not reflect the reviews have occurred. Ensure all documents are reviewed in accordance with this condition of consent. Update the relevant management plans to contain information on timing of review.</p>
Adaptive Management			
5	<p>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 4. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</p> <p>Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity:</p>	<p>Incident Register</p>	<p>TBC</p>



Number	Details	Evidence Sources/Questions	Audit Finding
	<p>(a) take all reasonable and feasible measures to ensure that the exceedance ceases and does not recur;</p> <p>(b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and</p> <p>(c) implement remediation measures as directed by the Secretary, to the satisfaction of the Secretary.</p>		
Community Consultative Committee			
6	<p>The Applicant must operate a Community Consultative Committee (CCC) for the development, to the satisfaction of the Secretary. This CCC must be operated in general accordance with the <i>Department's Community Consultative Committee Guidelines: State Significant Projects (2016)</i> (as may be updated or replaced from time to time).</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> • The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent. • In accordance with the guideline, the committee should be comprised of an independent chair and appropriate representation from the Applicant, Council, and the local community. • The requirement for this CCC may be fulfilled by a regional CCC for any two or more of Boral's quarrying operations in the South Coast area. 	CCC meeting minutes and guidelines, consultation with CCC chairperson.	Compliant
Reporting			
Incident Reporting			
7	<p>The Applicant must immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.</p>	Incident Register	Non-compliant – Low Risk Exceedances are incidents, no records of notification of DPIE.

Number	Details	Evidence Sources/Questions	Audit Finding
Regular Reporting			
8	The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	Project website.	Compliant The website includes copies of the latest Independent Audit, the AEMR/Annual Reviews 2011 – 2019.
Annual Review			
9	<p>By the end of September each year, or other timing as may be agreed by the Secretary, the Applicant must submit a report to the Department reviewing the environmental performance of the development to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the development (including rehabilitation) that was carried out in the previous financial year, and the development that is proposed to be carried out over the current financial year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous financial year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • relevant statutory requirements, limits or performance measures/criteria; • requirements of any plan or program required under this consent; • monitoring results of previous years; and • relevant predictions in the documents listed in condition 2 of Schedule 3; <p>(c) identify any non-compliance over the last financial year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the development;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p>		<p>Compliant</p> <p>2017: July 2017</p> <p>(a) Section 2.1 & 2.5</p> <p>(b) Section 1.2, 2.4, 3.1, 4.1, 4.2, 4.3, 4.4 & 4.5</p> <p>(c) Section 5</p> <p>(d) Section 3 & 4</p> <p>(e) Section 3 & 4</p> <p>(f) Section 2, 3 & 4</p> <p>2018: September 2018</p> <p>(a) Section 2.1 & 2.4</p> <p>(b) Section 1.2, 2.4, 3.1, 4.1, 4.2, 4.3, 4.4 & 4.5</p> <p>(c) Section 5</p> <p>(d) Section 3 & 4</p> <p>(e) Section 3 & 4</p> <p>(f) Section 2, 3 & 4</p> <p>2019: September 2019</p> <p>(a) Section 5.7</p> <p>(b) Section 5</p> <p>(c) Section 7</p> <p>(d) Section 5</p> <p>(e) Section 5</p>



Number	Details	Evidence Sources/Questions	Audit Finding
	<p>(f) describe what measures will be implemented over the current financial year to improve the environmental performance of the development.</p> <p>The Applicant must ensure that copies of the Annual Review are submitted to Council and are available to the Community Consultative Committee (see condition 6 of Schedule 5) and any interested person upon request.</p>		(f) Section 8
Independent Environmental Audit			
10	<p>Prior to 1 April 2017, and every three years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <ul style="list-style-type: none"> (a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; (b) include consultation with the relevant agencies and the CCC; (c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL and/or Water Licences (including any assessment, plan or program required under these approvals); (d) review the adequacy of any approved strategies, plans or programs required under the abovementioned approvals; (e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under the abovementioned approvals; and (f) be conducted and reported to the satisfaction of the Secretary. <p><i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</i></p>	Independent Environmental Audit 2020 (EPS), Independent Environmental Audit 2017 (EPS).	Compliant
11	<p>Within 12 weeks of commencing this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report.</p>	Response to recommendations of previous audit,	Compliant



Number	Details	Evidence Sources/Questions	Audit Finding
Access to Information			
12	<p>By 31 December 2016, unless otherwise agreed by the Secretary, the Applicant must:</p> <p>(a) make the following information publicly available on its website:</p> <ul style="list-style-type: none">• the documents listed in condition 2 of Schedule 3;• current statutory approvals for the development;• approved strategies, plans or programs required under the conditions of this consent;• a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;• a complaints register, updated quarterly;• the Annual Reviews (over the last 5 years);• any independent environmental audit, and the Applicant's response to the recommendations in any audit;• any other matter required by the Secretary; and <p>(b) keep this information up-to-date, to the satisfaction of the Secretary.</p>	<p>correspondence with DPIE.</p> <p>Boral Dunmore website accessed at: https://www.boral.com.au/locations/boral-dunmore-operations</p>	<p>Compliant</p>

5. COMPLIANCE WITH THE ENVIRONMENTAL PROTECTION LICENCE

This section assesses compliance against the relevant requirements of the Environmental Protection Licence (EPL) 77. Information about the EPL was sourced from the NSW Environmental Protection Authority (EPA) website located at the following link: <http://www.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=77&id=77&option=licence&searchrange=licence&range=POEOaccessed28June2014>. The site was accessed 01 July 2020.

The current licence is attached at Appendix 3.

For the purpose of the EPL audit, a review was conducted of three (3) annual return periods: August 2016/2017 – August 2018/19. The 2017 IEA reviewed the prior EPL returns.

5.1. SUMMARY OF FINDINGS

Non-compliances in the periods August 2016/2017 – August 2018/19 are presented in Table 5-1. Only one non-compliance was recorded, and it relates to licence condition R4.1. The non-compliance resulted in the issue of an EPA Formal Warning but did not result in the issue of a Penalty Notice.

Boral has taken appropriate action to mitigate non-compliance issues, as requested by the EPA. Consultation with the EPA occurred as part of the audit and no further issues or non-compliances were raised.

Table 5-1: Non-compliances associated with EPL annual returns.

Annual Return Start Date	Annual Return End Date	Licence Condition #	Type of non-compliance	EPA Actions	Number of times occurred
August 2017	August 2018	R4.1	Non-compliance with Reporting Condition R4.1 - failure to report blasting exceedances to EPA within 7 days. EPA issued licensee a Formal Warning.	EPA has written to licensee regarding non-compliance and relevant action.	1



6. ADEQUACY OF STRATEGIES, PLANS AND PROGRAMS

This section reviews the adequacy of the projects strategies, plans and programs and provides recommendations for measures or actions to improve the documents, where applicable.

6.1. CRITERIA FOR ASSESSING ADEQUACY

Consistent with the previous audit, the adequacy of strategies, plans and programs have been assessed in accordance with the following criteria:

- **Compliance with review/revision requirements:** understand if documents are maintained as current and effective.
- **Compliance with conditions of consent:** ensure documents are consistent with the conditions of consent.
- **Clear objectives, defined actions and performance criteria:** determine whether the document is structured in a manner that clearly communicates the objectives, actions and performance criteria.
- **Align with best practice and/or relevant guidelines.**
- **Implementation and monitoring:** determine if the document outlays implementation processes and monitoring requirements.
- **Assigned responsibilities:** identify whether clear responsibilities and accountabilities have been assigned.
- **Integration:** as many environmental aspects and impacts are interrelated, it is crucial documents are linked to enable holistic environmental site management.

6.2. DOCUMENT REVIEW AND REVISION

The consent condition regarding review and revision of plans was updated in Modification 8. The revised condition (Schedule 5, Condition 4) reads:

4. Within 3 months of the submission of an:

- (a) incident report under condition 7 below;*
- (b) Annual review under condition 9 below;*
- (c) audit report under condition 10 below; and*
- (d) any modifications to this consent,*

the Applicant must review, and if necessary revise, the strategies, plans and programs required under this consent, to the satisfaction of the Secretary.

Note: This is to ensure the strategies, plans and programs are updated on a regular basis and incorporate and recommended measures to improve the environmental performance of the development.

There is insufficient evidence to suggest the following plans have been reviewed, and where applicable updated, in response in accordance with the current requirements:

- Bushfire Management Plan; and
- Transport Management Plan.

All plans should be reviewed, and where applicable updated, following the finalisation of this audit report.

6.3. ADEQUACY REVIEW

6.3.1. Environmental Management Strategy

Table 6-1: Assessment of Environmental Management Strategy Against Consent Requirements

Condition	Assessment
Schedule 5, Condition 1	
If the Secretary requires, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:	Compliant No evidence that the Secretary requested an Environmental Management Strategy (EMS) be prepared, but EMS for the project has been prepared (March 2014).
(a) be submitted to the Secretary for approval within 6 months of the Secretary requiring preparation of the strategy by notice to the Applicant;	Not able to determine No evidence that the Secretary requested an Environmental Management Strategy (EMS) be prepared.
(b) provide the strategic framework for the environmental management of the development;	Compliant Document as whole.
(c) identify the statutory approvals that apply to the development;	Compliant Section 3. This section should be updated to reflect legislation changes.
(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;	Compliant Section 4
(e) describe the procedures that would be implemented to: <ul style="list-style-type: none"> • keep the local community and relevant agencies informed about the operation and environmental performance of the development; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the course of the development; • respond to any non-compliance; and • respond to emergencies; and 	Compliant Section 5.9, Section 6, Section 7 and Section 8.

Condition	Assessment
(f) include: <ul style="list-style-type: none"> copies of any strategies, plans and programs approved under the conditions of this consent; and a clear plan depicting all the monitoring required to be carried out under the conditions of this consent. 	Non-compliant Does not include copies of strategies plans and programs, or a monitoring plan. Monitoring is contained within respective management plans.

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- Clear objectives, defined actions and performance criteria:** Objectives, actions and performance criteria not defined in the EMS, they are contained with the associated management plans.
- Align with best practice and/or relevant guidelines:** relevant guidelines and best practice in Section 3 requires update.
- Implementation and monitoring:** Implementation and monitoring actions are contained with the associated management plans.
- Assigned responsibilities:** responsibilities are defined in general and specified in the underlying management plans.
- Integration:** Integration with other plans is referenced in general but integration should be strengthened.

Assessment of Adequacy

This plan is adequate for its purpose.

6.3.2. Blast Management Plan

Assessment Against Consent Requirements

Table 6-2: Assessment of Blast Management Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 20	
The Applicant must prepare a Blast Management Plan for the development to the satisfaction of the Secretary. This plan must:	Compliant Blast Management Plan (Boral, 2019)
(a) be submitted to the Secretary for approval within 6 months of Modification 8, unless otherwise agreed by the Secretary;	Compliant 23/11/16 letter from DPIE (then DP&E). Updated in 2019.

Condition	Assessment
(b) describe the measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this consent;	Compliant Document as a whole.
(c) include measures to manage and monitor the avoidance of impacts on the heritage values on the buildings on Lot 10 DP977931;	Compliant Section 1.5
(d) include measures to manage flyrock;	Compliant Section 5.1
(e) include a monitoring program for evaluating and reporting on compliance with the blasting criteria in this consent;	Compliant Section 7
(f) include community notification procedures for the blasting schedule, in particular to nearby residences; and	Compliant Section 6
(g) include a protocol for investigating and responding to complaints.	Compliant Section 8

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Whilst the objectives are generally stated in Section 1.1, actions and performance criteria are defined.
- **Align with best practice and/or relevant guidelines:** relevant Australian Standards and Codes considered. Additionally, plan is aligned to Boral internal standards.
- **Implementation and monitoring:** Implementation and monitoring actions are clearly defined.
- **Assigned responsibilities:** Responsibilities are clearly defined in the document.
- **Integration:** Integration with other plans and approvals is referenced where relevant throughout the document.

Assessment of Adequacy

This plan is adequate for its purpose.

6.3.3. Water Management

This section includes a review of the following strategies, plans and programs relevant to water management:

- Dam Upgrade Plan;
- Site Water Management Plan;
- Lower Dam Transition Plan;
- Erosion and Sediment Control Plan;

- Surface Water Monitoring Program;
- Ground Water Monitoring Program;
- Integrated Water Management Strategy.

Dam Upgrade Plan

Assessment Against Consent Requirements

Table 6-3: Assessment of Dam Upgrade Plan Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 33	
Prior to carrying out any of these works, the Applicant must prepare a Dam Upgrade Plan in consultation with the EPA, and to the satisfaction of the Secretary. This plan must include:	Compliant Dam Upgrade Plan (Coffey, 2008)
(a) the detailed design and specifications of the proposed works, which have been certified by a practicing registered engineer;	Compliant
(b) an erosion and sediment control plan for the proposed works, that is consistent with the requirements in the Department of Housing's Managing Urban Stormwater: Soils and Construction manual;	Compliant ESCP was developed in accordance with the condition and included in the Dam Upgrade Plan.
(c) a vegetation and rehabilitation plan, setting out how the banks of the dam and other relevant pollution control features would be rehabilitated and stabilised, and the baffle and macrophyte zone would be constructed;	Compliant A Vegetation Management Plan (VMP) was prepared by Jamberoo Native Nursery (2008). The plan requires review and update following 2017 modification which inserted 'other pollution control features'.
(d) an acid sulfate soil management plan that is consistent with the <i>NSW Acid Sulfate Soil</i> manual;	Non-compliant EPS considers likelihood of the presence of potential or actual acid sulphate soils on the site to be low and refers to the current OEH mapping which shows its predicted presence to be limited to the alluviums to the east and south of the site.
(e) a construction program for the proposed works; and	Compliant Section 3.3
(f) a program setting out how the modified dam and associated revegetation works would be maintained during the life of the development.	Compliant VMP (Jamberoo Native Nursery, 2008)

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** N/A
- **Align with best practice and/or relevant guidelines:** No reference to the *NSW Acid Sulfate Soil* manual.
- **Implementation and monitoring:** N/A
- **Assigned responsibilities:** N/A
- **Integration:** N/A

Assessment of Adequacy

This plan requires review and update or will need to be incorporated into the updated approved Water Management Plan. See DQ10/20.

Site Water Management Plan

Assessment Against Consent Requirements

Table 6-4: Assessment of Site Water Management Plan Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 40	
Within 12 months of the date of this consent, the Applicant must prepare a Site Water Management Plan for the development, in consultation with the DoI – L&W, and to the satisfaction of the Secretary. This plan must include:	Compliant Water Management Plan (WMP) (Arcadis, 2016)
(a) the predicted site water balance plan;	Compliant Site Water Balance (Evans and Peck, 2008)
(b) an Erosion and Sediment Control Plan;	Compliant Section 6.2
(c) a Surface Water Monitoring Program;	Compliant Section 6.3
(d) a Ground Water Monitoring Program; and	Compliant Section 6.4
(e) an Integrated Water Management Strategy.	Compliant Section 4

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Objectives, defined actions and performance criteria are clearly defined.

- **Align with best practice and/or relevant guidelines:** Alignment with relevant guidelines clearly demonstrated.
- **Implementation and monitoring:** Clearly outlines plan of management and actions in Section 6, and monitoring, reporting and review requirements in Section 7.
- **Assigned responsibilities:** Responsibilities are assigned against the management actions.
- **Integration:** Section 2.5 describes the integration with other plans.

Assessment of Adequacy

This plan is adequate for its purpose.

Lower Dam Transition Plan

Table 6-5: Assessment of Lower Dam Transition Plan Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 35A	
Within 3 months of the determination of Modification 9, or as otherwise agreed by the Secretary, the Applicant must prepare a Lower Dam Transition Plan in consultation with the EPA and to the satisfaction of the Secretary. The plan must include a program to:	Not able to determine The plan has been prepared and is under review by EPA at time of audit.
(a) undertake a broader assessment of the site’s water management system and potential water pollution impacts; and	Not able to determine The plan has been prepared and is under review by EPA at time of audit.
(b) investigate reasonable and feasible mitigation measures to improve water quality outcomes for the site, including altering the design of the Lower Dam or else transitioning away from its use, within two years.	Not able to determine The plan has been prepared and is under review by EPA at time of audit.
The Applicant must not alter the Lower Dam until this plan is approved by the Secretary. The Applicant must implement the approved plan as approved by the Secretary.	Not able to determine The plan has been prepared and is under review by EPA at time of audit.

Assessment Against Other Criteria

Not able to determine. The plan has been prepared and is under review by EPA at time of audit.

Assessment of Adequacy

Not able to determine. The plan has been prepared and is under review by EPA at time of audit.

Erosion and Sediment Control Plan

Assessment Against Consent Requirements

Table 6-6: Assessment of Erosion and Sediment Control Plan Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 41	
The Erosion and Sediment Control Plan must:	Compliant WMP (Arcadis, 2016)
(a) be consistent with the requirements of the Department of Housing's <i>Managing Urban Stormwater: Soils and Construction</i> manual;	Compliant
(b) identify activities that could cause soil erosion and generate sediment;	Compliant Section 6.2
(c) describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters;	Compliant Section 6.2
(d) describe the location, function, and capacity of erosion and sediment control structures; and	Compliant Figure 3.2
(e) describe what measures would be implemented to maintain the structures over time.	Compliant Section 6.2

Assessment Against Other Criteria

Assessment against other criteria is provided above under Site Water Management Plan.

Assessment of Adequacy

This plan is adequate for its purpose.

Surface Water Monitoring Program

Assessment Against Consent Requirements

Table 6-7: Assessment of Surface Water Monitoring Program Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 42	
The Surface Water Monitoring Program must include:	Compliant Section 6.3 of the WMP (Arcadis, 2016)
(a) detailed baseline data on surface water flows and quality in Rocklow Creek;	Compliant Table 6.6

Condition	Assessment
(b) surface water impact assessment criteria;	Compliant Section 6.3.2
(c) a program to monitor surface water flows and quality in Rocklow Creek;	Compliant Table 6.6
(c1) a program to monitor and minimise surface water and groundwater ingress into the Lower Dam and water egress into Rockflow Creek;	Not able to be determined The updated Water Management Plan has been prepared and is under review by EPA at time of audit.
(d) a program to monitor bank and bed stability in Rocklow Creek; and	Compliant Appendix A
(e) a program to monitor the effectiveness of the Erosion and Sediment Control Plan.	Compliant Appendix A

Assessment Against Other Criteria

Assessment against other criteria is provided above under Site Water Management Plan.

Assessment of Adequacy

The program requires updating to align with the conditions of consent. It is noted this is occurring as part of the updated Water Management Plan under review with EPA at time of audit.

Ground Water Monitoring Program

Assessment Against Consent Requirements

Table 6-8: Assessment of Ground Water Monitoring Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 43	
The Ground Water Monitoring Program must include:	Compliant Appendix H of the WMP (Arcadis, 2016)
(a) detailed baseline data on ground water levels and quality, based on statistical analysis;	Non-compliant Section 2.2 provides detail on baseline groundwater quality. Information on baseline groundwater levels is not provided
(b) ground water impact assessment criteria; and	Non-compliant Includes parameters but does not include criteria.
(c) a program to monitor regional ground water levels and quality;	Non-compliant A program to monitor regional groundwater levels and quality is not included.

Condition	Assessment
(d) a program to monitor groundwater inflows.	Not able to be determined The updated Water Management Plan has been prepared and is under review by EPA at time of audit.

Assessment Against Other Criteria

Assessment against other criteria is provided above under Site Water Management Plan.

Assessment of Adequacy

The plan requires updating to align with the conditions of consent. It is noted this is occurring as part of the updated Water Management Plan under review with EPA at time of audit.

Integrated Water Management Strategy

Assessment Against Consent Requirements

Table 6-9: Assessment of Integrated Water Management Strategy Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 45	
The Integrated Water Management Strategy must:	Compliant Section 4 of the WMP (Arcadis, 2016) and Site Water Management Plan (Matrix Consulting, 2005).
(a) explore a range of options for a sustainable resource alternative for water supply to the site;	Compliant
(b) identification of all possible and available sources of water;	Compliant
(c) consistency with Government Water Reform initiatives and policies;	Compliant
(d) quality of water to meet usage requirements including any possible effects on product;	Compliant
(e) costs of supply;	Compliant
(f) health and environmental impacts;	Compliant
(g) legislative requirements;	Compliant
(h) assessment of the feasibility, benefits and costs of options;	Compliant
(i) a process to identify and evaluate preferred options for implementation; and	Compliant

Condition	Assessment
(j) the identification of a timetable for implementation of the selected options.	Compliant

Assessment Against Other Criteria

Assessment against other criteria is provided above under Site Water Management Plan.

Assessment of Adequacy

This strategy is adequate for its purpose.

6.3.4. Flora and Fauna Management

This section includes a review of the following plans, strategies and programs related for flora and fauna management:

- Flora and Fauna Management Plan;
- Compensatory Habitat Management Plan;
- Remnant Vegetation Conservation Plan;
- Biodiversity Offset Management Plan; and
- Rehabilitation Management Plan.

Flora and Fauna Management Plan

Assessment Against Consent Requirements

Table 6-10: Assessment of Flora and Fauna Management Plan Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 46	
Within 12 months of the date of this consent, the Applicant must prepare a Flora and Fauna Management Plan for the development to the satisfaction of the Secretary. This plan must include:	Compliant
(a) a Vegetation Clearing Protocol;	Compliant Appendix B
(b) a Compensatory Habitat Management Plan;	Compliant Section 4.1.1
(c) a Remnant Vegetation Conservation Plan; and	Compliant Section 4.1.2
(d) a Biodiversity Management Plan.	Compliant Not required, addressed in Appendix A.

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Objectives clearly stated in Section 1.3. Section 4 defines actions. Section 5 sets out the review requirements.
- **Align with best practice and/or relevant guidelines:** Section 2.2 documents the guidelines relevant to the plan.
- **Implementation and monitoring:** Includes management actions in Section 4 and monitoring requirements in Section 5.
- **Assigned responsibilities:** Responsibilities are assigned against the management actions.
- **Integration:** Section 2.5 summarises the alignment with other project plans.

Assessment of Adequacy

This plan is adequate for its purpose.

Compensatory Habitat Management Plan

Assessment Against Consent Requirements

Table 6-11: Assessment of Compensatory Habitat Management Plan Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 48	
The Compensatory Habit Management Plan must:	N/A
(a) describe the compensatory habitat proposal to satisfy condition 46(a);	Compliant Section 4.1.1 of the FFMP
(b) justify why this area(s) is suitable for the compensatory habitat proposal;	Compliant Section 4.1.1 of the FFMP
(c) establish baseline data for the existing habitat in the proposed compensatory habitat area(s);	Compliant Section 4.1.1 of the FFMP
(d) describe how the compensatory habitat proposal would be implemented;	Compliant Section 4.1.1 of the FFMP
(e) set completion criteria for the compensatory habitat proposal;	Compliant Section 4.1.1 of the FFMP
(f) describe how the performance of the compensatory habitat management proposal would be monitored over time.	Compliant Section 4.1.1 of the FFMP

Assessment Against Other Criteria

Assessment against other criteria is provided above under the Flora and Fauna Management Plan.

Assessment of Adequacy

Assessment of adequacy is provided above under the Flora and Fauna Management Plan.

Remnant Vegetation Conservation Plan

Assessment Against Consent Requirements

Table 6-12: Assessment of Remnant Vegetation Conservation Plan Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 49	
The Remnant Vegetation Conservation Plan must:	N/A
(a) describe what measures would be implemented to satisfy condition 46(b);	Compliant 4.1.2 of the FFMP
(b) set completion criteria for the Remnant Vegetation Conservation Area; and	Compliant 4.1.2 of the FFMP
(c) describe how the performance of the Remnant Vegetation Conservation area would be monitored over time.	Compliant 4.1.2 of the FFMP

Assessment Against Other Criteria

Assessment against other criteria is provided above under the Flora and Fauna Management Plan.

Assessment of Adequacy

Assessment of adequacy is provided above under the Flora and Fauna Management Plan.

Biodiversity Offset Management Plan

Assessment Against Consent Requirements

Table 6-13: Assessment of Biodiversity Offset Management Plan Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 50A	

The Biodiversity Offset Management Plan must:	N/A
(a) describe what measures would be implemented to satisfy condition 46(c);	N/A
(b) describe the biodiversity offset strategies in conditions 46(d)-(e);	N/A
(c) include a timetable for providing long term security of the offset areas;	N/A
(d) set performance and completion criteria for the offset areas; and	N/A
(e) include a program to monitor and report on the effectiveness of the implementation measures, and progress against the performance and completion criteria.	N/A

This plan is not required, addressed in Appendix A of the FFMP.

Rehabilitation Management Plan.

Assessment Against Consent Requirements

Table 6-14: Assessment of Rehabilitation Management Plan Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 53	
Within 6 months of the date of this consent, the Applicant must prepare a Rehabilitation Management Plan for the site to the satisfaction of the Secretary. This plan must:	Compliant
(a) identify the disturbed area at the site;	Compliant Section 3
(b) describe in general the short, medium, and long-term measures that would be implemented to rehabilitate the site;	Compliant Section 4
(c) describe in detail the measures that would be implemented over the next 3 years to rehabilitate the site; and	Compliant Section 4 & 5
(d) describe how the performance of these measures would be monitored over time.	Compliant Section 7

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Objectives clearly stated in Section 1.3. Section 4 defines actions. Section 7 sets out the review requirements.

- **Align with best practice and/or relevant guidelines:** Section 2 documents the guidelines relevant to the plan.
- **Implementation and monitoring:** Includes management actions in Section 4 and monitoring requirements in Section 7.
- **Assigned responsibilities:** Responsibilities are assigned against the management actions.
- **Integration:** Section 1.4 summarises the alignment with other project plans.

Assessment of Adequacy

This plan is adequate for its purpose.

6.3.5. Transport Management Plan

Assessment Against Consent Requirements

Table 6-15: Assessment of Transport Management Plan Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 59	
The Applicant must prepare a Transport Management Plan for the development to the satisfaction of the Secretary. This plan must:	Compliant Transport Management Plan (TMP) (Traffic Transport Planning Partnership, 2016).
(a) be prepared by a suitably qualified traffic consultant, in consultation with RMS and Council, and submitted to the Secretary for approval by 31 May 2014;	Compliant
(b) include a drivers' code of conduct for the development;	Compliant
(c) describe the measures that would be implemented to ensure: <ul style="list-style-type: none"> • all drivers of development-related vehicles comply with the drivers' code of conduct; and • compliance with the relevant conditions of this consent; and 	Compliant
(d) include a program to monitor the effectiveness of the implementation of these measures.	Compliant

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Objectives included in Section 1.2.
- **Align with best practice and/or relevant guidelines:** No reference is made to relevant guidelines or alignment with best practice.

- **Implementation and monitoring:** Implementation measures included in Section 3. Monitoring information included in Section 3.4.
- **Assigned responsibilities:** Responsibilities are not assigned.
- **Integration:** Integration with other plans is not described.

Assessment of Adequacy

Section 3.4.6 should be updated to be consistent with the revised requirements under Schedule 5, Condition 4. The plan should also be updated to reference guidelines, assign responsibilities and describe integration with other relevant management plans (e.g. air quality).

6.3.6. Bushfire Management Plan

Assessment Against Consent Requirements

Table 6-16: Assessment of Bushfire Management Plan Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 77	
Within 6 months of the date of this consent, the Applicant must prepare a Bushfire Management Plan for the development, to the satisfaction of Council and the Rural Fire Service.	Compliant

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Section 2 covers objectives, Section 4 covers control measures, and Section 5.3
- **Align with best practice and/or relevant guideline:** alignment with best practice and relevant guidelines is not noted.
- **Implementation and monitoring:** Section 5 outlines monitoring requirements.
- **Assigned responsibilities:** Section 6 clearly assigns responsibilities but the personnel names are no longer current. Responsibilities are clearly assigned to management actions in Table 1.
- **Integration:** Integration with other plans is not noted.

Assessment of Adequacy

This plan is generally adequate; however, it is required to be reviewed and updated.

6.3.7. Noise Management Plan

Assessment Against Consent Requirements

Table 6-17: Assessment of Noise Management Plan Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 14	
The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Secretary. This plan must:	Compliant
(a) be prepared in consultation with the EPA;	Compliant Table E.1.1
(b) be submitted to the Secretary for approval prior to commencing quarrying operations in the Croome West Pit, unless the Secretary agrees otherwise;	Compliant Table E.1.1
(c) describe the measures to be implemented to ensure: <ul style="list-style-type: none"> • compliance with the noise criteria and operating conditions of this consent; • best practice management is being employed; • noise impacts of the development are minimised during stage 3 extraction of the Croome West Pit, particularly during the shoulder period; and • noise impacts of the development are minimised during meteorological conditions under which the noise criteria in this consent do not apply; 	Compliant Section 2 - 5
(d) describe the proposed noise management system; and	Compliant Section 2.5
(e) include a monitoring program to be implemented to measure noise from the development against the noise criteria in Table 2.	Compliant Section 4

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Generally covered in Section 1, and performance criteria and actions contained throughout document.
- **Align with best practice and/or relevant guideline:** relevant guidelines and standards referenced in Section 4.1 and incorporated throughout. Best practice considered in section 5.6.

- **Implementation and monitoring:** Section 4 describes monitoring requirements.
- **Assigned responsibilities:** Responsibilities clearly assigned in Table E.1.1 and Chapter 3.
- **Integration:** No clear integration with other management plans.

Assessment of Adequacy

This plan is adequate for its purpose.

6.3.8. Air Quality Management Plan

Assessment Against Consent Requirements

Table 6-18: Assessment of Air Quality Management Plan Against Consent Requirements

Condition	Assessment
Schedule 4, Condition 24	
The Applicant must prepare an Air Quality Management Plan for the development to the satisfaction of the Secretary. This plan must:	Compliant
(a) be submitted to the Secretary for approval within 6 months of the determination of Modification 9, unless otherwise agree by the Secretary;	Compliant
(b) describe the measures to be implemented to ensure: <ul style="list-style-type: none"> • compliance with the air quality criteria and operating conditions of this consent; • best practice management is being employed; and • the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events; 	Compliant Section 4
(c) describe the proposed air quality management system;	Compliant Section 3 and 4
(d) include an air quality monitoring program that: <ul style="list-style-type: none"> • is capable of evaluating the performance of the development and informing day to day management decisions; • includes a protocol for determining any exceedances of the relevant conditions of consent; and • effectively supports the air quality management system. 	Compliant Section 3 and 4

Assessment Against Other Criteria



The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Whilst objectives are not defined, actions and performance criteria are included in Section 3 and 4.
- **Align with best practice and/or relevant guideline:** References best practice in Section 4 and incorporates relevant Australian Standards throughout.
- **Implementation and monitoring:** Monitoring covered in Section 3.
- **Assigned responsibilities:** Included in Section 4.7.
- **Integration:** No clear integration with other management plans.

Assessment of Adequacy

The program is adequate for its purposes.

7. AUDIT CONCLUSIONS

7.1. COMPLIANCE ASSESSMENT

7.1.1. Conditions of Consent

The findings of assessment against the conditions in Schedule 3 – 5 of the Development Consent is presented below. Of the 118 conditions, 87 were assessed as compliant, 6 non-compliant, and 2 not able to be determined.

Schedule	Audit Finding				Total
	Compliant	Non-compliant	N/A	Not Able to Determine	
3	8	1	6	0	15
4	66	3	17	2	88
4a	1	1	0	0	2
5	12	1	0	0	13
Total	87	6	23	2	118

7.1.2. Environment Protection Licence

Since 2016/2017 1 non-compliance was recorded, and it relates to licence condition R4.1. The non-compliance resulted in the issue of an EPA Formal Warning but did not result in the issue of a Penalty Notice.

7.2. ADEQUACY OF STRATEGIES, PLANS AND PROGRAMS

A number of project strategies, plans and programs have been reviewed and updated since the 2017 audit in line with the revised consent conditions. Overall, documents are considered adequate for the purposes as they meet the conditioned requirements, follow a relatively consistent structure and are operational documents.

In general, the strategies, plans and programs lack integration. Furthermore, some of the plans have not been reviewed and revised in accordance with the conditions of consent and require update/finalisation (e.g. the Lower Dam Transition Plan). A number of recommendations are made to improve the project documents and to help ensure they remain current.

7.3. ENVIRONMENTAL PERFORMANCE

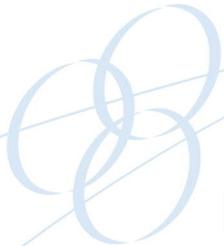
Noting there are a number of matters that require improvement, the overall environmental performance based on the observed condition of the site, the low number of non-compliances and incidents, and low number of complaints, is considered **'satisfactory'**.

7.4. OPPORTUNITIES FOR IMPROVEMENT

The following table summarises the opportunities for improvement identified in this audit.

Table 7-1: Summary of Opportunities for Improvement

Reference	Consent Condition/Issue	Recommendation
DQ1/20	DQ3/17	Finalise revised Water Management Plan.
DQ2/20	DQ5/17	Follow up approval of works required under S4, C38 from DPIE.
DQ3/20	DQ6/17	Determine is 'regional' monitoring that has been completed is satisfactory and the regional monitoring can be suspended.
DQ4/20	DQ7/17	Ensure updated WMP includes plan to prevent mud tracking onto public roads.
DQ5/20	DQ8/17	Confirm tyres stored on site is less than 500, and if there is a requirement for more than 500 tyres, consult with EPA regarding a licence.
DQ6/20	DQ8/17	Finalise revised Bushfire Management Plan and ensure it covers safe storage of tyres in accordance with Tyre Stewardship Australia <i>Best Practice Guidelines for Tyre Storage and Emergency Preparedness</i> (March 2019) guidelines and Fire & Rescue NSW <i>Fire Safety Guideline – Guideline for bulk storage of rubber tyres</i> (December 2014).
DQ7/20	DQ10/17	Ensure all management plans are prepared and reviewed in accordance with the requirements of the conditions of consent It is suggested a review record/register is maintained.
DQ8/20	Schedule 3, Condition 7a – Transportation	A Traffic Management System should be developed to monitor and control truck dispatch movements in accordance with limitations.
DQ9/20	Schedule 3, Condition 7a – Transportation	If the hourly truck dispatch limitations are not practical for operations, consultation with DPIE should occur to understand if modification of this condition is appropriate.
DQ10/20	Schedule 3, Condition 1 – Operation of Plant and Equipment	Prioritise maintenance checks of bag houses in crushing and screening plans to ensure they are maintained in a proper and efficient condition.
DQ11/20	Schedule 4, Condition 12 – Identification of Boundaries	Confirm survey plan has been submitted to the Secretary.



Reference	Consent Condition/Issue	Recommendation
DQ12/20	Schedule 4, Condition 28 – Water Discharge Limits	Implement updated Water Management Plan when approved to reconfigure storage on site and prevent uncontrolled discharge events.
DQ13/20	Schedule 4, Condition 29 – Site Water Balance	Ensure all future Annual Reviews address the reporting requirements in Schedule 4, Condition 29.
DQ14/20	Schedule 4, Condition 33 – Offline Dam	Ensure Dam Upgrade Plan is updated or incorporated into the updated approved Water Management Plan.
DQ15/20	Schedule 4, Condition 35A – Lower Dam Transition Plan	Ensure the approved updated Water Management Plan includes the Lower Dam Transition Plan.
DQ16/20	Schedule 4, Condition 37 – Other Water Management Works	Bunded fuel drum storage area to be used correctly with all oil drums to be positioned within the bunded area.
DQ17/20	Schedule 4, Condition 38 – Bunding	Ensure all fuel, oil and chemical storage areas occurs in appropriately bunded areas.
DQ18/20	Schedule 4, Condition 46 – Flora and Fauna Management Plan	Condition numbering references are incorrect throughout document (see Table 2.1 for an example). Update condition reference numbering in next review.
DQ19/20	Schedule 4, Condition 47 – Flora and Fauna Management Plan	Vegetation Clearing Protocol to be updated to address collecting seed from site and conserving and reusing topsoil.
DQ20/20	Schedule 4, Condition 54 – Rehabilitation and Conservation Bond	Rehabilitation Conservation Bond not lodged within the required timeframe. Boral to ensure timing requirements are met for obligations under this consent.
DQ21/20	Schedule 4, Condition 62 – Road Haulage	It is recommended that sweeping increase to three times per week and consideration of further mitigation measures is undertaken.
DQ22/20	Schedule 5, Condition 4 – Revision of Strategies, Plans and Programs	The document control tables within the all the plans, strategies and programs required under this consent do not reflect the reviews have occurred. Ensure all documents are reviewed in accordance with this condition of consent. Update the relevant management plans to contain information on timing of review.



APPENDIX 1
Development Consent



APPENDIX 2

Environment Protection Licence



APPENDIX 3
2020 Audit Evidence



Dirt/debris tracked on Tabbita Road.



Dirt/debris tracked on Tabbita Road.



Oil drums being incorrectly stored, overhanging bunded area near maintenance workshop.



Light at night from project area looking in from gate at Tabbita Road.



Looking towards the crusher area from Rocklow Road.



Maintenance workshop.



Maintenance workshop.



Drainage channel along internal access track into Lower Dam primary sedimentation entrance.



Drainage channel along internal access track into Lower Dam primary sedimentation entrance.



Crusher area and example of tyre reuse/storage.



Crusher area.



Example of tyre reuse/storage



Oil drums being incorrectly stored outside appropriately bunded area.



Oil drums being incorrectly stored outside appropriately bunded area.



Active quarry area.



Active quarry area.



Extraction limit marker example.



Vegetated bund.



Example of site fencing from vegetated bund.



Example of fire response equipment.



Refuelling area.



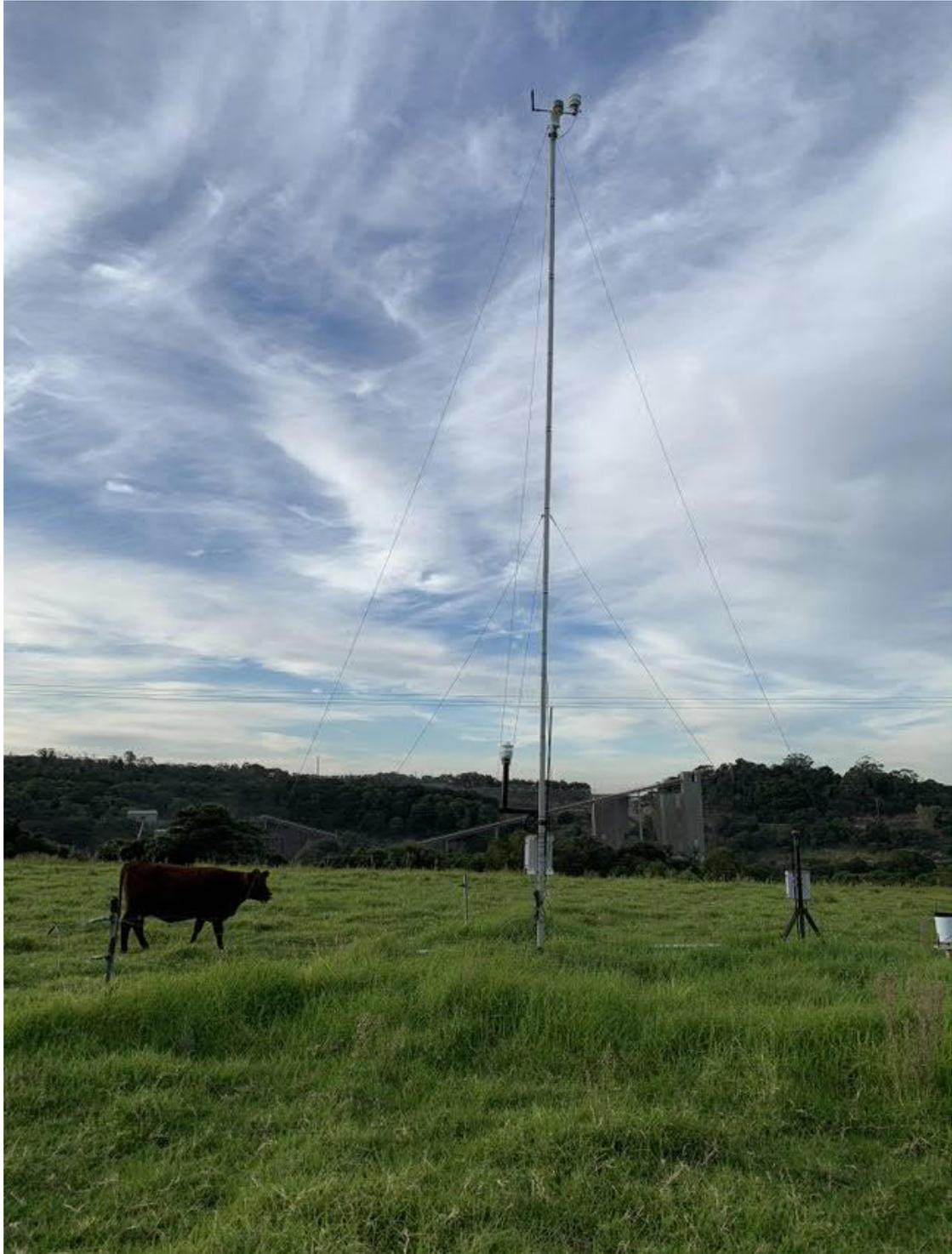
Parking area near refuelling area, example of further tyre reuse on site.



Blending plant.



Example of the Offset Area/Remanent Vegetation Conservation Area.



Example of offsite weather station and air quality monitoring equipment.



Example of parking area near site office.



Example of covered loads when exiting the site.



Example of sweeper in operation cleaning Tabbita Road.