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Independent Environmental Audit
Wallerawang Quarry

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Walker Quarries

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Independent Environmental Audit

Wallerawang Quarry

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DOCUMENT CONTROL

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1 INTRODUCTION

1.1 Background to the Site

The quarry site is currently in Stage 1 of the operational phase, as described in the Mining Operations Plan (MOP). During the reporting period, work comprised of extraction, construction, processing and rehabilitation.

The quarry is located approximately 2.5km southeast of Wallerawang and 10km northwest of Lithgow on the southern side of the Great Western Highway (**Figure 1**), and is owned by Walker Quarries Pty. Ltd. and is operated by Dukes Civil Pty. Ltd.

The former Hoskins Quarry is located adjacent to the quarry and last operated in 1927, although the current owners collected a small sample from this quarry for testing purposes in 1994. Also, a surface gravel quarry was in operation to the east and across the Cox's River from the quarry until recent years, when it was rehabilitated and incorporated into the Riverfront Acres Subdivision.

A resource of quartzite (and small amount of overburden material) in excess of 4.4 Mt was proven at the site and Walker Quarries now produces quartz from the hard rock quarry with a life expectancy exceeding 20 years. It will be developed over three stages, resulting in a total disturbed area of approximately 11 hectares. Production will vary between approximately 150,000 tpa to a maximum of 500,000 tpa, dependent upon market demand.

The quarry development is located within EL4473 – a Group 2 Mineral Exploration Licence with an area of approximately 281 hectares.

The Mining Lease (ML) area is 44.33 hectares and the quarry site includes a combination of Crown Land (Lidsdale State Forest) and private land (Lot 6) which is owned by Sitegoal Pty Ltd – a parent company of Walker Quarries Pty Ltd.

The quarry site is zoned Rural (General) 1(a) to the east and Rural (Forestry) 1(f) to the west. Extractive industries are permissible under these zonings and Developmental Consent has been granted to the site, subject to a number of conditions.

During 2014 and 2015 there were several upgrades to the operation in preparation for commencement including:

- Construction of infrastructure required for quarrying that included a the main access and intersection with the Mitchell Highway;
- Additional water management structures and a Water Management Dam;
- Wheel wash facility;
- Weighbridge;
- Small office and facilities; and
- Machinery parking area.

These features were required to be constructed in accordance with the MOP. The seagull intersection of the access road with the Mitchell highway was constructed to the Roads and Transport Authority (RTA) requirements.

1.2 Key Quarry Contacts

The management personnel responsible for operation and environmental performance at the Wallerawang Quarry and their relevant contact details are as follows:

- Ray Sharwood, Production Supervisor – oversees most of the day-to-day activities at the site. Contact: (02) 63 51-2931 or 0429 272 148.
- Wayne Dukes, Environmental Manager and Quarry Manager - oversees day to day environmental and rehabilitation performance across the site, and retains overall responsibility for all activities and performance at the quarry. Contact: (02) 63523377.
- John McAuley, General Manager - oversees all operations for the Sitegoal Group. Contact: (02) 63523377.

1.3 Audit Scope

Condition 3.8 of the Development Consent (DA No. 344-11-2001) outlined the requirement to complete the Independent Environmental Audit.

At the end of years 1 and 2 after construction work commences, and every year thereafter, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. The audits must:

- a) Be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General.*
- b) Be consistent with ISO 14010 - Guidelines and General Principles for Environmental Auditing, and ISO 14011- Procedures for Environmental Auditing, or updated versions of these guidelines/manuals:*
- c) Assess the environmental performance of the development, and its effects on the surrounding environment;*
- d) Assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;*
- e) Review the adequacy of the Applicant's Environmental Management Strategy and Environmental Monitoring Program; and, if necessary;*
- f) Recommend measures or actions to improve the environmental performance of the development and/or the environmental management and monitoring systems.*

The audit has been prepared generally in accordance with the Department of Planning and Environment (DP&E) Independent Audit Guidelines (October 2015). Overall the following documentation was audited:

- Development Consent (DA 344-11-2001);
- Environment Protection Licence (EPL 13172);
- Mining Lease; and
- EIS – Executive Summary (2001).

The Development Consent was approved by the then Minister for Infrastructure and Planning on 19th October 2004. There were many years where there were no activities undertaken at site.

According to the 2009 Annual Environmental Management Report (AEMR), some minor clearing was undertaken on 7th/8th December 2009 to enact the Development Application. Based on the discussions with site personnel, key construction activities (see Section 1.1 for key construction activities) commenced in late October 2014 (no date provided by site).

Therefore the audit concentrates on the period 7th December 2009 (initial work completed under the Development Consent) until the date of the site inspection for the audit (29th October 2015).

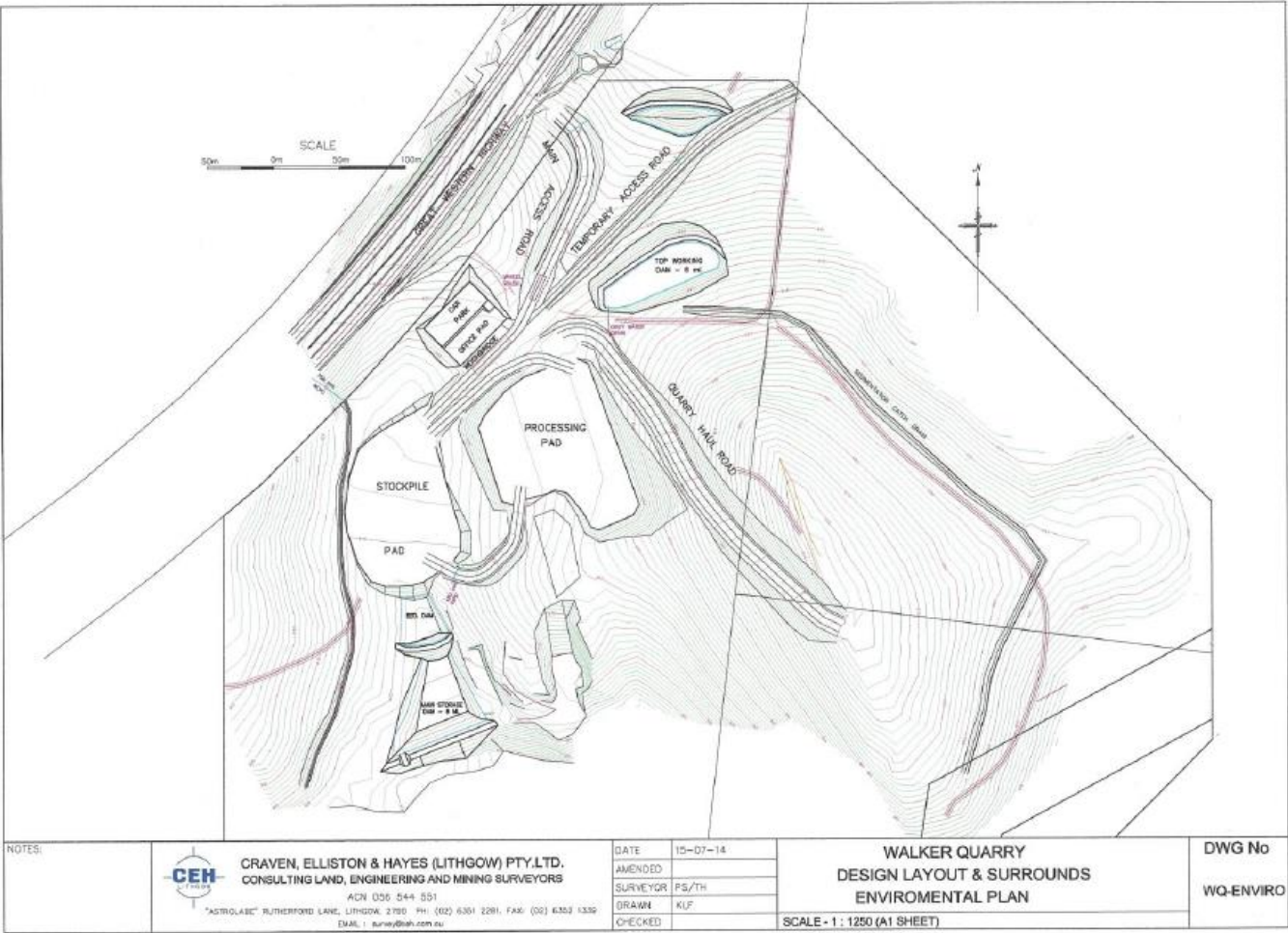


Figure 1 Site Layout

1.4 Audit Methodology

The audit was undertaken at site by Chris Jones of SLR Consulting on 28th October 2015 and at the offices of John McAuley in Lithgow on 29th October 2015. Information was provided prior to the audit, during the audit and from October 2015 to March 2016.

The methodology for the Independent Environmental Audit consisted of the following key steps:

- a) Reviewing all documents provided by Walker Quarries prior to the audit;
- b) Consultation with relevant government agencies;
- c) Site inspections and discussions with key Walker Quarries personnel;
- d) Review of additional relevant documentation obtained while on site during the inspection or provided by Walker Quarries after the site inspection; and
- e) Walker Quarries review and comment on the draft audit report.

Photographs taken during the site inspections are contained in **Appendix 1**. A large amount of evidence was viewed (and collected) as part of the audit, including monitoring records, reports, and correspondence.

2 DOCUMENTS REVIEWED AND REFERENCED

As part of the Independent Environmental Audit numerous documents were reviewed. This included:

- Annual Environmental Management Report 2009 to 2015 documents;
- Development Consent DA 344-11-2001;
- Environment Protection Licence (EPL 13172);
- Approval Letters and correspondence with government departments;
- Monthly monitoring reports;
- Community Consultative Committee (CCC) meeting minutes;
- Site records such as inspections, maintenance and raw monitoring results.
- Management Plans:
 - Environmental Management Strategy;
 - Noise Management Plan (2014);
 - Air Quality Monitoring Program (2014);
 - Blasting Monitoring Program and Blasting/Vibration Management Protocol (2014);
 - Bushfire Evacuation Plan (2014);
 - Bushfire Management Plan (2014);
 - Environmental Monitoring Program (2014);
 - Flora and Fauna Management Plan (2014)
 - Water Management Plan (2014); and
 - Construction Soil and Water Management Plan.

It should be noted that apart from the Blasting Monitoring Program and Blasting/Vibration Management Protocol, the other management plans have not been re approved for the commencement of operations at the quarry.

3 CONSULTATION WITH REGULATORY AUTHORITIES

Section 4.2 of the Independent Environmental Audit Guidelines outlines the requirement to consult with government agencies. There is no current chair of the CCC (previous chairperson resigned) therefore there has been no consultation with the CCC. A summary of consultation with regulatory authorities is outlined in **Table 1**.

Table 1 Consultation with Regulatory Authorities

Regulatory Authority	Contact Details	Details of Consultation from SLR	Response	SLR Comment
Environmental Protection Authority (EPA)	Matt Corradin Matt.corradin@epa.nsw.gov.au	Email on 15 th February requesting input into the audit	No response	-
Department of Resources and Energy (DRE)	Dan Adams Dan.adams@industry.nsw.gov.au	Email on 15 th February requesting input into the audit	No response	-
Department of Primary Industries (DPI) Water	Ravi.Sundaram@water.nsw.gov.au	Email on 15 th February requesting input into the audit	See Email attachment (Appendix 3). Topics discussed in return email from DPI Water include: <ul style="list-style-type: none"> Wastewater management; Groundcover Assessment; and Erosion and Sediment Controls. 	In summary: <ul style="list-style-type: none"> The wastewater management system is being operated effectively based on site maintenance records; There has been no seeding around sediment dams, with hydromulching of disturbed surfaces recommended during the audit; Generally the erosion and sediment controls were being effectively managed. There is no evidence or records of any site discharge.
Lithgow City Council	council@lithgow.nsw.gov.au	Email on 15 February requesting input into the audit	See Email attachment (Appendix 3) Council requires from Walker Quarries:	SLR understands no meeting was held following the completion of roadworks. The next meeting should discuss the

Regulatory Authority	Contact Details	Details of Consultation from SLR	Response	SLR Comment
			<ul style="list-style-type: none"> Structural verification of the pad footings under the office/amenity building; CCC meeting query. 	<p>completion of roadworks and the current status and proposed approach of the quarry.</p> <p>SLR recommends providing the structural verification information to Council.</p>
Department of Planning and Environment (DP&E)	Howard.Reed@planning.nsw.gov.au genevieve.seed@planning.nsw.gov.au	Email on 4 March 2016 requesting input into the audit	<p>Jessie Evans from DP&E requested in an email that:</p> <p><i>From recent discussions with the quarry company, the Department understands that the Independent Environmental Audit (IEA) is very near completion. The Department expects the IEA to be submitted in the near future.</i></p>	<p>The audit report was finalized shortly after the email was sent by the DP&E</p> <p>SLR also reviewed a letter prepared by the DP&E (Christopher Schultz and Katrina O'Reilly) and sent it to Walker Quarries on 26th February 2016, with recommendations relating to the AEMR document and general comments about the site.</p>

4 ASSESSMENT OF COMPLIANCE

The terminology used in the audit to describe the level of compliance of the Quarry with the relevant instruments / documents are outlined in **Table 2 and Table 3**. These are requirements of the DP&E Independent Audit Guidelines.

Table 2 DP&E Compliance Assessment Criteria

Assessment	Criteria
Compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit.
Not verified	Where the auditor has not been able to collect sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit. In the absence of sufficient verification the auditor may in some instances be able to verify by other means (visual inspection, personal communication, etc.) that a requirement has been met. In such a situation, the requirement should still be assessed as not verified. However, the auditor could note in the report that they have no reasons to believe that the operation is non-compliant with that requirement.
Non-compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent of one or more specific elements of the regulatory approval have not been complied with within the scope of the audit.
Administrative non-compliance	A technical non-compliance with a regulatory approval that would not impact on performance and that is considered minor in nature (e.g. report submitted but not on the due date, failed monitor or late monitoring session). This would not apply to performance-related aspects (e.g. exceedance of a noise limit) or where a requirement had not been met at all (e.g. noise management plan not prepared and submitted for approval).
Not triggered	A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection; therefore a determination of compliance could not be made.
Observation	Observations are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance. Further observations are considered to be indicators of potential non-compliances or areas where performance may be improved.
Note	A statement or fact, where no assessment of compliance is required.

Table 3 DP&E Risk Levels for Non - Compliances

Risk level	Colour code	Description
High		Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence.
Medium		Non-compliance with: <ul style="list-style-type: none"> potential for serious environmental consequences, but is unlikely to occur; or potential for moderate environmental consequences, but is likely to occur.
Low		Non-compliance with: <ul style="list-style-type: none"> potential for moderate environmental consequences, but is unlikely to occur; or potential for low environmental consequences, but is likely to occur.
Administrative non-compliance		Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions).

5 ADEQUACY OF APPROVAL DOCUMENTATION

5.1 EIS

The key Statement of Commitments from within the Executive Summary of the EIS (Pacrim Environmental November 2001) were reviewed by SLR. A copy of the compliance table is saved as **Appendix 2**.

5.2 Development Consent

The Development Consent (DA 344-11-2001) Conditions were audited by SLR. Generally the site was compliant with most conditions of the Development Consent, with any non - compliances outlined in **Section 6**. Most non - compliances related to management plans not being approved as well as other minor administrative non - compliances. There were some non - compliances relating to implementing management plans including the completion of environmental monitoring. A copy of the compliance table is saved as **Appendix 2**.

5.3 EPL

Environment Protection Licence (EPL) 13172 is administered by the EPA and was most recently modified on 6th July 2012. The site generally had a high degree of compliance with the EPL. Non - compliances related to:

- Air quality monitoring type; and
- Noise monitoring frequency not in accordance with Reactive Noise Management Plan.

A copy of the compliance table is saved as **Appendix 2**.

5.4 Mining Lease

Mining Lease (ML279) is administered by the Department of Resources and Energy (DRE). The quarry was compliant with most conditions, however there were some non - compliances relating to:

- Required consultation with surrounding land holders;
- Completion of Exploration Reports within the desired period; and
- Notification with the now DPI Water prior to exploration activities.

A copy of the compliance table is saved as **Appendix 2**.

5.5 Management Plans

The key management plans at site are required to be prepared in accordance with the conditions of the Development Consent. It should be noted that management plans were updated in late 2014 for the site based on the recommendation of the DP&E. Out of the 2014 revised management plans, only the Blasting Monitoring Program and Blast/Vibration Management Protocol has been approved by DP&E for the recommencement of operations. Walker Quarries will need to liaise with the DP&E regarding approval of the other management plans. SLR has made several recommendations relating to updating the management plans.

Comments and recommendations relating to management plans are outlined in **Appendix 2 – Compliance Spreadsheet**. Management Plans required under the Development Consent, include:

- Condition 2.4 Reactive Noise Management Plan;
- Condition 2.19 Blasting Monitoring Program;
- Condition 2.25 Soil and Water Management Plan: Construction;
- Condition 2.27 Water Management Plan;
- Condition 2.38 Flora and Fauna Management Plan;
- Condition 2.42 Air Quality Management Plan;
- Condition 2.54 Bushfire Management Plan;
- Condition 3.1 Environmental Management Strategy; and
- Condition 3.4 Environmental Monitoring Program.

6 SUMMARY OF NON - COMPLIANCES – AUDIT FINDINGS

The following conditions in the table below have been classified as non - compliant. The auditor has made additional comments and recommendations regarding these conditions, with these outlined in **Section 7**. All non - compliances were classified as a low risk level or administrative non - compliance. The field inspection for the audit generally found the site had been operating in an effective manner with environmental controls for air, noise and water management in place.

Table 4 Summary of Non - Compliances

Condition	Compliance Risk Level	Comment	Recommendation
Development Consent			
<p>Condition 1.4</p> <p>The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:</p> <p>a) Any reports, plans or correspondence that are submitted by the Applicant in accordance with this consent: and</p> <p>b) The implementation of any actions or measures contained in these reports, plans or correspondence.</p>	Low	<p>A letter was sent to Walker Quarries from the DP&E dated 21/8/2014 requesting that all management plans are to be updated (previous version of plans was 2009), with these to be submitted so they can be considered for approval prior to the first blast.</p> <p>Only the revised Blasting Monitoring Program was approved, with all other 2014 updated management plans not yet approved. It should be also noted that some of these management plans including Noise Monitoring Program, Environmental Monitoring Program and Air Quality Monitoring Program were submitted to the DP&E in November and December 2014. Walker Quarries provided an update to SLR in February 2016 stating that the DP&E are still reviewing the plans.</p>	Liaison with DP&E as a high priority to check on the status of management plans. Undertake any actions directed by the DP&E relating to ensuring the 2014 management plans are approved.
<p>Condition 1.8</p> <p>The Applicant shall ensure that all new buildings and structures are constructed in accordance with the relevant requirements of the BCA</p>	Low	<p>A letter was sent to the DP&E on 16/10/2015 regarding construction and occupation certificates. It appears that the onsite transportable building (used for offices, first aid, toilets, showers ect), including the associated concrete footing has been constructed without obtaining construction and occupation certificates, as required under the EP&A Act 1979.</p> <p>The DP&E confirmed during the investigation of the breach that Lithgow City Council confirmed that an application for a building certificate has been made in lieu of construction and occupation certificates.</p>	No further recommendations.

Condition	Compliance Risk Level	Comment	Recommendation						
		The DP&E issued a warning letter dated 16/10/2015 regarding the noncompliance.							
Condition 1.12 Prior to commencement of any construction work, the Applicant shall commission an independent person(s) or organisation(s) approved by the Director General, to certify in writing to the satisfaction of the Director-General, that the Applicant has complied with the relevant conditions of this consent.	Low	This has not been completed.	Walker Quarries to liaise with DP&E regarding this condition. Construction work has ceased therefore there may be little benefit out of the independent person reviewing the construction phase. It is noted that a new stockpile storage area is being constructed. Walker Quarries to liaise with DP&E regarding if an independent person is required to assess the construction phase.						
Condition 2.1 The Applicant shall ensure that the noise generated by the development does not exceed the limits in Table 2.1 at any privately-owned land. <table><tr><td>Day/Evening</td><td>Night LAeq (15 minute)</td></tr><tr><td>43dB(A)</td><td>39dB(A)</td></tr><tr><td></td><td></td></tr></table>	Day/Evening	Night LAeq (15 minute)	43dB(A)	39dB(A)			Low	Atkins Acoustics completed a 'Noise Audit' to determine whether the site was meeting compliance with the consent and EPL. Monitoring undertaken on 9 December 2014. The site met noise criteria during the Annual Noise Audit. Note, Section 5 of the Noise Management Plan (Nov 2014) stated that the results of attended noise levels recorded during each month shall be submitted to the Quarry Manager at the completion of measurements. No evidence of this has been provided.	The Noise Management Plan states attended monitoring is to be undertaken each month. This has not been undertaken. It should be noted that there have been minimal complaints regarding noise. Walker Quarries to liaise with DP&E regarding whether monthly monitoring is required. Discussions with DP&E may result in a change in monitoring frequency. If this is the case updates to management plans may be required.
Day/Evening	Night LAeq (15 minute)								
43dB(A)	39dB(A)								
Condition 2.4 The Applicant shall prepare and implement a Reactive Noise Management Plan for the development. This plan must: a) Describe what measures would be implemented to ensure that the development complies with the noise limits in Condition 2.1 at all times; b) Establish a detailed protocol for regulating	Low	A letter was sent to Walker Quarries from the DP&E dated 21/8/2014 requesting that all management plans are to be updated (previous version of plans was 2009), with these to be submitted so they can be considered for approval prior to the first blast. DP&E requested the updated management plans are to be sent to the DP&E by 21/8/2014. The Reactive Noise MP was resubmitted to DP&E in December 2014 but has not been approved.	Liaison continued with DP&E to check on the status of management plans. Undertake any actions directed by the DP&E relating to ensuring the 2014 management plans are approved. A review of the Reactive Noise Management Plan outlines there is little detail relating to monitoring to identify adverse weather conditions. This should be updated when finalising the management plans. A cross referencing table should also be prepared outlining where conditions from the Development Consent are covered in the management plan.						

Condition	Compliance Risk Level	Comment	Recommendation
<p>the use of the hydraulic hammer drill on the site, which clearly defines the adverse weather conditions during which the drill would not be used; and</p> <p>c) Include a reactive. Operational noise monitoring program to identify adverse weather conditions and potential exceedances of the noise limits in Condition. 2.1, and outline how this program would be integrated into the day to day management of the development.</p> <p>The Applicant shall not carry out any development on the site before the Director-General's approved this plan.</p>			Also the adverse weather conditions should be monitored at site.
<p>Condition 2.5</p> <p>The Applicant shall carry out attended noise monitoring of the noise generated by the development to the satisfaction of the Director-General, in general accordance with the NSW Industrial Noise Policy and AS 1055: Acoustics- Description and Measurement of Environmental Noise.</p>	Low	<p>Note Section 5 of the Noise Management Plan (Nov 2014) stated that the results of attended noise levels recorded during each month shall be submitted to the Quarry Manager at the completion of measurements.</p> <p>This has not been completed. The only evidence provided was for one round of attended noise monitoring in December 2014.</p>	<p>The Noise Management Plan states attended monitoring is to be undertaken each month. This has not been undertaken.</p> <p>It should be noted that there have been minimal complaints regarding noise. Walker Quarries to liaise with DP&E regarding whether the monthly monitoring is required. Discussions with DP&E may result in a change in monitoring frequency. If this is the case updates to management plans. may be required.</p>
<p>Condition 2.6</p> <p>The Applicant shall prepare a detailed Noise Monitoring Program for the development in consultation with the DEC, which includes a detailed noise monitoring protocol for evaluating compliance with the noise limits in Condition 2.1. The Applicant shall not carry out any development on the site before the Director-General has approved this program</p>	Low	<p>The Sept 2014 Noise Management Plan states that:</p> <p><i>This NMP has been based on discussions with Wallerawang Quarry's Operator, the results of noise monitoring to date and discussions with representatives of the Environment Protection Authority (EPA).</i></p>	<p>Dates and evidence of consultation should be provided by the acoustics consultant for this condition to be compliant.</p> <p>Liaison with DP&E regarding the approval of management plans.</p>

Condition	Compliance Risk Level	Comment	Recommendation
Condition 2.19 The Applicant shall prepare and implement a detailed Blasting Monitoring Program for the development in consultation with the DEC. The Applicant shall not carry out any development on the site before the Director-General has approved this program.	Administrative	Although the Blasting Monitoring Program has been approved by the DP&E (2/9/2014) there is no evidence the Blasting Monitoring Program was prepared in consultation with DEC (now the EPA).	The Blasting Monitoring Program should be sent to the EPA for comment. The plan should then be forwarded to DP&E for review and approval.
Condition 2.29 Before carrying out any development on the site, the Applicant must prepare a Water Management Plan in consultation with the SCA, and to the satisfaction of the DEC. This Plan must include the following protocols: a) Wastewater management for beneficial use; b) Monitoring wastewater; c) Soil and water management plan (see Condition 2.25); d) Stormwater management scheme (see Condition 2.26); e) Monitoring stormwater discharges; and f) Beneficial reuse.	Low	<p>The Water MP has been completed but has not yet been approved. It should also be noted that the plan was sent to the DP&E on 23 October 2014. The letter from the DP&E dated 21 August 2014 had the requirement to submit management plans and the Environmental Management Strategy to the DP&E by the end of October 2014.</p> <p>It is noted in the Water MP that the Main Sediment Dam is the only discharge point for the site. There is also a discharge point associated with the Top Working Dam as well. There is minimal groundcover around the areas of dams. There was no monitoring of the Cox's River at upstream or downstream sites during the audit period.</p> <p>During the October 2014 update there was no consultation with the EPA (former DEC) or the Sydney Catchment Authority.</p>	<p>The updated Water MP (October 2014 version) has not yet been approved. Liaise with the DP&E as a priority to get this MP approved. The Water Management Plan should be updated to include reference to both licensed discharge points. This includes an update to 'design figure' to outline the licensed discharge points.</p> <p>This plan should be sent to the EPA and SCA for consultation as it has been 5 years since the previous Water MP.</p> <p>The plan contains little information about waste water and should be updated with additional information.</p> <p>The plan contains no information about beneficial re use.</p> <p>When updating the Water Management Plan, a defined frequency for monitoring dams (discharge points) and the Cox's River upstream and downstream should be outlined. If there is a discharge event that is not sampled, it may have been a while since the discharge point was sampled. This would allow comparison between discharge and non-discharge sampling.</p>
Condition 2.38 The Applicant shall prepare and implement a	Low	Flora and Fauna MP has been updated based on the operation recommencing and submitted to the DP&E on 30 October 2014. The Flora and Fauna MP has not yet been approved.	During the next review of the Flora and Fauna MP additional information should be provided regarding the collection and propagation of seeds for rehabilitation. Additional information should be added regarding

Condition			Compliance Risk Level	Comment	Recommendation	
<p>Flora and Fauna Management Plan for the development.</p> <p>c) Describe the intended procedures to:</p> <ul style="list-style-type: none">• Salvage, store and reuse material from the development site such as soil, seeds, tree hollows, rocks, logs etc ;• Clear vegetation on-site;• Control erosion and sediment flows;• Collect and propagate seeds from the local area;• Control weeds on the development site;• Control access to undisturbed land; and• Monitor the performance of the proposed actions, measures and operating conditions.			Low	<p>The Flora and Fauna MP generally meets the requirements of the consent condition.</p> <p>During the clearing activities no seed has been collected and propagated by a specialist. Hollows, logs and timber have been kept at site within defined areas. These need to be moved to areas of future rehabilitation once they become available.</p> <p>No flora and fauna monitoring has been completed, with this a requirement in Section 5.1.4 of the Flora and Fauna MP. It is to be completed on an annual basis.</p> <p>Some areas that have been cleared for operations have experienced natural regrowth. However it should be noted that there are some weeds within these regrowth areas and these need to be managed.</p>	<p>erosion and sediment control. Additional information should be added regarding salvage, store and re use of material.</p> <p>During additional clearing seed should be collected and propagated.</p> <p>Spread hollows/fallen trees within defined rehabilitation areas once they become available.</p> <p>Undertake ecological monitoring as required in the Flora and Fauna MP.</p> <p>Planting of Bursaria bushes as per the Flora and Fauna MP.</p> <p>Additional weed management as required at the site.</p>	
<p>Condition 2.39</p> <p>The Applicant shall ensure that the air pollution generated by the development does not exceed the criteria listed in Tables 2.6, 2.7 and 2.8 at any privately-owned land</p> <p>Long term impact assessment criteria for particulate matter</p>				<p>No PM10/TSP monitoring has been completed at the site. If criteria for TSP and PM10 monitoring has been set in the Consent, then a High Volume Air Sampler that measures TSP and PM10 should be established for the site. The preferred location would be at the nearest privately owned residence.</p> <p>Depositional Dust monitoring results from 2010 - 2015 provided by the site. A review of this data for insoluble solids from 2010 - 2015 was that dust levels in the two depositional dust gauges have been consistently below 4g/m2 for the annual average. It should be noted that four gauges should be monitored at the site.</p> <p>Annual averages for Gauge 62 ranged from 0.6g/m2/month to 2.3g/m2/month during 2010 to 2015. Gauge 62 is located on the eastern boundary of the lease area.</p>	<p>Liaison with the DP&E and possibly EPA regarding the requirement to monitor for TSP and PM10. Liaison regarding proposed location and monitoring timeframe.</p> <p>Only 2 out of the proposed depositional dust gauges have been monitored. As per the Air Quality Monitoring Program it is a requirement to monitor all 4 of the depositional dust gauges.</p> <p>Also no quartzite dust monitoring has been undertaken. This is required as per Section 3.2.2 of the Air Quality Monitoring Program. Update Air Quality Monitoring Program.</p>	
Pollutant	Averaging Period	Criterion				
Total Suspended particulate (TSP) matter	Annual	90pg/m ³				
Particulate Matter	Annual	30pg/m ³				

Condition			Compliance Risk Level	Comment	Recommendation									
<table><tr><th>Pollutant</th><th>Averaging Period</th><th>Criterion</th></tr><tr><td>Particulate Matter <10 (PM₁₀)</td><td>24 hours</td><td>50pg/m³</td></tr><tr><td colspan="3"></td></tr></table>			Pollutant	Averaging Period	Criterion	Particulate Matter <10 (PM ₁₀)	24 hours	50pg/m ³					Annual Averages for Gauge 64 ranged from 0.6g/m2/month to 2.0g/m2/month during 2010 to 2015. Gauge 64 is located on the south of the quarry in the lease area.	
Pollutant	Averaging Period	Criterion												
Particulate Matter <10 (PM ₁₀)	24 hours	50pg/m ³												
			It should be noted that 2015 had higher dust levels, with this relating to operations expanding in 2015.											
Condition 2.42 The Applicant shall prepare and implement a detailed Air Quality Monitoring Program for the development. The Applicant shall not carry out any development on the site before the Director-General has approved this program			Administrative	The previous Air Quality Monitoring Program was approved on 19 October 2009. It was a requirement of the DP&E that all management plans are to be updated for the construction/reestablishment of the Quarry. The Air Quality Monitoring Program was sent to the DP&E dated 4 November 2014. The Air Quality Monitoring Program has not yet been approved.	Liaison with DP&E as a high priority to check on the status of management plans. Undertake any actions directed by the DP&E relating to ensuring the 2014 management plans are approved. Include proposed location of HVAS.									
Condition 2.43 The Applicant shall establish a permanent meteorological station to the satisfaction of the Director-general. The meteorological station shall continuously measure and record wind speed, wind direction, and temperature, at 2m and 10m, and rainfall.				Low	There was a meteorological station at site. Based on discussions with Walker Quarries this meteorological station has not been downloaded for some time. Walker Quarries do not currently have the log in. The site is working to re-establish the station.	It is a requirement of this condition that a meteorological station is installed at the site. Walker Quarries may need to liaise with a specialist to ensure the station is functioning as per the required standards.								
Condition 3.2 The Applicant shall not carry out any development at the development site before the Director-General has approved the strategy referred to in Condition 3.1:			Administrative	The EMS was previously approved for the site according to Walker Quarries but no evidence of approval (eg. letter) has been provided. There was a requirement to update the EMS for the site based on a letter provided by DP&E dated 21/8/2014 requesting that all management plans are to be updated (previous version of plans was 2009), with these to be submitted so they can be considered for approval prior to the first blast.	Liaison with DP&E as a high priority to check on the status of management plans. Undertake any actions directed by the DP&E relating to ensuring the 2014 management plans are approved.									
Condition 3.4 The Applicant shall prepare a detailed				Administrative	The Environmental Monitoring Program (dated December 2014) has been prepared, but there is no evidence that the document was submitted to the DP&E or that the document was prepared in consultation with other regulatory authorities.	Provide evidence that the document was submitted to DP&E and that it was prepared in consultation with other regulatory authorities.								

Condition	Compliance Risk Level	Comment	Recommendation
Environmental Monitoring Program for the development, in consultation with the relevant agencies. This program must be consistent with the environmental management strategy required by Condition 3.1 and consolidate the various monitoring requirements in this development consent into a single document.			The Environmental Monitoring Program has not been fully implemented. Review the Environmental Monitoring Program, obtain approval for the document and ensure the Program is fully implemented.
Condition 3.5 The Applicant shall not carry out any work at the development site before the Director-general has approved the environmental monitoring program.	Low	<p>The 2009 EMS was previously approved for the site according to Walker Quarries but no evidence of approval (eg. letter) has been provided. There was a requirement to update the Environmental Monitoring Program for the site based on a letter provided by DP&E dated 21/8/2014 requesting that all management plans are to be updated (previous version of plans was 2009), with these to be submitted so they can be considered for approval prior to the first blast. The Environmental Monitoring Program was re submitted to the DP&E in 2014, but it has not yet been approved.</p> <ul style="list-style-type: none"> Some monitoring has not been undertaken in accordance with the Development Consent and EPL. This includes: <ul style="list-style-type: none"> No monitoring of TSP and PM10, despite there being criteria. Only two out of the four depositional dust gauges have been monitored. Section 5 of the Noise Monitoring Program refers to the attended noise monitoring once per month. This has not been included in the EMP, which refers to annual monitoring by a noise specialists. Meteorological station data has not been downloaded. 	<p>Liaison with DP&E as a high priority to check on the status of management plans. Undertake any actions directed by the DP&E relating to ensuring the 2014 management plans are approved.</p> <p>Liaison with DP&E regarding noise monitoring requirements and frequencies. Update to site documentation to be consistent with DP&E's requirements.</p> <p>Provide the EMP to council, CCC and EPA for comment.</p> <p>Provide the date when Environmental Monitoring Program document was originally approved.</p>
Condition 3.6 The Applicant shall regularly review, and if necessary update the environmental monitoring program in consultation with the Director-General and notify the relevant agencies, Council, CCC, and general public of any changes to the strategy.	Administrative	<p>Section 1.1 of the EMP States that:</p> <p><i>Input from numerous government departments and interested parties has been received in the planning stages and considered in the preparation of this Environmental Monitoring Program.</i></p> <p>There is no evidence that the EMP was provided to the EPA, CCC and Council for comment.</p>	

Condition	Compliance Risk Level	Comment	Recommendation
<p>Condition 3.7</p> <p>The Applicant shall submit an Annual Environmental Management Report to the Director- General and the relevant agencies. This report must:</p> <p>a) Identify the standards and performance measures that apply to the development;</p> <p>b) Include a detailed summary of the complaints received during the past year, and over time compare this to the complaints received in previous years since the development commenced;</p> <p>c) Include a detailed summary of the monitoring results on the development during the past year.</p> <p>d) Include a detailed analysis of these monitoring results against the relevant:</p> <ul style="list-style-type: none"> • Impact assessment criteria; • Monitoring results from previous years; and • Predictions in the EIS; <p>e) Identify any trends in the performance of the development shown by monitoring over the life of the development;</p> <p>f) Identify any non-compliance during the</p>	Low	<p>An AEMR was prepared for the period from 1 July 2014 - 30 June 2015.</p> <p>Other AEMR's were provided for 2009-10, 2010-11, 2011-12, 2012-13 and 2013-14.</p> <p>This most recent AEMR covered actions during the construction and operations phase of the site.</p> <p>The AEMR makes no predictions against the EIS, therefore it has not met these criteria. There was also minimal trend analysis (short term and long term)</p>	<p>The next AEMR should include predictions against the EIS. There have also been some new 'Annual Review' guidelines prepared by the DPE in October 2015. The new AEMR should be prepared to be in accordance with these guidelines.</p> <p>Future AEMR's should have more information regarding trend analysis (short term and long term) and additional detail relating to a comparison of EIS predictions.</p>

Condition	Compliance Risk Level	Comment	Recommendation
previous year; and g) Describe what actions were, or are being taken to ensure compliance			
<p>Condition 3.8</p> <p>Independent Environmental Audit</p> <p>At the end of years 1 and 2 after construction work commences, and every year thereafter, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. The audits must:</p> <p>a) Be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General.</p> <p>b) Be consistent with ISO 14010 - Guidelines and General Principles for Environmental Auditing, and ISO 14011- Procedures for Environmental Auditing, or updated versions of these guidelines/manuals:</p> <p>c) Assess the environmental performance of the development, and its effects on the surrounding environment;</p> <p>d) Assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;</p>	Low	<p>This is the Independent Environmental Audit. Key construction commenced in late October 2014 (no specific date provided by site), with the audit being undertaken at site on the 28th October 2015. It should be noted that clearing activities is a phase of construction, with this first undertaken on 7th and 8th of December 2009 to enact the consent.</p> <p>The audit included a review of the Development Consent and the EPL. Mr Chris Jones from SLR was approved on 19/10/2015 to complete the audit by the DP&E.</p>	Audits should be completed as per the requirements in this condition.

Condition	Compliance Risk Level	Comment	Recommendation									
<p>e) Review the adequacy of the Applicant's Environmental Management Strategy and Environmental Monitoring Program; and, if necessary,</p> <p>f) Recommend measures or actions to improve the environmental performance of the development and/or the environmental management and monitoring systems</p>												
Environment Protection Licence												
<p>Condition P1.1</p> <p>The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.</p> <table><tr><th>EPA Identification No.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th></tr><tr><td>4</td><td>Air Monitoring</td><td>Final location to be confirmed by Walker Quarries Pty Limited</td></tr><tr><td colspan="3"></td></tr></table>	EPA Identification No.	Type of Monitoring Point	Type of Discharge Point	4	Air Monitoring	Final location to be confirmed by Walker Quarries Pty Limited				Low	<p>A review of the Air Quality Monitoring Program (November 2014) indicates there are four depositional dust gauges. These are located at the Quarry hardstand and Crushing area, Quarry entrance, in the quarry and the nearest affected residence. Depositional dust monitoring is only currently completed at 2 locations. These are gauge 62 (eastern boundary of the lease area) and Gauge 64 (south of the quarry in the lease area).</p> <p>Air quality data was provided from 2010 - 2015 for depositional dust. Note this condition does not state the type of air quality monitoring required. TSP and PM10 monitoring criteria are however outlined in the Development Consent, therefore it is assumed that a HVAS should be used to monitoring TSP and PM10 at the nearest residence.</p>	<p>Liaison with the DP&E and possibly EPA regarding the requirement to monitor for TSP and PM10. Liaison regarding proposed location and monitoring timeframe.</p> <p>Ensure depositional dust is monitored at all four locations in the Air Quality Monitoring Program.</p>
EPA Identification No.	Type of Monitoring Point	Type of Discharge Point										
4	Air Monitoring	Final location to be confirmed by Walker Quarries Pty Limited										
<p>Condition L4.1</p> <p>Noise from the premises must not exceed:</p>	Low	<p>Section 5 of the Noise Monitoring Program refers to the attended noise monitoring once per month. This does not outline who is to undertake the monitoring. This has not been included in the EMP,</p>	<p>Liaison with DP&E regarding noise monitoring requirements and frequencies. Update to site documentation to be consistent with DP&E's</p>									

Condition	Compliance Risk Level	Comment	Recommendation
<p>a) 43 dB(A) LAeq(15 minute) during the day (7am to 6pm) Monday to Friday and 7am to 1pm Saturday; and</p> <p>b) 43 dB(A) LAeq(15 minute) during the evening (6pm to 10pm) Monday to Friday; and</p> <p>c) at all other times 39 dB(A) LAeq (15 minute), except as expressly provided by this licence.</p> <p>Where LAeq means the equivalent continuous noise level – the level of noise equivalent to the energy-average of noise levels occurring over a measurement period.</p>		<p>which refers to annual monitoring by a noise specialist. There is no evidence of the monthly attended noise monitoring.</p> <p>The Noise Audit from Global Acoustics (dated 12 December 2014) indicated that the attended noise audit (9 December 2014) confirmed that the EPL 13172 noise limit of 43 dB(A) was satisfied at the three reference receptor locations.</p>	requirements.
Mining Lease			
<p>Condition 1 – Notice to Landholders</p> <p>Within a period of three months from the date of grant/renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a .. notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface . An adequate plan and description of the lease area must accompany the notice.</p> <p>If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease</p>	Low	The Project Approval area is a combination of Crown Land (Lidsdale State Forest) and private land.	Provide evidence of contact with State Forests regarding the Mining Lease being granted.

Condition	Compliance Risk Level	Comment	Recommendation
area.			
Condition 11 Reports The lease holder must provide an exploration report, within a period of twenty-eight days after -. each anniversary of the date this lease has effect or at such other date as. The Director-General may stipulate, of each year. The report must be to the satisfaction of the Director-General and contain the following: (a) Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months period; (b) Details of expenditure incurred in conducting that exploration; (c) A summary of all geological findings acquired through mining or development evaluation activities; (d) Particulars of exploration proposed to be conducted in the next twelve months period; (e) All plans, maps, sections and other data necessary to satisfactorily interpret the report.	Low	A Mining Lease Report covering exploration was prepared in September 2015, covering from 19th July 2009 to 15th July 2015. The reporting was not completed within the required date.	Ensure all exploration/mining lease reporting is undertaken as per this condition.
Condition 17 - Exploratory Drilling (a) At least twenty eight days prior to commencement of drilling operations the	Low	This was not undertaken.	As this condition is a pre commencement condition it is now not possible for a pre commencement notification.

Condition	Compliance Risk Level	Comment	Recommendation
<p>lease holder must notify the relevant Department of Water and Energy Regional Hydrologist of the intention to drill exploratory drill holes together with information on the location of the proposed holes.</p> <p>(b) If the lease holder drills exploratory drill holes he must satisfy the Director-General that:-</p> <p>(i) all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established;</p> <p>(ii) all holes cored or otherwise are sealed to prevent the collapse of the surrounding surface;</p> <p>(iii) all drill holes are permanently sealed with cement plugs to prevent surface discharge of groundwaters;</p> <p>(iv) if any drill hole meets natural or noxious gases it is plugged or sealed to prevent their escape</p> <p>(v) if any drill hole meets an artesian or sub-artesian flow it is effectively sealed to prevent contamination of aquifers.</p> <p>(vi) once any drill hole ceases to be used the hole must be sealed in accordance with Departmental guidelines. Alternatively , the hole must be sealed as instructed by the Director-General.</p> <p>(vii) once any drill hole ceases to be used the land and its immediate vicinity is left in a</p>			<p>Ensure a summary of exploration is contained within the AEMR which is sent to NSW DPI Water.</p>

Condition	Compliance Risk Level	Comment	Recommendation
clean, tidy and stable condition.			

7 ADDITIONAL RECOMMENDED ACTIONS

There are several recommendations from the audit relating to compliant conditions, with these recommended for continual environmental improvement.

General

New plans (Figures) should be prepared for the site providing details of the current quarry as well the staged plans developed for the quarry. This will enable clear understanding at the site of the key features and project boundaries.

Based on liaison with site representatives, Walker Quarries will be preparing a current site layout plan as part of the July, 2016 Mining Operations Plan which is a requirement of the Lease.

Water

A discharge sampling kit for the site should be established. This will include a small summary of:

- Where to sample;
- When to sample;
- How to get the water quality analysed (ALS Lithgow); and
- How to report exceedances of water quality criteria.

Bottles should be available at site for discharge sampling and regular sampling for times when ALS cannot complete a sample prior to the discharge ceasing. The Water Management Plan should be updated to include reference to both licensed discharge points. This includes an update to 'design figure' to outline the licensed discharge points.

When updating the Water Management Plan, a defined frequency for monitoring dams (discharge points) and the Cox's River downstream should be outlined. If there is a discharge event that is not sampled, it may have been a while since the discharge point was sampled. This would allow comparison between discharge and non - discharge sampling.

Effluent Management

Additional details regarding effluent management should be included in future AEMR's. No such information is in the current AEMR.

Induction:

Update the induction program to include information regarding the closing of roads during snow and adverse weather conditions. The covering of loads is not outlined in the induction program, with this to be included in the next updates.

Vegetation Stabilisation

It was noted that several steeper slopes do not have vegetation cover. Consider the use of hydromulching on slopes to ensure that areas are effectively stabilised. Complete plantings (mixture of acacia and eucalyptus) should be used for the visual screening along the front batter.

Advertising

As it has been over 6 years since the previous advertisement we recommend advertising the complaint line and site details again in the local paper.

Monitoring Spreadsheet

SLR recommends a spreadsheet with monitoring data is regularly updated. SLR understands a spreadsheet is updated annually for the AEMR.

8 CONCLUSION

The audit concentrates on the period 7th December 2009 (initial work completed under the Development Consent) until the date of the site inspection for the audit (29th October 2015).

There were several non - compliances identified during the audit with most of these relating to:

- Management Plans not being approved;
- Implementation of management plans;
- Implementation of monitoring programs (dust, air, water and ecology); and
- Environmental reporting.

All non - compliances were classified as a low risk level or administrative non - compliance. The site inspection generally indicated the site indicated minimal environmental impacts, despite management plans not being fully implemented. The water management system appeared effective and with the site being only operational for a short period there had been minimal opportunities for rehabilitation. Recommendations for improved environmental performance and compliance are outlined in **Section 6 and 7**.

APPENDIX 1 – PHOTOGRAPHS FROM SITE VISIT



Photo 1 Shaped area at intersection to the site that needs to be seeded and landscaped



Photo 2 Entry sign into the site



Photo 3 Recent works associated with the intersection. An Area that needs to be seeded



Photo 4 Clean water from the area of the intersection upgrade that runs into the drainage system offsite



Photo 5 Sediment fence that requires such maintenance as removal of sediment



Photo 6 Rock check dams need to be maintained



Photo 7 A flocculation irrigation system at site has been established



Photo 8 Cleared trees stockpiled at site



Photo 9 **Licenced Discharge Point for Main Sediment Dam**



Photo 10 **Quarrying within the Pit.**

APPENDIX 2 – COMPLIANCE SPREADSHEET

APPENDIX 3 – GOVERNMENT CONSULTATION

Development Consent

Topic	Condition Number	Condition / Commitment	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation
SCHEDULE 1 - ADMINISTRATIVE CONDITIONS						
Obligation to Minimise Harm to the Environment	1.1	The Applicant shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation and/or rehabilitation of the development	C		The site inspection did not indicate any areas requiring any immediate environmental actions. There were some potential improvements at the site, with these outlined in the recommendations column of this audit.	
Scope of Approval	1.2	The Applicant shall carry out the development generally in accordance with the: a) DA No. 344-11-2001; b) EIS titled <i>Proposed Wallerawang Quarry</i> , Report 01/206.1. dated November 2001, and prepared by Pacrim Environmental. c) Report titled <i>Supplementary Report to the EIS</i> for the <i>Proposed Wallerawang Quarry</i> . Report 02/206.1, dated July 2002, and prepared by Pacrim Environmental: and d) Conditions of this consent.	C		Work has generally been carried out in accordance with these documents. It should be noted that the figures in the EIS and Development Consent are of very poor quality. They are also very conceptual.	New plans (Figures) should be prepared for the site providing details of the current quarry as well the staged plans developed for the quarry. This will enable there is a clear understanding at the site of the key features and project boundaries. Based on liaison with site, Walker Quarries will be preparing a current site layout plan as part of the July, 2016 Mining Operations Plan which is a requirement of the Lease.
	1.3	If there is any inconsistency between the above, the conditions of this consent shall prevail to the extent of the inconsistency.	C		No inconsistencies noted.	
	1.4	The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of: a) Any reports, plans or correspondence that are submitted by the Applicant in accordance with this consent: and b) The implementation of any actions or measures contained in these reports, plans or correspondence.	NC	Low	A letter was sent to Walker Quarries from the DP&E dated 21/8/2014 requesting that all management plans are to be updated (previous version of plans was 2009), with these to be submitted so they can be considered for approval prior to the first blast. Only the revised Blasting Monitoring Program was approved, with all other 2014 update management plans not yet approved. It should be also noted that some of these management plans including Noise Monitoring Program, Environmental Monitoring Program and Air Quality Monitoring Program were submitted to the DP&E in November and December 2014. Walker Quarries provided an update to SLR in February 2016 stating that the DP&E are still reviewing the plans.	Liaison with DP&E as a high priority to check on the status of management plans. Undertake any actions directed by the DP&E relating to ensuring the 2014 management plans are approved.
Mining Lease	1.5	Before commencing any work on the site, the Applicant shall obtain a Mining Lease for the site from the DPI.	C		ML 1633 was granted by the DP&E on 15 July 2009 and expires on 15 July 2019. No work was completed prior to 15 July 2009.	
Period of Approval	1.6	This consent lapses 10 years from the date that the Applicant obtains a Mining Lease for the site.	C		ML 1633 was granted by the DP&E on 15 July 2009 and expires on 15 July 2019.	
Limit on Production	1.7	The Applicant shall not extract and/or transport more than 500,000 tonnes of material from the development site in any year.	C		Extraction has been well below this limit. In 2014 only 35,000 tonnes of rock was produced. By the end of 2015 according to the AEMR an additional 165,000 tonnes will be produced.	
Structural Adequacy	1.8	The Applicant shall ensure that all new buildings and structures are constructed in accordance with the relevant requirements of the BCA	NC	Low	A letter was sent to the DP&E on 16/10/2015 regarding construction and occupation certificates. It appears that the onsite transportable building (used for offices, first aid, toilets, showers ect), including the associated concrete footing has been constructed without obtaining construction and occupation certificates, as required under the EP&A Act 1979. The DP&E confirmed during the investigation of the breach that Lithgow City Council confirmed that an application for a building certificate has been made in lieu of construction and occupation certificates. The DP&E issued a warning letter dated 16/10/2015 regarding the non compliance.	The LCC requests in the letter dated 4 March 'structural verification of the pad footings under the office/amenity building.'
		Notes: • Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. • Part 8 of the EP&A Regulation sets out the detailed requirements for the certification of development.				
	1.9	The Applicant shall ensure that all demolition work is carried out in accordance with <i>AS 2601-2001: The Demolition of Structures</i> .	C		There has been no demolition during the period from the consent was granted (10 Nov 2004) or during the audit period	
Protection of Public Infrastructure	1.10	The Applicant shall: a) Repair or pay the full costs associated with repairing any public infrastructure that is damaged by the development; and b) Relocate or pay the full costs associated with relocating any public infrastructure that needs to be relocated as a result of the development.	C		Based on a site inspection and pers comm with Walker Quarries personnel there has been no issues relating to damaging public infrastructure identified.	
Operation of Plant and Equipment	1.11	The Applicant shall 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	C		From the site inspection machinery seemed to have been maintained. There was minimal dust and noise identified from dozers and trucks. Recent maintenance reports were provided for a Komatsu Loader (4/11/2015), a Bell Artic Dump Truck (16/8/2015). Other maintenance reports were also provided.	

Development Consent

Topic	Condition Number	Condition / Commitment	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Adminstrative)	Comment	Recommendation						
Compliance	1.12	Prior to commencement of any construction work, the Applicant shall commission an independent person(s) or organisation(s) approved by the Director General, to certify in writing to the satisfaction of the Director-General, that the Applicant has complied with the relevant conditions of this consent.	NC	Low	This has not been completed.	Walker Quarries to liaise with DP&E regarding this condition. Construction work has ceased therefore there may be little benefit out of the independent person reviewing the construction phase. It is noted that a new stockpile storage area is being constructed. Walker Quarries to liaise with DP&E regarding if an independent person is required to assess the construction phase.						
SCHEDULE 2 - SPECIFIC ENVIRONMENTAL CONDITIONS												
Noise												
Limits	2.1	The Applicant shall ensure that the noise generated by the development does not exceed the limits in Table 2.1 at any privately-owned land.										
	2.1	<table border="1"><tr><td>Day/Evening</td><td>Night LAeq (15 minute)</td></tr><tr><td>43dB(A)</td><td>39dB(A)</td></tr><tr><td></td><td></td></tr></table>	Day/Evening	Night LAeq (15 minute)	43dB(A)	39dB(A)			NC for monitoring frequency	Low	Atkins Acoustics completed a 'Noise Audit' to determine whether the site was meeting compliance with the consent and EPL. Monitoring undertaken on 9 December 2014. The site met noise criteria during the Annual Noise Audit. Note, Section 5 of the Noise Management Plan (Nov 2014) stated that the results of attended noise levels recorded during each month shall be submitted to the Quarry Manager at the completion of measurements. No evidence of this has been provided.	The Noise Management Plan states attended monitoring is to be undertaken each month. This has not been undertaken. It should be noted that there have been minimal complaints regarding noise. Walker Quarries to liaise with DP&E regarding whether the monthly monitoring is required. Discussions with DP&E may result in a change in monitoring frequency. If this is the case updates to management plans. may be required
Day/Evening	Night LAeq (15 minute)											
43dB(A)	39dB(A)											
	Notes:	a) 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 30 metres of a dwelling (rural situations) where the dwelling is more than 30 metres from the boundary. to determine compliance with the LAeq(rs minute) noise limits (i.e. the equivalent continuous noise level when measured over a 15 minute period) in the above table. 5 dBA must be added to the above limits if the noise is substantially tonal or impulsive in character. b) If it can be demonstrated (hat direct measurement of noise from the development is impractical, the DEC may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy - EPA 2000). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable. c) The noise emission limits identified in the above table apply under meteorological conditions of: • Wind speeds of up to 3 m/s at 10 metres above ground level; and • Temperature inversion conditions of up to 3°C/100m d) Noise impacts that may be enhanced by temperature inversions must be addressed by quantifying the enhanced impacts and developing and implementing measures to ameliorate the impacts.	--									
Hours of Operation	2.2	The Applicant shall ensure that all development at the site except for the loading and dispatch of vehicles, is carried out between 7am and 1pm on weekdays, and between 8am and 1pm on Saturdays, and at no time on Sundays or Public Holidays. However, maintenance of equipment may occur at any time provided it is inaudible at all residential premises surrounding the sit . and the loading and dispatch of vehicle s may be carried out at any time on any day provided it complies with the noise limits in Condition 2.1.	C		Site start and finish times were provided. Often staff arrive at work just before 7am on Monday to Friday but no physical activity is carried out at the site until 7am.							
	2.3	Material may be delivered to the site outside of the hours of operation in Condition 2.2 if required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances prior notification shall be provided to the DEC and affected residents as soon as possible, or within a reasonable period in the case of emergency.	C		No evidence of material being delivered to site outside of hours. Walker Quarries liaises with contractors and suppliers regarding delivery times.							
Reactive Noise Management Plan	2.4	The Applicant shall prepare and implement a Reactive Noise Management Plan for the development. This plan must: a) Describe what measures would be implemented to ensure that the development complies with the noise limits in Condition 2.1 at all times; b) Establish a detailed protocol for regulating the use of the hydraulic hammer drill on the site, which clearly defines the adverse weather conditions during which the drill would not be used; and c) Include a reactive. operational noise monitoring program to identify adverse weather conditions and potential exceedances of the noise limits in Condition. 2.1, and outline how this program would be integrated into the day to day management of the development. The Applicant shall not carry out any development on the site before the Director-General's approved this plan.	NC	Low	A letter was sent to Walker Quarries from the DP&E dated 21/8/2014 requesting that all management plans are to be updated (previous version of plans was 2009), with these to be submitted so they can be considered for approval prior to the first blast. DP&E requested the updated management plans are to be sent to the DP&E by 21/8/2014. The Reactive Noise MP was resubmitted to DP&E in December 2014 but has not been approved.	Liaison with DP&E to check on the status of management plans. Undertake any actions directed by the DP&E relating to ensuring the 2014 management plans are approved. A review of the Reactive Noise Management Plan outlines there is little detail relating to monitoring to identify adverse weather conditions. This should be updated when finalising the management plans. A cross referencing table should also be prepared outlining where conditions from the Development Consent are covered in the management plan. Also the adverse weather conditions should be monitored at site.						
Monitoring	2.5	The Applicant shall carry out attended noise monitoring of the noise generated by the development to the satisfaction of the Director-General, in general accordance with the <i>NSW Industrial Noise Policy and AS 1055: Acoustics- Description and Measurement of Environmental Noise</i> .	NC	Low	Note Section 5 of the Noise Management Plan (Nov 2014) stated that the results of attended noise levels recorded during each month shall be submitted to the Quarry Manager at the completion of measurements. This has not been completed. The only evidence provided was for one round of attended noise monitoring in December 2014.	The Noise Management Plan states attended monitoring is to be undertaken each month. This has not been undertaken. It should be noted that there have been minimal complaints regarding noise. Walker Quarries to liaise with DP&E regarding whether the monthly monitoring is required. Discussions with DP&E may result in a change in monitoring frequency. If this is the case updates to management plans. may be required.						
	2.6	The Applicant shall prepare a detailed Noise Monitoring Program for the development in consultation with the DEC, which includes a detailed noise monitoring protocol tor evaluating compliance with the noise limits in Condition 2.1. The Applicant shall not carry out any development on the site before the Director-General has approved this program	NC	Low	The Sept 2014 Noise Management Plan states that: <i>This NMP has been based on discussions with Wallerawang Quarry's Operator, the results of noise monitoring to date and discussions with representatives of the Environment Protection Authority (EPA).</i> The applicant has carried out development on the site without the approval of the 2014 management plans.	Dates and evidence of consultation should be provided by the acoustics consultant for this condition to be compliant. Liaison with DP&E regarding the approval of management plans.						
Blasting and Vibration												
Airblast Overpressure Impact Assessment Criteria	2.7	The Applicant shall ensure that the airblast overpressure level from blasting at the development does not exceed the criteria in Table 2.2 at any residence on privately- owned land or noise-sensitive building (such as a school or hospital)										

Development Consent

Topic	Condition Number	Condition / Commitment		Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Adminstrative)	Comment	Recommendation							
		<table><tr><td>Airblast overpressure level (dB(Lin Peak))</td><td>Allowable exceedance</td></tr><tr><td>115</td><td>5% of the total number of blasts over a period of 12 months</td></tr><tr><td>120</td><td>0%</td></tr></table>		Airblast overpressure level (dB(Lin Peak))	Allowable exceedance	115	5% of the total number of blasts over a period of 12 months	120	0%	C		Blast results were provided by Walker Quarries. These included the following dates (3/9/2014, 9/10/2014, 8/7/2015). According to Walker Quarries blasting results have been well below criteria. It should be noted that the Blast Monitoring Program and Blast/Vibration Management Protocol was approved on 2 September 2014.		
Airblast overpressure level (dB(Lin Peak))	Allowable exceedance													
115	5% of the total number of blasts over a period of 12 months													
120	0%													
	Note	The airblast overpressure values in Table 2.2 apply when measurements are performed with equipment having a lower cut-off frequency of 2Hz or less. If the instrumentation has a higher cut-off frequency then a correction of 5dB should be added to the measured value. Equipment with a lower cut-off frequency exceeding 10Hz should not be used for the purpose of measuring air blast overpressure.												
Ground Vibration Impact Assessment Criteria	2.8	The Applicant shall ensure that the ground vibration level from blasting at the development does not exceed the criteria in Table 2.3 when measured at any point within 1 metre of any affected residence on privately-owned land or other noise-sensitive location (such as a school or hospital).												
		<table><tr><td>Peak particle velocity (mm/s)</td><td>Allowable Exceedance</td></tr><tr><td>5</td><td>5% of the total number of blast over a period of 12 months</td></tr><tr><td>10</td><td>0%</td></tr><tr><td></td><td></td></tr></table>	Peak particle velocity (mm/s)	Allowable Exceedance	5	5% of the total number of blast over a period of 12 months	10	0%			C		Blast results were provided by Walker Quarries. These included the following dates (3/9/2014, 9/10/2014, 8/7/2015). Blasting results have been well below criteria. It should be noted that the Blast Monitoring Program and Blast/Vibration Management Protocol was approved on 2 September 2014.	
Peak particle velocity (mm/s)	Allowable Exceedance													
5	5% of the total number of blast over a period of 12 months													
10	0%													
Operating Conditions	2.9	The Applicant shall carry out blasting at the site using procedures to:												
	2.10	The Applicant shall only carry out blasting at the site between 8am and 5pm on weekdays, between 9am and 1pm on Saturdays, and at no time on Sundays or Public Holidays.		C		Blasts were completed within these timeframes.								
	2.11	The Applicant shall not carry out any blasting within 100 metres of any Telstra infrastructure without the written permission of Telstra, and within 30 metres of any Transgrid infrastructure without the written agreement of Transgrid.		C		No blasting has occurred within 100m of Telstra infrastructure.								
	2.12	The Applicant shall not use electronic detonators for blasting at the site at any time.		C		Electronic detonators are not used during blasting activities based on pers comm with Walker Quarries Manager.								
	2.13	The Applicant shall ensure that no flyrock .leaves the site as a result of blasting for the development.		C		Blasting reports have not indicated any flyrock leaving the site. Blast results are within criteria and blasting is undertaken by a blasting contractor.								
Public Notice	2.14	During the life of the development the Applicant shall notify occupants of any land within 2 kilometres of the site of future blasting operations on at least a monthly basis and of any changes to the proposed blast schedules.		C		From Blast Monitoring Program (Sept 2014) In July 2014, Calare Civil Pty Ltd sent letters to all affected residents (see Appendix) within the 2 kilometre radius of the Quarry Site (52 in total) and by the end of August 2014, there had been 26 properties inspected. Occupants within 2kms who want to be notified regarding blasting, are notified by the site prior to blasting activities.								
	Note	The distance of 2 kilometres referred to in this and any other Condition in this development consent is to be measured from the centre of the land from which material is to be removed over the life of the development (that is, the centre of the land identified as "Proposed hard rock quarry" in Figure 1.1 of the EIS).												
Property Inspections	2.15	Before commencing any blasting the Applicant shall advise all landowners within 2 kilometres of the site in writing that they are entitled to a property inspection at the Applicants expense.		C		Building inspections were undertaken for 26 properties. These were undertaken in August 2014. These were completed prior to the first blast.								
	2.16	If the Applicant receives a written request for a property inspection from any landowner within 2 kilometres of the site, the Applicant shall at its own expense;		C		There have been no other requests for a property inspection based on pers comm. With Quarry Manager.								
Monitoring	2.17	The Applicant shall prepare and implement a program to monitor airblast overpressure and ground vibration at the: (a) Nearest and most-affected residence; and		C		Monitoring of blasting activities has been undertaken at the nearest residence.								
	2.18	The Applicant shall monitor the parameters in Table 2.4. using the specified units of measure, frequency, sampling method, and location in the table, relative to a particular building or structure		C		Monitoring of blasting activities has been undertaken at the nearest residence. Blast monitoring is undertaken by a blast specialist.								
	2.19	The Applicant shall prepare and implement a detailed Blasting Monitoring Program for the development in consultation with the DEC. The Applicant shall not carry out any development on the site before the Director-General has approved this program.		NC	Adminstrative	There is no evidence the Blast Monitoring Program was prepared in consultation with DEC (now the EPA).	The Blast Monitoring Program should be sent to the EPA for comment. The plan should then be forwarded to DP&E for review and approval.							
Property Investigations	2.20	If any landowner within 2 kilometres of the development site claims that his/her property has been damaged as a result of blasting at the development, the Applicant shall at its own expense: (a) Commission a suitably qualified person within 14 days of receiving this claim in writing - whose appointment is acceptable to both parties - to investigate the claim in detail, including consideration of any report prepared as provided for in Condition 2.16; and (b) Give the landowner a copy of the property investigation report within 14 days of receiving the report. If this independent investigation confirms the landowner's claim. and both parties agree with these findings. then the Applicant shall at its own expense repair the damages to the satisfaction of the Director-General. If the Applicant or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Director-General for resolution. If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (See Condition 3.10).		C		Following liaison with the Quarry, there has been no claims of property damage from blasting at the quarry. It should be noted that there has been very few blasts since the recommencement of the Quarry in late 2014.								

Development Consent

Topic	Condition Number	Condition / Commitment			Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Adminstrative)	Comment	Recommendation																					
Blasting/Vibration Management Protocol		The Applicant shall prepare and implement a Blasting/Vibration Management Protocol for the development to the satisfaction of the DEC. This Protocol must include, but need not be limited to the following matters: a) Compliance standards; b) Mitigation measures; c) Remedial action; d) Monitoring methods and program; e) Measures to protect underground utilities; f) Notification procedures for neighbours prior to detonation of each blast; g) Measures to ensure no damage by flyrock to people, property, livestock and powerlines; and h) Investigating and responding to complaints from neighbours or other sources			C		The Blast/Vibration Management Protocol was sent to the DP&E on 29 August 2014. The Protocol was approved by the DP&E on 2/9/2014. A review of the management plans indicates it meets the requirements of the condition. In terms of implementation, all blasts have been well below blast criteria and there have been no reported issues or complaints associated with blasting from the site.																						
Surface Water																													
Pollution of Waters																													
	2.22	Except as may be expressly provided by a DEC licence, the Applicant shall comply with Section 120 of the Protection of the Environment Operations Act 1997 during the carrying out of the development			C		From the site inspection, generally operations at the site are compliant with the POEO Act. The water management design is simple and appears to be effective with it consisting of a series of drainage lines, sediment fences and sediment dams. Sediment dams can be pumped from the main storage dam to the top working dam. From the site inspection and a review of monitoring results, dust appears to have been effectively managed. As the quarry expands, the management of key environmental aspects will require a greater level of management and planning.																						
Stormwater Discharge Limits		Except as may be expressly provided by a DEC licence, the Applicant shall ensure that stormwater discharges from the development comply with the limits in Table 2.5 under normal conditions:			C																								
	2.23	<table><tr><th>Pollutant</th><th>Units of Measure</th><th>100 percentile concentration limit</th></tr><tr><td>TSS</td><td>mg/L</td><td>30</td></tr><tr><td>Sulfate</td><td>mg/L</td><td>250</td></tr><tr><td>G & O</td><td>mg/L</td><td>5</td></tr><tr><td>EC</td><td>MS/cm</td><td>1500</td></tr><tr><td>pH</td><td>pH units</td><td>6.5-8.5</td></tr><tr><td colspan="3"></td></tr></table>					Pollutant	Units of Measure	100 percentile concentration limit	TSS	mg/L	30	Sulfate	mg/L	250	G & O	mg/L	5	EC	MS/cm	1500	pH	pH units	6.5-8.5				From discussions with the Quarry Manager, there have been no surface water discharges from the site. During the site inspection there was no evidence of discharge into the drainage line at the main storage dam during the site inspection. The 2014/15 AEMR or previous AEMR's did not record any discharge events. Dams have been monitored at the site from 2011 - 2014, but there has been no defined frequency. It is noted in the Water MP that the Main Sediment Dam is the only discharge point for the site. There is also a discharge point associated with the Top Working Dam as well.	Establish a discharge sampling kit for the site. This will include a small summary of: * Where to sample; * When to sample; * How to get the water quality analysed (ALS Lithgow); and * How to report exceedances of water quality criteria. Bottles should be available at site for discharge sampling and regular sampling for times when ALS cant complete a sample prior to the discharge ceasing. The Water Management Plan should be updated to include reference to both licensed discharge points. This includes an update to 'design figure' to outline the licensed discharge points. When updating the Water Management Plan, a defined frequency for monitoring dams (discharge points) and the Cox's River upstream and downstream should be outlined. If there is a discharge event that is not sampled, it may have been a while since the discharge point was sampled. This would allow comparison between discharge and non discharge sampling. To reduce TSS the disturbed areas around dams should be hydro mulched.
Pollutant	Units of Measure	100 percentile concentration limit																											
TSS	mg/L	30																											
Sulfate	mg/L	250																											
G & O	mg/L	5																											
EC	MS/cm	1500																											
pH	pH units	6.5-8.5																											
	Note	This Condition does not authorise the pollution of waters by any other pollutants																											
Operating Conditions	2.24	The Applicant shall carry out the development in a way that prevents and/or minimises the potential surface water impacts of the development			C		From the site inspection, generally operations at the site are compliant with the POEO Act. The water management design is simple and appears to be effective and consists of a series of drainage lines, sediment fences and sediment dams. Sediment dams can be pumped from the main storage dam to the top working dam.																						
	2.25	The Applicant shall prepare and implement a Soil and Water Management Plan for the construction of the development, in accordance with the relevant requirements in the Department of Housing's publication <i>Managing Urban Stormwater: Soils and Construction</i> .			C		The Soil and Water Management Plan (During Construction) has generally been prepared in compliance with the Managing Urban Stormwater: Soils and Construction. Current surface water management at site is generally as per the Plan. The plan included figures and dam sizing calculations. These figures were prepared by surveying company Cravens Elliston Hayes.																						
	2.26	The Applicant shall prepare and implement a Stormwater Management Scheme for the operation of the development. in accordance with the Stormwater Management Plan for the catchment. and if this has not been prepared yet, the guidance contained in the DEC's publication <i>Managing Urban Stormwater: Council Handbook</i> .			C		From the site inspection, generally operations at the site are compliant with the POEO Act. The water management design is simple and appears to be effective and consists of a series of drainage lines, sediment fences and sediment dams. Sediment dams can be pumped from the main storage dam to the top working dam. As part of the upgrades to the intersection a series of upgrades to water management have been undertaken around the site entrance. This include collecting runoff from the area of the intersection and visual bund and diverting this through a channel as clean water. A small amount of water is collected by the site in small sediment dam near the entrance to the access road.																						
	2.27	The Applicant shall only apply wastewater to the wastewater use area in accordance with an approved Water Management Plan (see Condition 2.29).			C		A septic system has been designed and installed. A design report was provided by Calare Civil Pty Ltd. A designer producer statement was dated 8 October 2014. The design has been carried out in accordance with relevant standards according to the producer statement. Effluent from the septic system is collected and transported offsite as required.	Additional details regarding effluent management should be included in future AEMR's. No information in the AEMR.																					
	2.28	The Applicant shall ensure that spray from wastewater application to the wastewater use area does not drift beyond the boundary of the wastewater use area.			C		No application of wastewater.																						

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Topic	Condition Number	Condition / Commitment	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation
Water Management Plan	2.29	Before carrying out any development on the site, the Applicant must prepare a Water Management Plan in consultation with the SCA, and to the satisfaction of the DEC. This Plan must include the following protocols: a) Wastewater management for beneficial use; b) Monitoring wastewater; c) Soil and water management plan (see Condition 2.25); d) Stormwater management scheme (see Condition 2.26); e) Monitoring stormwater discharges; and f) Beneficial reuse.	NC	Low	The Water MP has been completed but has not yet been approved. It should also be noted that the plan was sent to the DP&E on 23 October 2014. The letter from the DP&E dated 21/8/2014 had the requirement to submit management plans and the Environmental Management Strategy to the DP&E by the end of October 2014. It is noted in the Water MP that the Main Sediment Dam is the only discharge point for the site. There is also a discharge point associated with the Top Working Dam as well. There is minimal groundcover around the areas of dams. There was no monitoring of the Cox's River at upstream or downstream sites during the audit period. During the October 2014 update there was no consultation with the Environment Protection agency (EPA - former DEC) or the Sydney Catchment Authority.	The updated Water MP (October 2014 version) has not yet been approved. Liaise with the DP&E as a priority to get this MP approved. The Water Management Plan should be updated to include reference to both licensed discharge points. This includes an update to 'design figure' to outline the licensed discharge points. This plan should be sent to the EPA and SCA for consultation as it has been 5 years since the previous Water MP. The plan contains little information about waste water and should be updated with additional information. The plan contains no information about beneficial re use. When updating the Water Management Plan, a defined frequency for monitoring dams (discharge points) and the Cox's River upstream and downstream should be outlined. If there is a discharge event that is not sampled, it may have been a while since the discharge point was sampled. This would allow comparison between discharge and non-discharge sampling.
Monitoring	2.30	The Applicant shall carry out water monitoring of the development to determine any surface- water impacts on land or receiving waters to the satisfaction of the DEC.	C		Section 1.7 of the Water MP outlines the monthly monitoring program. Cover's River is tested every month (upstream and downstream). The SD1 and SD2 are only tested during discharge.	Recommend that SD1 (Main Dam) and SD2 (Internal catch dam discharge point) are tested every month, not just when a discharge occurs. Therefore if a discharge occurs, and was not able to be sampled, at least some data will be available within a month of discharging.
Building and Spill Management	2.31	The Applicant shall store and handle all hazardous chemicals. dangerous goods, fuels and oils. strictly in accordance with: a) All relevant Australian Standards; and b) The EPA's Environment Protection Manual Technical Bulletin Bunding and Spill Management. In the event of an inconsistency between the requirements listed in a) and b) above, the most stringent requirement shall prevail to the extent of the inconsistency.	C		Engine oil and grease were stored in a self bunded container. Spill kits were available adjacent to the self bunded container. Materials Safety Data Sheets are kept at site in the office.	
Traffic and Transport						
Road Works	2.32	Before carrying out any road works, the Applicant shall: (a) Prepare and implement plans for an appropriate entry to the proposed development; and (b) Install an appropriate warning system to advise approaching motorists of heavy vehicle slowing, stopping and turning manoeuvres to the satisfaction of the RTA. ☐	C		a) Approval to commencement construction of road works was given by the DP&E in a letter dated 11/2/2015. RMS acknowledged receiving preconstruction documentation and authorised works to commence within the State Road Reserve. b) warning signage was observed at the site inspection.	
	Note:	The RTA requires a full set of drawings for the proposed turnout and access works. These drawings will comprise a plan, longitudinal sections, cross sections, full drainage design, line marking details, and signposting details, as well as a sedimentation control plan and traffic management plan. In addition, these drawings must be accompanied by a full pavement assessment for the works that form the turnout to the development.	--			
	2.33	The Applicant shall ensure that all the road works associated with the development in the road reserve comply with current RTA and Austroads Design Standards, and the RTA's Quality Assurance Specifications.	C		The pre construction drawings have been sighted as part of the audit. These were prepared by surveying company CEH Survey.	Engage a surveying company to prepare a short letter comparing the compliance status of the pre construction drawings against the actual completed road works.
	2.34	The Applicant shall bear all the costs associated with the design, survey, construction, maintenance, and removal of any development in the road reserve.	C		Walker Quarries have been responsible for the design, survey, construction, maintenance, and removal of any development in the road reserve.	
Operating Conditions	2.35	The Applicant shall not permit road haulage vehicles to leave the development site during adverse weather conditions, which can include snow, fog or low cloud, if a sign appropriately placed by the Applicant for use in testing visibility cannot be clearly seen from a designated reference point.	C		The road is closed during heavy snow. New drivers are told that if they can not see the exit sign, then drivers are not allowed to leave the site.	Update the induction program to include this information.
	2.36	The Applicant shall ensure that all vehicles, before they are allowed to leave the site, are cleaned of materials that may fall on the road.	C		There is a wheel wash present at the site. There is no evidence of mud being driven from the site during the inspection. The wheel wash is outlined in the <u>site induction program</u> .	
	2.37	The Applicant shall ensure that trucks entering and leaving the site that are carrying loads are covered at all times, except during loading and unloading.	C		Section 3.3.1.1 of the Air Quality Monitoring Program outlines the requirement to cover loads. During the site inspection the trucks which went through the weighbridge and out of the front gate were covered.	
FAUNA AND FLORA						
Flora and Fauna Management Plan	2.38	The Applicant shall prepare and implement a Flora and Fauna Management Plan for the development. This plan must: a) Incorporate a protocol for effectively identifying any threatened species of flora and fauna and avoiding or minimizing the potential impact of the development on these species, including but not limited to the Yellow-bellied Sheathtail Bat and the Bathurst Copper Butterfly. b) Describe the actions, measures and operating conditions to be implemented in order to:- • Ensure that the existing vegetation on the development site is properly identified and documented before the development commences; • Ensure that all natural bushland directly adjoining the development site and bushland to be conserved within the development site is not damaged or disturbed by its operations; • Protect, conserve, and where feasible improve the quality of existing vegetation on the development site, including land not actually disturbed by the development; • Re-vegetate land on the development site; and • Minimise the potential impacts of the development on flora and fauna. c) Describe the intended procedures to: • Salvage, store and reuse material from the development site such as soil, seeds, tree hollows, rocks, logs etc ; • Clear vegetation on-site; • Control erosion and sediment flows; • Collect and propagate seeds from the local area; • Control weeds on the development site; • Control access to undisturbed land; and • Monitor the performance of the proposed actions, measures and operating conditions. d) Identify who would be responsible for monitoring, reviewing, and implementing the plan The Applicant shall not carry out any development on the site before the Director-General has approved this plan.	NC	Low	Flora and Fauna MP has been updated based on the operation recommencing and submitted to the DP&E on 30 October 2015. The Flora and Fauna MP has not yet been approved. The Flora and Fauna MP generally meets the requirements of the consent condition. During the clearing activities no seed has been collected and propagated by a specialist. Hollows, logs and timber have been kept at site within defined areas. These need to be moved to areas of future rehabilitation once they become available. No flora and fauna monitoring has been completed, with this a requirement in Section 5.1.4 of the Flora and Fauna MP.It is to be completed on an annual basis. Some areas that have been cleared for operations have experienced natural regrowth. However it should be noted that there are some weeds within these regrowth areas and these need to be managed.	During the next review of the Flora and Fauna MP additional information should be provided regarding the collection and propagation of seeds for rehabilitation. Additional information should be added regarding erosion and sediment control. Additional information should be added regarding salvage, store and re use of material. During additional clearing seed should be collected and propagated. Spread hollows/fallen trees within defined rehabilitation areas once they become available. Undertake ecological monitoring as required in the Flora and Fauna MP. Planting of Bursaria bushes as per the Flora and Fauna MP. Additional weed management as required at the site.
AIR QUALITY						
Impact Assessment Criteria	2.39	The Applicant shall ensure that the air pollution generated by the development does not exceed the criteria listed in Tables 2.6, 2.7 and 2.8 at any privately-owned land				

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Topic	Condition Number	Condition / Commitment	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Adminstrative)	Comment	Recommendation															
		Long term impact assessment criteria for particulate matter <table><tr><th>Pollutant</th><th>Averaging Period</th><th>Criterion</th></tr><tr><td>Total Suspended particulate (TSP) matter</td><td>Annual</td><td>90pg/m³</td></tr><tr><td>Particulate Matter</td><td>Annual</td><td>30pg/m³</td></tr><tr><td></td><td></td><td></td></tr></table>	Pollutant	Averaging Period	Criterion	Total Suspended particulate (TSP) matter	Annual	90pg/m ³	Particulate Matter	Annual	30pg/m ³				NC	Low	No PM10/TSP monitoring has been completed at the site. If criteria for TSP and PM10 monitoring has been set in the Consent, then a High Volume Air Sampler that measures TSP and PM10 should be established for the site. The preferred location would be at the nearest privately owned residence.	Liaison with the DP&E and possibly EPA regarding the requirement to monitor for TSP and PM10. Liaison regarding proposed location and monitoring timeframe.			
Pollutant	Averaging Period	Criterion																			
Total Suspended particulate (TSP) matter	Annual	90pg/m ³																			
Particulate Matter	Annual	30pg/m ³																			
		Short term impact assessment criteria for particulate matter <table><tr><th>Pollutant</th><th>Averaging Period</th><th>Criterion</th></tr><tr><td>Particulate Matter <10 (PM10)</td><td>24 hours</td><td>50pg/m³</td></tr><tr><td></td><td></td><td></td></tr></table>	Pollutant	Averaging Period	Criterion	Particulate Matter <10 (PM10)	24 hours	50pg/m ³													
Pollutant	Averaging Period	Criterion																			
Particulate Matter <10 (PM10)	24 hours	50pg/m ³																			
		<p><i>Table 2.8: Long term impact assessment criteria for deposited dust</i></p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>Maximum Increase in deposited dust level</th><th>Maximum total deposited dust level</th></tr><tr><td>Deposited dust</td><td>Annual</td><td>2 g/m²/month</td><td>4 g/m²/month</td></tr></table> <p><i>Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.</i></p>	Pollutant	Averaging period	Maximum Increase in deposited dust level	Maximum total deposited dust level	Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month	Depositional Dust monitoring results from 2010 - 2015 provided by the site. A review of this data for insoluble solids from 2010 - 2015 was that dust levels in the two depositional dust gauges have been consistently below 4g/m2 for the annual average. It should be noted that four gauges should be monitored at the site.	Only 2 out of the proposed depositional dust gauges have been monitored. As per the Air Quality Monitoring Program it is a requirement to monitor all 4 of the depositional dust gauges.									
Pollutant	Averaging period	Maximum Increase in deposited dust level	Maximum total deposited dust level																		
Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month																		
					Annual averages for Gauge 62 ranged from 0.6g/m2/month to 2.3g/m2/month during 2010 to 2015.	Also no quartzite dust monitoring has been undertaken. This is required as per Section 3.2.2 of the Air Quality Monitoring Program. Update Air Quality Monitoring Program.															
					Annual Averages for Gauge 64 ranged from 0.6g/m2/month to 2.0g/m2/month during 2010 to 2015.																
					It should be noted that 2015 had higher dust levels, with this relating to operations expanding in 2015.																
	Note:	Deposited dust is assessed as insoluble solids as defined by Standards Australia 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air Determination of Particulates - Deposited Matter Gravimetric Method.																			
Operating Condition	2.40	The Applicant shall carry out the development in a way that prevents and/or minimises the air pollution generated by the development.	C		From the site inspection the site appeared to have managed dust effectively. Disturbed areas have been kept to a minimum. Dust control measures are outlined within Section 3.3 of the Dust Management Plan.	It was noted that several steeper slopes do not have vegetation cover. Consider the use of hydromulching on slopes to ensure that areas are effectively stabilised.															
					During the site inspection water trucks were seen on haul roads.																
	2.41	The Applicant shall monitor (by sampling and obtaining results by analysis) air pollution at the most-affected residence, using the specified units of measure. averaging period, frequency, and sampling method (Table 2.9). <table><tr><th>Pollutant</th><th>Units of Measure</th><th>Averaging period</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Deposited dust</td><td>g/m²/month</td><td>Month, annual</td><td>Continuous</td><td>AM-19</td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr></table>	Pollutant	Units of Measure	Averaging period	Frequency	Sampling Method	Deposited dust	g/m ² /month	Month, annual	Continuous	AM-19						C		Depositional dust monitoring has been completed in accordance with this condition.	Liaison with the DP&E and possibly EPA regarding the requirement to monitor for TSP and PM10 Note Condition 2.39 refers to PM10 and TSP criteria). Liaison regarding proposed location and monitoring timeframe.
Pollutant	Units of Measure	Averaging period	Frequency	Sampling Method																	
Deposited dust	g/m ² /month	Month, annual	Continuous	AM-19																	
	Note	Note: For more information refer to NSW EPA. 2001, Approved Methods for the Sampling and Analysis of Air Pollutants in NSW	--																		
	2.42	The Applicant shall prepare and implement a detailed Air Quality Monitoring Program for the development. The Applicant shall not carry out any development on the site before the Director-General has approved this program	NC (Administrative)	Adminstrative	The previous Air Quality Monitoring Program was approved on 19 October 2009. It was a requirement of the DP&E that all management plans are to be updated for the construction/re establishment of the Quarry. The Air Quality Monitoring Program was sent to the DP&E dated 4 November 2014. The Air Quality Monitoring Program has not yet been approved.	Liaison with DP&E as a high priority to check on the status of management plans. Undertake any actions directed by the DP&E relating to ensuring the 2014 management plans are approved.															
Meteorological Monitoring	2.43	The Applicant shall establish a permanent meteorological station to the satisfaction of the Director-general. The meteorological station shall continuously measure and record wind speed, wind direction, and temperature, at 2m and 10m, and rainfall.	NC	Low	There was a meteorological station at site. Based on discussions with Walker Quarries this meteorological station has not been downloaded for some time. Walker Quarries do not currently have the log in. The site is working to re-establish the station.	It is a requirement of this condition that a meteorological station is installed at the site. Walker Quarries may need to liaise with a specialist to ensure the station is functioning as per the required standards.															
Aboriginal Heritage	2.44	The Applicant shall not disturb the area marked potential site areas on Figure 3 in Attachment	C		This condition refers to a heritage area. The area has been fenced and there have been no incidents relating to this area.																
	2.45	Throughout the life of the development, the Applicant shall protect and conserve the area subject to Condition 2.44. in consultation with the Bathurst Local Aboriginal Land Council, and to the satisfaction of the Director-General	C		There has not been any recent consultation with the Bathurst Land Council. There have been no incidents relating to this area.																
					Conservation area has been fenced.																
Waste Management	2.46	Except as expressly permitted by a DEC licence, the Applicant shall not cause, permit or allow any waste generated outside the development site to be received at the development site for storage, treatment, processing, reprocessing or disposal, or any Waste generated at the development site to be disposed of at the development site.	C		An inspection at the site indicated waste management was of a good standard. The small amount of general waste is collected by the council. There was no evidence of waste generated during the construction program at site.																
	Note:	This Condition only applies to the storage, treatment, processing, reprocessing, or disposal of waste that requires a licence under the Protection of the Environment Operations Act 1997.			No evidence of accepting waste at site																
VISUAL IMPACT																					
Visual Amenity	2.47	The Applicant shall carry out the development in a way that prevents and/or minimises the visual impacts of the development.	C		There are no operations at night, therefore visual/lighting is not an issue. As part of the road upgrade the battered area parallel to the haul road needs to be seeded. Additional areas near the front entrance have been identified for plantings to improve the visual screening of the site. These areas have been chosen so they do not cause a safety risk when entering/exiting the site.	Complete hydromulching on exposed batters near the site entrance.															
	2.48	The Applicant shall install bunds at strategic locations around the development site, and plant Director-general in order to screen the development, as far as is practicable, from external viewers	C		The batters/bunds associated with the quarry have been completed, but additional planting is still required.	Completing plantings (mixture of acacia and eucalyptus) for the visual screening along the front batter.															

Development Consent

Topic	Condition Number	Condition / Commitment	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Adminstrative)	Comment	Recommendation
	2.49	<p>If an owner of any dwelling located to the west or north-west of the development requests the Applicant in writing to investigate ways to minimise the visual impact of the development at his/her dwelling, the Applicant shall:</p> <p>a) Refer the written request to the Director-General, who will decide whether the investigation is warranted and advise the Applicant accordingly;</p> <p>b) If the Director-General decides that the investigation is warranted, commission, at the Applicant's expense, a suitably qualified person, within 14 days of receiving this request, to investigate ways to minimise the visual impacts of the development at the dwelling and for this purpose prepare a visual impact mitigation report; and</p> <p>c) Give the owner of the dwelling a copy of the visual impact mitigation report within 14 days of receiving this report.</p> <p>If both parties agree on the measures that should be implemented to minimise the visual impact of the development, then the Applicant shall implement these measures to the satisfaction of the Director-General</p> <p>If the Applicant and the owner of the dwelling disagree on the measures that should be implemented to minimise the visual impact of the development, then either party may refer the matter to the Director-General for resolution. If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (see Condition 3.10).</p>	C		According to Walker Quarries no complaints have been received regarding visual amenity. 3 complaints were received in 2014, but none related to visual amenity.	
Lightning Emissions	2.50	The Applicant shall take all practicable measures to prevent and/or minimise any off-site lighting impacts from the development.	C		No operations are undertaken at night. Operating hours are outlined in Condition 2.2.	
	2.51	All external lighting associated with the development shall comply with Australian Standard AS4282(NT) 1995- Control of Obtrusive Effects of Outdoor Lighting.	C		No operations are undertaken at night. Operating hours are outlined in Condition 2.2. Minimal lighting at the site.	
Hazard Management	2.52	<p>The Applicant shall ensure that the storage, handling, and transport of:</p> <p>(a) Dangerous goods is done in accordance with the relevant Australian Standards particularly AS1940 and AS1596, and the Dangerous Goods Code; and</p> <p>(b) Explosives are carried out in accordance with the requirements of the DMR</p>	C		<p>Hazardous substances procedure has been prepared for the operations (updated October 2014). The procedure was sent to the DP&E dated 30 October 2014, but it was not approved.</p> <p>Section 4 of the procedures outlines the requirements for purchasing, storage, labelling, training, registers, handling and use. The site inspection did not indicate any issues associated with hazardous substances.</p> <p>All explosives for blasting are bought to the site by the blasting contractor.</p>	Liaison with DP&E as a high priority to check on the status of management plans. Undertake any actions directed by the DP&E relating to ensuring the 2014 management plans are approved.
Bushfire Management	2.53	<p>The Applicant shall;</p> <p>(a) Ensure that the development is suitably equipped to respond to any fires on site;</p> <p>(b) Assist the Aural Fire Service and emergency services as much as possible if there is a fire on site.</p>	C		Water carts are available and several points are available for water storage. A Bushfire Plan and Bushfire Evacuation Plan have been prepared. Section 2.2 of the Bushfire Plan outlines site controls.	
	2.54	Before carrying out any development on the site, the Applicant shall prepare a Bushfire Management Plan for the development site to the satisfaction of Council and the Rural Fire Service.	C		<p>Section 1.5 of the October document outlined:</p> <p><i>A Draft of this Plan has been presented to the Rural Fire Service at Wallerawang and Lithgow Council for their comment and subsequent approval for implementation at the site. Copies of the Final Plan which incorporate comments received on the Draft have been provided to the Wallerawang Rural Fire Service and Lithgow Council for their records.</i></p> <p>The Bushfire Management Plan and Bushfire Evacuation Plan were sent to the DP&E on 30 October 2014.</p>	Liaison with DP&E as a high priority to check on the status of management plans. Undertake any actions directed by the DP&E relating to ensuring the 2014 management plans are approved.
Rehabilitation	2.55	The Applicant shall rehabilitate the development site in accordance with the requirements of any Mining Lease granted by the Minister for Mineral Resources.	C		As the site has only recently started rock production there has been minimal opportunities for longterm rehabilitation. There has been some temporary rehabilitation completed, but additional rehabilitation is required.	<p>Complete hydromulching on exposed batters near the site entrance.</p> <p>Completing plantings (mixture of acacia and eucalyptus) for the visual screening along the front batter.</p>
	Note	Condition 1.5 requires that, before carrying out any development, the Applicant shall obtain a Mining Lease for the development site from the DMR.				
SCHEDULE 3 - ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING						
Environmental Management Strategy	3.1	<p>The Applicant shall prepare and implement an Environmental Management Strategy for the development This strategy must:</p> <p>a) Provide the overall strategic context for environmental management of the development, including for the environmental monitoring program and the various management plans required by this development consent;</p> <p>b) Identify the statutory requirements that apply to the development;</p> <p>c) Describe in general how the environmental performance of the development would be monitored and managed; ·</p> <p>d) Describe the detailed 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:• Manage cumulative impacts: and• Respond to emergencies; and <p>e) Describe the roles, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development.</p>	C		The EMS has generally been prepared in accordance with this condition. It has generally been prepared in accordance with ISO 14001.	
	3.2	The Applicant shall not carry out any development at the development site before the Director-General has approved the strategy referred to in Condition 3.1:	NC	Administrative	The EMS was previously approved for the site according to Walker Quarries but no evidence of approval (eg. letter) has been provided. There was a requirement to update the EMS for the site based on a letter provided by DP&E dated 21/8/2014 requesting that all management plans are to be updated (previous version of plans was 2009), with these to be submitted so they can be considered for approval prior to the first blast.	Liaison with DP&E as a high priority to check on the status of management plans. Undertake any actions directed by the DP&E relating to ensuring the 2014 management plans are approved.
	3.3	<p>Within 14 days of receiving the Director-General's approval for the environmental management strategy, the Applicant shall:</p> <p>a) Send copies of the approved environmental management strategy to the relevant agencies, Council, and the CCC; and .</p> <p>b) Ensure the approved environmental management strategy is publicly available.</p>	NYT		The 2014 updated EMS has not yet been approved, therefore this condition can not be enacted.	
Environmental Monitoring Program	3.4	The Applicant shall prepare a detailed Environmental Monitoring Program for the development, in consultation with the relevant agencies. This program must be consistent with the environmental management strategy required by Condition 3.1 and consolidate the various monitoring requirements in this development consent into a single document.	NC	Administrative	The Environmental Monitoring Program (dated December 2014) has been prepared, but there is no evidence that the document was submitted to the DP&E or that the document was prepared in consultation with other regulatory authorities.	<p>Provide evidence that the document was submitted to DP&E and that it was prepared in consultation with other regulatory authorities.</p> <p>The Environmental Monitoring Program has not been fully implemented. Review the Environmental Monitoring Program, obtain approval for the document and ensure the Program is fully implemented.</p>

Development Consent

Topic	Condition Number	Condition / Commitment	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation
	3.5	The Applicant shall not carry out any work at the development site before the Director-general has approved the environmental monitoring program.	NC	Low	<p>The EMS was previously approved for the site according to Walker Quarries but no evidence of approval (eg. letter) has been provided. There was a requirement to update the Environmental Monitoring Program for the site based on a letter provided by DP&E dated 21/8/2014 requesting that all management plans are to be updated (previous version of plans was 2009), with these to be submitted so they can be considered for approval prior to the first blast. The Environmental Monitoring Program was re submitted to the DP&E in 2014, but it has not yet been approved.</p> <p>Some monitoring has not been undertaken in accordance with the Development Consent and EPL. This includes:</p> <ul style="list-style-type: none">* No monitoring of TSP and PM10, despite there being criteria.* Section 5 of the Noise Monitoring Program refers to the attended noise monitoring once per month. This has not been included in the EMP, which refers to annual monitoring by a noise specialists.* Meteorological station data has not been downloaded.	<p>Liaison with DP&E as a high priority to check on the status of management plans. Undertake any actions directed by the DP&E relating to ensuring the 2014 management plans are approved.</p> <p>Liaison with DP&E regarding noise monitoring requirements and frequencies. Update to site documentation to be consistent with DP&E's requirements.</p> <p>Provide the EMP to council, CCC and EPA for comment.</p> <p>Provide the date when Environmental Monitoring Program document was originally approved.</p>
	3.6	The Applicant shall regularly review, and if necessary update the environmental monitoring program in consultation with the Director-General and notify the relevant agencies, Council. CCC, and general public of any changes to the strategy.	NC	Administrative	<p>Section 1.1 of the EMP States that:</p> <p><i>Input from numerous government departments and interested parties has been received in the planning stages and considered in the preparation of this Environmental Monitoring Program.</i></p> <p>There is no evidence that the EMP was provided to the EPA, CCC and Council for comment.</p>	
Annual Reporting	3.7	<p>The Applicant shall submit an Annual Environmental Management Report to the Director- General and the relevant agencies. This report must:</p> <p>a) Identify the standards and performance measures that apply to the development;</p> <p>b) Include a detailed summary of the complaints received during the past year, and over time compare this to the complaints received in previous years since the development commenced;</p> <p>c) Include a detailed summary of the monitoring results on the development during the past year.</p> <p>d) Include a detailed analysis of these monitoring results against the relevant:</p> <ul style="list-style-type: none">• Impact assessment criteria;• Monitoring results from previous years: and• Predictions in the EIS; <p>e) Identify any trends in the performance of the development shown by monitoring over the life of the development;</p> <p>f) Identify any non-compliance during the previous year; and</p> <p>g) Describe what actions were, or are being taken to ensure compliance</p>	NC	Low	<p>An AEMR was prepared for the period from 1 July 2014 - 30 June 2015.</p> <p>Other AEMR's were provided for 2009-10, 2010-11, 2011-12, 2012-13 and 2013-14.</p> <p>This most recent AEMR covered actions during the construction and operations phase of the site.</p> <p>The AEMR makes no predictions against the EIS, therefore it has not met this criteria. There was also minimal trend analysis (short term and long term)</p>	<p>The next AEMR should include predictions against the EIS. There have also been some new 'Annual Review' guidelines prepared by the DPE in October 2015. The new AEMR should be prepared to be in accordance with these guidelines.</p> <p>Future AEMR's should have more information regarding trend analysis (short term and long term) and additional detail relating to a comparison of EIS predictions.</p>
Independent Environmental Audit	3.8	<p>At the end of years 1 and 2 after construction work commences, and every year thereafter, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. The audits must:</p> <p>a) Be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General.</p> <p>b) Be consistent with <i>ISO 14010</i> - Guidelines and General Principles for Environmental Auditing. and <i>ISO 14011</i>- Procedures for Environmental Auditing, or updated versions of these guidelines/manuals:</p> <p>c) Assess the environmental performance of the development, and its effects on the surrounding environment;</p> <p>d) Assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;</p> <p>e) Review the adequacy of the Applicant's Environmental Management Strategy and Environmental Monitoring Program; and, if necessary,</p> <p>f) Recommend measures or actions to improve the environmental performance of the development and/or the environmental management and monitoring systems</p>	NC	Low	<p>This is the independent environmental audit. Key construction commenced in late October 2014 (no specific date provided by site), with the audit being undertaken at site on the 28th October 2015. It should be noted that clearing activities is a phase of construction, with this first undertaken on 7th and 8th of December 2009 to enact the consent.</p> <p>The audit included a review of the Development Consent and the EPL.. Mr Chris Jones from SLR was approved on 19/10/2015 to complete the audit by the DP&E.</p>	<p>Audits should be completed as per the requirements in this condition.</p>
	Note	<i>Subject to the Applicant being able to demonstrate full compliance with conditions, the Director-General in consultation with Council, may review the frequency of subsequent audits after years 1 and 2</i>				
Independent Dispute Resolution Process	3.10	<p>The Independent Dispute Resolution Process referred to in any other Condition of this development consent will be undertaken by an Independent Dispute Resolution facilitator appointed by the Director General and will be subject to:</p> <p>a) A procedural protocol to ensure the process is transparent and consistent; and</p> <p>b) Terms of reference, based on appropriate qualitative and quantitative criteria against which judgements can be made.</p>	C		<p>From conversations with the Quarry Manager this process has not been required. Only 3 complaints and both were managed by the site following discussions with the complainant.</p>	
Complaints Procedures	3.11	<p>Throughout the life of the development, the Applicant shall ensure that the following contacts are available for community complaints:</p> <p>a) A telephone number on which complaints about the development may be registered;</p> <p>b) A postal address to which written complaints may be sent; and</p> <p>c) An email address to which electronic complaints may be transmitted.</p> <p>The telephone number, the postal address and the email address shall be advertised in at least one appropriate local newspaper prior to the commencement of work at the development site. These details shall also be provided on the Applicant's internet site.</p>	C		<p>An email, telephone number and address is provided on the website under the 'complaints procedure' tab.</p> <p>There evidence of the telephone number, the postal address and the email address was advertised on 5 September 2009. There was some activity at site from 2009 to 2014, but most activity was undertaken in 2014 and 2015.</p>	<p>As it has been over 6 years since the previous advertisement we recommend advertising again.</p>
	3.12	<p>The Applicant shall record details of all complaints received in a Complaints Register.</p> <p>The Register shall record, but not necessarily be limited to:</p> <p>a) The date and time, where relevant. of the complaint;</p> <p>b) The means by which the complaint was made (telephone, mail or email);</p> <p>c) Any personal details of the complainant that were provided, or it no details were provided a note to that effect</p> <p>d) The nature of the complaint;</p> <p>e) Any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and</p> <p>f) If no action was taken by the Applicant in relation to the complaint, the reason(s) for no action being taken_</p> <p>The Complaints Register shall be made available for inspection by the DEC or the Director-General upon request The Applicant shall also make summaries of the Register, without details of the complainants, available for public inspection.</p>	C		<p>There is a complaints register. First complaints were received at the quarry in 2014, based on commencement. Three complaints recorded in 2014 with these relating to noise and visual. The visual complaint was proven to be from another source as the quarry was not operating or had lights at the time.</p>	

Development Consent

Topic	Condition Number	Condition / Commitment	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation
Community Consultative Committee	3.13	The Applicant shall ensure that there's a Community Consultative Committee to oversee the environmental performance of the development This committee shall: a) Be comprised of: <ul style="list-style-type: none">• 2 representatives from the Applicant, including the person responsible for environmental management at the development site;• 1 representative from Council; and• 3 representatives from the local community, whose appointment has been approved by the Director-General in consultation with Council; b) Be chaired by an independent Chairperson. whose appointment has been approved by the Director-General in consultation with Council; c) Meet at least twice a year; and d) Review and provide advice on the environmental performance of the development, including any construction or environmental management plans, monitoring results, audit reports. or complaints	C		In the letter dated 27 January 2010, the DP&E approved the CCC team as per the requirements of this condition. The auditors were provided CCC meeting minutes from 14 December 2010, 23 June 2011, 5 June 2014, 4 September 2014, 22 January 2015 and 19 May 2015. It was decided in the meeting minutes from the 23 June 2011 meeting that 'future meetings in the initial stages should be held on an as needed basis or held if a particular concern arises'. This explains the gaps between 2011 and 2014. It should be noted that the company is still in the process of selecting a new independent chair, with the previous chair resigning in 2015. Evidence of resignation in email to DP&E on 20 July 2015. According to Lithgow City Council a CCC meeting was proposed to be held at the completion of roadworks in July 2015. This meeting did not occur, and the auditor is not aware of any subsequent meetings in 2015. The site however did meet twice in 2015 as per the frequency in this condition.	The next meeting should discuss the completion of roadworks and the current status and proposed approach of the quarry.
	3.14	The Applicant shall at its own expense (a) Ensure that at least 2 of its representatives attend the Committee's meetings; (b) Provide the Committee with regular information on the environmental performance and management of the development; (c) Provide meeting facilities for the Committee; (d) Notify Committee members of the date and time of meetings; (e) Distribute meeting agendas to reach Committee members at least 7 days prior to each meeting (f) Arrange site inspections for the Committee, if necessary; (g) Take minutes of the Committee's meetings; (h) Make these minutes available to the public for inspection within 14 days of the Committee meeting, or as agreed to by the Committee; (i) . Respond to any advice or recommendations the Committee may have in relation to the environmental management or performance of the development or the conduct of Committee meetings; and (j) Forward a copy of the minutes of each Committee meeting, and any responses to the Committee's recommendations to the Director-General within a month of the Committee meeting.	C		The CCC meetings have been held and minutes indicate the following requirements are being met. Detailed notes are provided in the meeting minutes.	Ensure all CCC meeting minutes are available on the website.
	3.15	The Applicant shall ensure that the Committee has its first meeting before the Environmental Management Strategy (see Condition 3.1) is submitted to the Director- General for approval.	C		The first registered meeting that was provided to the auditor was dated 23 July 2011. The EMS was submitted to the DP&E in October 2014.	

Environment Protection Licence

Condition Number	Condition	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation															
1	Administrate Conditions																			
A1	What the licence authorises and regulates																			
A1.1	This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2: construction of Surface facilities, surface infrastructure and water management structures.	N/A																		
A1.2	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.</p> <p>Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p>	C		Activities generally undertaken in accordance with this condition. Production only commenced in 2015, with production numbers well below the limit.																
	<table><tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr><tr><td>Crushing, Grinding or Separating</td><td>Crushing, Grinding or Separating</td><td>>100000 - 500000 T processed</td></tr><tr><td>Extractive Activities</td><td>Land-based extractive activity</td><td>> 100000 - 500000 T extracted, processed or stored</td></tr><tr><td>Mining for minerals</td><td>Mining for minerals</td><td>>100000 - 500000 T produced</td></tr><tr><td></td><td></td><td></td></tr></table>	Scheduled Activity	Fee Based Activity	Scale	Crushing, Grinding or Separating	Crushing, Grinding or Separating	>100000 - 500000 T processed	Extractive Activities	Land-based extractive activity	> 100000 - 500000 T extracted, processed or stored	Mining for minerals	Mining for minerals	>100000 - 500000 T produced				--			
Scheduled Activity	Fee Based Activity	Scale																		
Crushing, Grinding or Separating	Crushing, Grinding or Separating	>100000 - 500000 T processed																		
Extractive Activities	Land-based extractive activity	> 100000 - 500000 T extracted, processed or stored																		
Mining for minerals	Mining for minerals	>100000 - 500000 T produced																		
A1.3	The licensee must not carry on any scheduled activities until the scheduled development works are completed, except as elsewhere provided in this licence.	C		Activities generally in accordance with this licence.																
A2	Premises or plant to which this licence applies																			
A2.1	<p>The licence applies to the following premises:</p> <p>Premises Details</p> <p>WALLERAWANG QUARRY LOT 6 GREAT WESTERN HIGHWAY WALLERAWANG NSW 2785</p> <p>PART LOT 6 DP 872230, LOT 7 DP 872230</p> <p>PART LIDSDALE STATE FOREST (NO. 707)</p>	N/A																		
A3	Information supplied to the EPA																			
A3.1	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.</p> <p>In this condition the reference to "the licence application" includes a reference to:</p> <p>a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</p> <p>b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>	C		Activities generally in accordance with this licence.																
2	Discharges to Air and Water and Applications to Land																			
P1	Location of monitoring/discharge points and areas																			
P1.1	The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.																			

Environment Protection Licence

Condition Number	Condition	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation																
	<table><tr><td>EPA Identification No.</td><td>Type of Monitoring Point</td><td>Type of Discharge Point</td></tr><tr><td>4</td><td>Air Monitoring</td><td>Final location to be confirmed by Walker Quarries Pty Limited</td></tr><tr><td colspan="3"></td></tr></table>	EPA Identification No.	Type of Monitoring Point	Type of Discharge Point	4	Air Monitoring	Final location to be confirmed by Walker Quarries Pty Limited				NC	Low	<p>A review of the Air Quality Monitoring Program (November 2014) indicates there are four depositional dust gauges. These are located at the Quarry hardstand and Crushing area, Quarry entrance, in the quarry and the nearest affected residence. Depositional dust monitoring is only currently completed at 2 locations.</p> <p>Air quality data was provided from 2010 - 2015 for depositional dust. Note this condition does not state the type of air quality monitoring required. TSP and PM10 monitoring criteria are however outlined in the Development Consent, therefore it is assumed that a HVAS should be used to monitoring TSP and PM10 at the nearest residence.</p>	<p>Liaison with the DP&E and possibly EPA regarding the requirement to monitor for TSP and PM10. Liaison regarding proposed location and monitoring timeframe.</p> <p>Ensure depositional dust is monitored at all four locations in the Air Quality Monitoring Program.</p>							
EPA Identification No.	Type of Monitoring Point	Type of Discharge Point																			
4	Air Monitoring	Final location to be confirmed by Walker Quarries Pty Limited																			
P1.2	The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.	C		<p>There are two licenced discharge points associated with the quarry.</p> <p>It is noted in the Water MP that the Main Sediment Dam is the only discharge point for the site. There is also a discharge point associated with the Top Working Dam as well.</p>																	
P1.3	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.	C		Discharge locations are as per this condition.	<p>Establish a discharge sampling kit for the site. This will include a small summary of:</p> <ul style="list-style-type: none">* Where to sample;* When to sample;* How to get the water quality analysed (ALS Lithgow); and* How to report exceedances of water quality criteria. <p>Bottles should be available at site for discharge sampling and regular sampling. The Water Management Plan should be updated to include reference to both licensed discharge points. This includes an update to 'design figure' to outline the licensed discharge points.</p>																
	<table><tr><td>EPA Identification no.</td><td>Type of Monitoring Point</td><td>Type of Discharge Point</td><td>Location Description</td></tr><tr><td>1</td><td>Discharge to waters; Discharge quality monitoring</td><td>Discharge to waters; Discharge quality monitoring</td><td>Overflow from settlement dam to unnamed tributary of Coxs River as shown by point "SD1" in Figure 1 "Water Management - July 2002" provided with Licence Application information dated 12 August 2009.</td></tr><tr><td>2</td><td>Discharge to waters; Discharge quality monitoring</td><td>Discharge to waters; Discharge quality monitoring</td><td>Overflow from settlement dam to unnamed tributary of Coxs River as shown by point "SD2" in Figure 1 "Water Management - July 2002" provided with Licence Application information dated 12 August 2009.</td></tr><tr><td>3</td><td></td><td>Discharge to utilisation area;</td><td>Utilisation area labelled "irrigation system" in Figure 1 "Water Management - July 2002" provided with Licence Application information dated 12 August 2009.</td></tr></table>	EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	1	Discharge to waters; Discharge quality monitoring	Discharge to waters; Discharge quality monitoring	Overflow from settlement dam to unnamed tributary of Coxs River as shown by point "SD1" in Figure 1 "Water Management - July 2002" provided with Licence Application information dated 12 August 2009.	2	Discharge to waters; Discharge quality monitoring	Discharge to waters; Discharge quality monitoring	Overflow from settlement dam to unnamed tributary of Coxs River as shown by point "SD2" in Figure 1 "Water Management - July 2002" provided with Licence Application information dated 12 August 2009.	3		Discharge to utilisation area;	Utilisation area labelled "irrigation system" in Figure 1 "Water Management - July 2002" provided with Licence Application information dated 12 August 2009.	--			
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																		
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2	Discharge to waters; Discharge quality monitoring	Discharge to waters; Discharge quality monitoring	Overflow from settlement dam to unnamed tributary of Coxs River as shown by point "SD2" in Figure 1 "Water Management - July 2002" provided with Licence Application information dated 12 August 2009.																		
3		Discharge to utilisation area;	Utilisation area labelled "irrigation system" in Figure 1 "Water Management - July 2002" provided with Licence Application information dated 12 August 2009.																		
3	Limit Conditions																				
L1	Pollution of waters																				

Environment Protection Licence

Condition Number	Condition							Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation											
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.							C		There has been no evidence that the site did not generally comply with the PEO Act 1997.												
L2	Concentration limits																					
L2.1	For each monitoring/discharge point or utilisation area specified in the table\s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.							C		Based on communications with site all water has been stored within the onsite dams which have been designed as per the Blue Book. Water has been used in watering haul roads and processing. No recorded discharges at site.												
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.																					
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\s.																					
L2.4	Water and/or Land Concentration Limits																					
POINT 1,2																						
		Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit		C	Based on communications with site all water has been stored within the onsite dams which have been designed as per the Blue Book. Water has been used in watering haul roads and processing. No recorded discharges at site.	When updating the Water Management Plan, a defined frequency for monitoring dams (discharge points) and the Cox's River downstream (is possible to obtain a sample) should be outlined. If there is a discharge event that is not sampled, it may have been a while since the discharge point was sampled. This would allow comparison between discharge sampling and non discharge sampling.											
		Oil and Grease	milligrams per litre	10																		
		pH	pH	6.5 - 8.5																		
		Sulfate	milligrams per litre	250																		
		Total suspended solids	milligrams per litre	30																		
L3	Waste																					
L3.1	titled “Waste” and meeting the definition, if any, in the column titled “Description” in the table below. Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled “Activity” in the table below. Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled “Other Limits” in the table below. This condition does not limit any other conditions in this licence.							C		An inspection at the site indicated waste management was of a good standard. The small amount of general waste is collected by the council. There was no evidence of waste generated during the construction program at site. No evidence of accepting waste at site.												
	<table><tr><th>Code</th><th>Waste</th><th>Description</th><th>Activity</th><th>Other Limits</th></tr><tr><td>NA</td><td>General or Specific exempted waste</td><td>Waste that meets all the conditions of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005</td><td>As specified in each particular resource recovery exemption</td><td>NA</td></tr></table>							Code	Waste	Description	Activity	Other Limits	NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005	As specified in each particular resource recovery exemption	NA	--				
Code	Waste	Description	Activity	Other Limits																		
NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005	As specified in each particular resource recovery exemption	NA																		
L4	Noise limits																					

Environment Protection Licence

Condition Number	Condition	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation
L4.1	Noise from the premises must not exceed: a) 43 dB(A) LAeq(15 minute) during the day (7am to 6pm) Monday to Friday and 7am to 1pm Saturday; and b) 43 dB(A) LAeq(15 minute) during the evening (6pm to 10pm) Monday to Friday; and c) at all other times 39 dB(A) LAeq (15 minute), except as expressly provided by this licence. Where LAeq means the equivalent continuous noise level – the level of noise equivalent to the energy-average of noise levels occurring over a measurement period.	NC	Low	Section 5 of the Noise Monitoring Program refers to the attended noise monitoring once per month. This does not outline who is to undertake the monitoring. This has not been included in the EMP, which refers to annual monitoring by a noise specialist. There is no evidence of the monthly attended noise monitoring. The Noise Audit from Global Acoustics (dated 12 December 2014) indicated that the attended noise audit (9 December 2014) confirmed that the EPL 13172 noise limit of 43 dB(A) was satisfied at the three reference receptor locations.	Liaison with DP&E regarding noise monitoring requirements and frequencies. Update to site documentation to be consistent with DP&E's requirements.
L4.2	Noise from the premises is to be measured at the nearest or most affected residence to determine compliance with this condition.	C		During the annual noise audit in 2014, noise was measured at the three nearby receptors.	
L4.3	The noise emission limits identified in this licence apply under all meteorological conditions except: a) during rain and wind speeds (at 10m height) greater than 3m/s; and b) under "non-significant weather conditions".	N/A			
	Note: Field meteorological indicators for non-significant weather conditions are described in the NSW Industrial Noise Policy, Chapter 5 and Appendix E in relation to wind and temperature inversions.	--			
L5	Blasting				
L5.1	The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	C		Blasting was summarised in the AEMR. Additional results were provided to SLR. All blasts were within criteria. All blasts were within the desired time period. Blasting is undertaken by an independent blasting specialist.	
L5.2	The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	C			
L5.3	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded	C			
L5.4	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5 mm/sec for more than five percent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	C			
L5.5	Blasting in or on the premises must only be carried out between 9 am and 5 pm, Monday to Saturday. Blasting in or on the premises must not take place on Sundays or Public Holidays without the prior approval of the EPA.	C			
4	Operating Conditions				
O1	Activities must be carried out in a competent manner				
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	C		The site inspection indicated correct waste management. During the audit oils were stored within bunded areas in bulky bin containers.	
O2	Maintenance of plant and equipment				
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	C		There was no evidence of plant and equipment not being appropriately managed.	
O3	Dust				
O3.1	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	C		Minimal dust was seen during the site inspection. A water truck was operating on haul roads during the inspection to manage dust. As the quarry expands there will be a greater disturbance area which will require greater dust management.	

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Condition Number	Condition	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation																								
O3.2	Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.	C		Two trucks were witnessed leaving the site during the audit and both trucks were covered.	The covering of loads is not outlined in the induction program. This should be included in the next updates.																								
O4	Effluent application to land																												
O4.1	The quantity of effluent applied to the utilisation area(s) must not exceed the capacity of the utilisation area(s) to effectively utilise the effluent. For the purpose of this condition, “effectively utilise” includes the ability of the soil to absorb the nutrient, salt and hydraulic loads and the applied organic material without causing harm to the environment.	C		A septic system has been designed and installed. A design report was provided by Calare Civil Pty Ltd. A designer producer statement was dated 8 October 2014. The design has been carried out in accordance with relevant standards according to the producer statement. Effluent from the septic system is collected and transported offsite as required. No application of wastewater.	Additional details regarding effluent management should be included in future AEMR's. No information in the AEMR.																								
O4.2	Effluent application to the utilisation area(s) must not occur in a manner that causes surface run-off from the utilisation area(s).	C		No application of wastewater.																									
O4.3	Spray from effluent application to the utilisation area(s) must not drift beyond the boundary of the utilisation area(s) to which it has been applied.	C		No application of wastewater.																									
5	Monitoring and Recording Conditions																												
M1	Monitoring records																												
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	C		Monitoring for dust, water and noise were provided to the auditor. These reports were completing by independent specialists who are experienced in completing monitoring.	SLR recommends a spreadsheet with monitoring data is regularly updated. SLR understands a spreadsheet is updated annually for the AEMR.																								
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	C																											
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample	C																											
M2	Requirement to monitor concentration of pollutants discharged																												
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:																												
M2.2	Water and/ or Land Monitoring Requirements																												
POINT 1,2	<table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Conductivity</td><td>microsiemens per centimetre</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>Oil and Grease</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>Sulfate</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td></td><td></td><td></td><td></td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Monthly during discharge	Grab sample	Oil and Grease	milligrams per litre	Monthly during discharge	Grab sample	pH	pH	Monthly during discharge	Grab sample	Sulfate	milligrams per litre	Monthly during discharge	Grab sample					C		Based on communications with site all water has been stored within the onsite dams which have been designed as per the Blue Book. Water has been used in watering haul roads and processing. No recorded discharges at site.	When updating the Water Management Plan, a defined frequency for monitoring dams (discharge points) and the Cox's River downstream (is possible to obtain a sample) should be outlined. If there is a discharge event that is not sampled, it may have been a while since the discharge point was sampled. This would allow comparison between discharge sampling and non discharge sampling.
Pollutant	Units of measure	Frequency	Sampling Method																										
Conductivity	microsiemens per centimetre	Monthly during discharge	Grab sample																										
Oil and Grease	milligrams per litre	Monthly during discharge	Grab sample																										
pH	pH	Monthly during discharge	Grab sample																										
Sulfate	milligrams per litre	Monthly during discharge	Grab sample																										
M3	Testing methods - concentration limits																												
M3.1	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	C		Monitoring appears to have been completed in accordance with approved methods. Water monitoring was undertaken by ALS who are experienced in undertaking water and dust monitoring.																									
M4	Weather monitoring																												
M4.1	For each monitoring point specified in the table below the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.																												

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Point 4	<table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Conductivity</td><td>microsiemens per centimetre</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>Oil and Grease</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>Sulfate</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>Total suspended</td><td>Total suspended solids</td><td>Total suspended solids</td><td>Total suspended solids</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Monthly during discharge	Grab sample	Oil and Grease	milligrams per litre	Monthly during discharge	Grab sample	pH	pH	Monthly during discharge	Grab sample	Sulfate	milligrams per litre	Monthly during discharge	Grab sample	Total suspended	Total suspended solids	Total suspended solids	Total suspended solids	C		Based on communications with site all water has been stored within the onsite dams which have been designed as per the Blue Book. Water has been used in watering haul roads and processing. No recorded discharges at site.	When updating the Water Management Plan, a defined frequency for monitoring dams (discharge points) and the Cox's River downstream (is possible to obtain a sample) should be outlined. If there is a discharge event that is not sampled, it may have been a while since the discharge point was sampled. This would allow comparison between discharge sampling and non discharge sampling.
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pH	pH	Monthly during discharge	Grab sample																										
Sulfate	milligrams per litre	Monthly during discharge	Grab sample																										
Total suspended	Total suspended solids	Total suspended solids	Total suspended solids																										
M5	Recording of pollution complaints																												
M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	C		A Complaints log was provided. The number of complaints was also recorded in the Annual Return. There were three complaints since 2010, with all these complaints occurring in the initial establishment of construction activities in June and October																									
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	C		These details are recorded as columns in the Quarry Complaints Register.																									
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made																												
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.																												
M6	Telephone complaints line																												
M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	C		An email, telephone number and address is provided on the website under the 'complaints procedure' tab.																									
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	C		There is evidence that a complaints line has been advertised in a paper back in 2009.	Advertise the complaints details for the site in the local paper. Previous advertisement was from 2009.																								
M6.3	The preceding two conditions do not apply until 3 months after: a) the date of the issue of this licence or b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.	C																											
M7	Blasting																												
M7.1	To determine compliance with condition(s) L5.1 to L5.4 (a) Air blast overpressure and ground vibration levels must be measured at the most affected residence or noise sensitive location that is not owned by the licensee or subject to a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative blasting level - for all blasts carried out in or on the premises; and (b) Instrumentation used to measure the air blast overpressure and ground vibration levels must meet requirements of Australian Standard 2187.2 of 2006.	C		Blasts have been measured at the closest residence. Blast monitoring is undertaken by a blast specialist.																									
6	Reporting Conditions																												

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Condition Number	Condition	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation
R1	Annual return documents				
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: a) a Statement of Compliance; and b) a Monitoring and Complaints Summary. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.	C		Annual Returns provided for the period of the audit. First completed Annual Return was from 21 Oct 2010 - 20 Oct 2011. Most recent EPL Annual Return was provided for the period of 21 Oct 2014 - 20 Oct 2015.	
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	C			
Note:	The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.	--			
R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.	C		No licence transfer	
Note:	An application to transfer a licence must be made in the approved form for this purpose.				
R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates	C		No licence surrender.	
R1.5	The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	C		Signed Annual Returns were within the 60 day timeframe.	
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	C		Annual Returns since 21 Oct 2010 - 20 Oct 2011 has been provided.	
R1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	C		The statement of compliance has been signed each year by the company director and secretary.	
R1.8	A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.	C			
R2	Notification of environmental harm				
Note:	The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	C		There have been no incidents at site which have required this to be undertaken. A PIRMP has been prepared for the site.	
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	C		According to communications with the Quarry Manager there has been no incidents requiring notification.	
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.	C		According to communications with the Quarry Manager there has been no incidents requiring notification.	
R3	Written report				
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	C		According to communications with the Quarry Manager there has been no requests regarding this condition.	
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	C		According to communications with the Quarry Manager there has been no requests regarding this condition.	

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R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.	C		According to communications with the Quarry Manager there has been no requests regarding this condition.	
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	C		According to communications with the Quarry Manager there has been no requests regarding this condition.	
7	General Conditions				
G1	Copy of licence kept at the premises or plant				
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	C		The EPL is available at site.	
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	C			
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	C			

Mining Lease					
Condition Number	Condition	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation
1	Notice to Landholders				
	<p>Within a period of three months from the date of grant/renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a .. notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface . An adequate plan and description of the lease area must accompany the notice.</p> <p>If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.</p>	NC	Low	The Project Approval area is a combination of Crown Land (Lidsdale State Forest) and private land.	Provide evidence of contact with State Forests regarding the Mining Lease being granted.
2	Environmental Harm				
	The leaseholder shall 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.	C		Based on a review of documentation and the site inspection, the site appears to have met this condition.	
3	Mining Operations Plan				
	<p>(a) Mining operations must not be carried out otherwise than in accordance with: a Mining Operations Plan (MOP) which has been approved by the Director-General of the Department of Primary Industries.</p> <p>(b) The MOP must:</p> <ul style="list-style-type: none">i) identify areas that will be disturbed by mining operations;ii) detail the staging of specific mining operations;iii) identify how the mine will be managed to allow mine closure;iv) identify how mining operations will be carried out on site in order to prevent and or minimise harm to the environment;v) reflect the conditions of approval under:<ul style="list-style-type: none">- the Environmental Planning and Assessment Act 1979- the Protection of the Environment Operations Act 1997- and any other approvals relevant to the development including the conditions of this lease; andvi) have regard to any relevant guidelines adopted by the Director-General. <p>(c) The leaseholder may apply to the Director-Generally amend an approved MOP at any time.</p> <p>(d) It is not a breach of this condition if:</p> <ul style="list-style-type: none">i) the operations constituting the breach were necessary to comply with a lawful order o direction given under the Mining Act 1992, the Environmental Planning and Assessment Act 1979, Protection of the Environment Operations Act 1997 or the Occupational Health and Safety Act 2000; andii) the Director-General had'been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out. <p>(e) A MOP ceases to have affect 7 years after date of approval or other such period as identified by the Director-General. An approved amendment to the MOP under condition 5 does not constitute an approval for the purpose of this paragraph unless otherwise identified by the Director-General.</p>	C		<p>MOP Commencement Date: 15 July 2009 MOP Completion Date: 14 July 2016</p> <p>The quarry site is currently in Stage 1 of the operational phase. The MOP has generally been prepared in accordance with the MOP Guidelines (note these guidelines have since been superseded).</p>	New MOP is required. Note this new MOP must be prepared in accordance with the new MOP Guidelines.
4	Environment Management Reporting				
	The tease holder must lodge Environmental Management Reports (EMR) with the Director- General annually or at dates otherwise directed by the Director-General	C		AEMR's have been prepared annually for the operation since 2009/10	
5	The EMR must:				
	<p>a) report against compliance with the MOP;</p> <p>b) report on progress in respect of rehabilitation completion criteria;</p> <p>c) report on the extent of compliance with regulatory requirements; and</p> <p>d) have regard to any relevant guidelines adopted by the Director-General;</p>	C		The AEMR has generally been prepared in accordance with this condition. There has been minimal rehabilitation completed on site (all temporary rehabilitation) hence there has been no comparison against completion criteria.	Completion criteria will need to be reviewed and updated as per the requirements of the new MOP. This includes rehabilitation phasing.
6					
	Additional environmental reports may be required on specific surface disturbing operations or environmental incidents from time to time as directed in writing by the Director-General and must be lodged as instructed.	C		Based on discussions with Walker Quarries there has not been any request for additional environmental reports.	
7	Rehabilitation				

Mining Lease

Condition Number	Condition	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation
	Disturbed land must be rehabilitated to a sustainable/agreed end land use to the satisfaction of the Director-General.	C		During the site inspection there was evidence of some temporary rehabilitation of steeper slopes/batters.	As the quarry expands it will be possible to undertake some 'final rehabilitation'. These areas and details are to be included in the new MOP.
9	Working Requirement				
	<p>The lease holder must:</p> <p>(a) ensure that at least 2 competent people are efficiently employed on the lease area on each week day except Sunday or any week day that is a public holiday,</p> <p>OR</p> <p>(b) expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$35,000.00 per annum whilst the lease is in force.</p> <p>The Minister may at any time or times, by instrument in writing served on the lease holder, increase or decrease the expenditure required or the number of people to be employed.</p>	C		During construction and operational phases there have been greater than 2 people employed. Contractors have also been used as required.	
10	Control of Operations				
	<p>(a) If an Environmental Officer of the Department believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the lease holder to:-</p> <p>(i) cease working the lease; or</p> <p>(ii) cease that part of the operation not complying with the Act or conditions; until in the opinion of the Environmental Officer the situation is rectified.</p> <p>(b) The lease holder must comply with any direction given. The Director-General may confirm, vary or revoke any such direction .</p> <p>(c) A direction referred to in this condition may be served on the Mine Manager.</p>	C		Based on a review of documentation and discussions with Walker Quarries this condition has not been enacted.	
11	Reports				
	<p>The lease holder must provide an exploration report, within a period of twenty-eight days after -. each anniversary of the date this lease has effect or at such other date as. The Director-General may stipulate, of each year. The report must be to the satisfaction of the Director-General and contain the following:</p> <p>(a) Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months period;</p> <p>(b) Details of expenditure incurred in conducting that exploration;</p> <p>(c) A summary of all geological findings acquired through mining or development evaluation activities; ·</p> <p>(d) Particulars of exploration proposed to be conducted in the next twelve months period;</p> <p>(e) All plans, maps, sections and other data necessary to satisfactorily interpret the report.</p>	NC	Low	A Mining Lease Report covering exploration was prepared in September 2015, covering from 19th July 2009 to 15th July 2015. The reporting was not completed within the required date.	Ensure all exploration/mining lease reporting is undertaken as per this condition.
12	Licence to Use Reports				
	<p>(a) The lease holder grants to the Minister, by way of a non-exclusive licence, the right in copyright to publish, print, adapt and reproduce all exploration reports lodged in any form and for the full duration of copyright.</p> <p>(b) The non-exclusive licence will operate as a consent for the purposes of section 365 of the Mining Act1992.</p>	N/A			
13	Confidentiality				

Mining Lease

Condition Number	Condition	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation
	<p>(a) All exploration reports submitted in accordance with the conditions of this lease will be kept confidential while the lease is in force, except in cases where:</p> <p>(i) the lease holder has agreed that specified reports may be made non-confidential.</p> <p>(ii) reports deal the exploration conducted exclusively on areas that have ceased to be part of the lease.</p> <p>(b) Confidentiality will be continued beyond the termination of a lease where an application for a flow-on title was lodged during the currency of the lease. The confidentiality will last until that flow-on title or any subsequent flow-on title, has terminated.</p> <p>(c) The Director-General may extend the period of confidentiality.</p>	N/A			
14	Terms of the non-exclusive licence The terms of the non-exclusive copyright licence granted under condition 12 are:				
	<p>(a) the Minister may sub-licence others to publish, print, adapt and reproduce but not on-licence reports.</p> <p>(b) the Minister and any sub-licensee will acknowledge the lease holder's and any identifiable consultant's ownership of copyright in any reproduction of the reports, including storage of reports onto an electronic database</p> <p>(c) the lease holder does not warrant ownership of all copyright works in any report and, the lease holder will use best endeavours to identify those parts of the report for which the lease holder owns the copyright.</p> <p>(d) there is no royalty payable by the Minister for the licence.</p> <p>(e) if the lease holder has reasonable grounds to believe that the Minister has exercised his rights under the non-exclusive copyright licence in a manner which adversely affects the operations of the lease holder, that licence is revocable on the giving of a period of not less than three months notice.</p>	N/A			
15	Blasting				
	<p>(a) Ground Vibration The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment"and Climate Change.</p> <p>(b) Blast Overpressure The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment and Climate Change.</p>	C		All blasts at the site have been well below this criteria. Blast results are reported in the AEMR.	
16	Safety				
	Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be filled in or otherwise rendered safe to a standard acceptable to the Director-General.	N/A		This is a safety condition N/A to this audit. There were no safety issues identified during the site inspection.	
17	Exploratory Drilling				

Mining Lease

Condition Number	Condition	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation
	<p>(a) At least twenty eight days prior to commencement of drilling operations the lease holder must notify the relevant Department of Water and Energy Regional Hydrologist of the intention to drill exploratory drill holes together with information on the location of the proposed holes.</p> <p>(b) If the lease holder drills exploratory drill holes he must satisfy the Director-General that:-</p> <p>(i) all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established;</p> <p>(ii) all holes cored or otherwise are sealed to prevent the collapse of the surrounding surface;</p> <p>(iii) all drill holes are permanently sealed with cement plugs to prevent surface discharge of groundwaters;</p> <p>(iv) if any drill hole meets natural or noxious gases it is plugged or sealed to prevent their escape</p> <p>(v) if any drill hole meets an artesian or sub-artesian flow it is effectively sealed to prevent contamination of aquifers.</p> <p>(vi) once any drill hole ceases to be used the hole must be sealed in accordance with Departmental guidelines. Alternatively , the hole must be sealed as instructed by the Director-General.</p> <p>(vii) once any drill hole ceases to be used the land and its immediate vicinity is left in a clean,tidy and stable condition.</p>	NC	Low	There is no evidence this was undertaken.	<p>As this condition is a pre commencement condition it is now not possible for a pre commencement notification.</p> <p>Ensure a summary of exploration is contained within the AEMR which is sent to NSW DPI Water.</p>
18	Prevention of Soil Erosion and Pollution				
	Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution (including sedimentation) or soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan. For the purpose of this condition, water shall be taken to include any watercourse, waterbody or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.	C		Based on a review of documentation and the inspection, the site has generally been compliant with this condition. There have been no site discharges and water management appears to have been managed effectively.	
19	Transmission lines, Communication lines and Pipelines				
	Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the lease area without the prior written approval of the Director-General and subject to any conditions he may stipulate.	C		There has been no interference with transmissions lines, communication lines or pipelines.	
20	Fences, Gates				
	<p>(a) Activities on the lease must not interfere with or damage fences without the prior written approval of the owner thereof or the Minister and subject to any conditions the Minister may stipulate.</p> <p>(b) Gates within the lease area must be closed or left open in accordance with the requirements of the landholder.</p>	C		There has been no evidence of any fence damage.	
21	Roads and Tracks				
	<p>(a) Operations must not affect any road unless in accordance with an accepted Mining Operations Plan or with the prior written approval of the Director-General and subject to any conditions he may stipulate.</p> <p>(b) The lease holder must pay to the designated authority in control of the road (generally the local council or the Roads and Traffic Authority) the cost incurred in fixing any damage to roads caused by operations carried out under the lease, less any amount paid or payable from the Mine Subsidence Compensation Fund.</p>	C		<p>There has been extensive work associated with the intersection upgrade. There is a requirement to pay for damage in the Development Consent conditions.</p> <p>Based on a site inspection and pers comm with Walker Quarries personnel there has been no issues relating to damaging public infrastructure identified.</p>	
22					
	Access tracks must be kept to a minimum and be positioned so that they do not cause any unnecessary damage to the land. Temporary access tracks must be ripped, topsoiled and revegetated as soon as possible after they are no longer required for mining operations. The design and construction of access tracks must be in accordance with specifications fixed by the Department of Environment and Climate Change.	C		From the site inspection roads and tracks were well maintained and graded. Erosion and sediment controls have been installed along roadways.	
23	Trees and Timber				

Mining Lease

Condition Number	Condition	Compliance Status (NC or C)	Compliance Risk Level (High, Medium, Low Administrative)	Comment	Recommendation
	<p>(a) The lease holder must not fell trees, strip bark or cut timber on the lease without the consent - of the landholder who is entitled to the use of the timber, or if such a landholder refuses . consent or attaches unreasonable conditions to the consent, without the approval of a warden.</p> <p>(b) The 'lease holder must not cut, destroy, ringbark or remove any timber or other vegetative cover on the lease area except such as directly obstructs or prevents the carrying on of operations. Any clearing not authorised under the Mining Act 1992 must comply with the provisions of the Native Vegetation Act 2003.</p> <p>(c) The lease holder must obtain all necessary approvals or licences before using timber from any Crown land within the lease area.</p>	C		<p>Timber within the Development Consent footprint has been cleared as required for operational purposes. Walker Quarries has Development Consent to fell timber within the disturbance footprint.</p> <p>Timber has been stockpiled at site</p>	<p>The stockpiled timber could be used in future rehabilitation. Identify areas of future rehabilitation and move timber to these areas once available.</p>
25	Resource Recovery				
	<p>(a) Notwithstanding any description of mining methods and their sequence or of proposed resource recovery contained within the Mining Operations Plan, if at any time the Director- General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental reasons are necessary to be recovered, he may give notice in writing to the lease holder requiring the holder to recover such minerals.</p> <p>(b) The notice shall specify the minerals to be recovered and the extent to which they are to be recovered, or the objectives in regard to resource recovery, but shall not specify the processes the lease holder shall use to achieve the specified recovery.</p> <p>(c) The lease holder must, when requested by the Director-General , provide such information as the Director-General may specify about the recovery of the mineral resources of the lease area.</p> <p>(d) The Director-General shall issue no such notice unless the matter has firstly been thoroughly discussed with and a report to the Director-General has incorporated the views of the lease holder.</p> <p>(e) The lease holder may object to the requirements of any notice issued under this condition and on receipt of such an objection the Minister shall refer it to a Warden for inquiry and report under Section 334 of the Mining Act, 1992.</p> <p>(f) After considering the Warden's report the Minister shall decide whether to withdraw, modify or maintain the requirements specified in the original notice and shall give the lease holder written notice of the decision. The lease holder must comply with the requirements of this notice.</p>	N/A		<p>This condition has not been triggered.</p>	
26	Indemnity				
	<p>The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the lease holder or which the lease holder may incur in respect of any accident or injury to any person or property which may arise out of the construction, maintenance or working of any workings now existing or to be made by the lease holder within the lease area or in connection with any of the operations notwithstanding that all other conditions of this lease shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do</p>	N/A		<p>This condition has not been triggered.</p>	
27	Security				
	<p>(a) A security in the sum of \$434,000.00 must be given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of obligations under this lease. If the lease holder fails to fulfil any one or more of such obligations the said sum may be applied at the discretion of the Minister towards the cost of fulfilling such obligation . For the purpose of this clause the lease holder shall be deemed to have failed to fulfil the obligations of this lease if the lease holder fails to comply with any condition or provision hereof, any provision of the Act or regulations made thereunder or any condition or direction imposed or given pursuant to a condition or provision hereof or of any provision of the Act or regulations made thereunder.</p> <p>(b) The lease holder must provide the security required by sub-clause (a) in one of the following forms:</p> <p>(i) cash,</p> <p>(ii) a security certificate in a form approved by the Minister and issued by an authorised deposit-taking institution</p>	C		<p>A security certificate from NAB Bank (undated) refers to this security and the sum of \$434,000</p>	

Assessment Against EIS – Executive Summary (Pacrim Environmental November 2001)

Aspect	EIS Commitment	Comment and Recommendations from Audit
Archaeology	Site investigations located an aboriginal archaeological site within the area proposed for topsoil storage. Modification of the project layout resulted in the relocation of this proposed stockpile site. Protection of the site will occur through fencing the area to exclude access and by notifying employees of the significance of the site through an induction program. A management plan will be prepared	The Aboriginal Heritage area has been fenced. Heritage is included as a component of the site induction.
Flora and Fauna	<p>The quarry site is predominantly sub-alpine Eucalypt woodland. Canopy cover is generally continuous across the site, while understorey development is limited. No species of threatened flora were identified or are known to occur on or near the quarry site.</p> <p>One species of threatened fauna (Yellow-bellied Sheath-tail-bat) was identified as occurring on the site. Two other threatened species (Koala and Bathurst Copper butterfly) are recorded in the NPWS database as occurring within a 10km radius of the site. Consideration of the site under SEPP 44 (Core Koala habitat) determined that although sufficient koala feed tree species existed on the site, there was no evidence of koala habitation in the area proposed for quarry development.</p> <p>It was concluded that due to the abundance of similar habitat both locally and regionally, the quarry development will not affect local populations of threatened species that potentially use the site. Upon completion of quarry activities, the site will be returned to a floristic structure commensurate with the surrounding area.</p>	<p>Clearing has been limited to the areas required for operations. Additional clearing will be required in 2016 onwards as production increases. The auditor has determined no additional impacts to threatened species.</p> <p>With proposed clearing seeds should be collected and propagated to be used in future site rehabilitation activities.</p>
Surface and Ground Water	<p>The natural hydrology of the site will be altered during quarry development. Water from undisturbed areas will be diverted around the site and discharged to the Cocks River. Water from disturbed areas will be captured, transported and stored in a series of water management structures constructed on the site. A 7.7ML water management dam will provide the major storage facility on the site. Water re-use and efficiency will be maximised by using water stored in the water management dam for the majority of on-site water requirements, predominantly for dust suppression purposes. An irrigation component is included in the water management design to ensure adequate storage is available on site for the majority of storm events.</p> <p>The quarry development will operate as a zero discharge site under the majority of climatic conditions. During extreme rainfall events it may be necessary to discharge water from disturbed areas of the site. On these occasions, dilution with runoff from the surrounding catchment areas will minimise surface water impacts.</p> <p>Due to the fractured nature of the rock and the inability to intersect the groundwater table during drilling operations at the site, groundwater impacts are considered unlikely to occur as a result of the project.</p>	<p>A review of records from the audit and through undertaking the site inspection, water management at the site appears to be effective. A defined dirty water and clean water system has been established. The site has the ability to pump between dams to reduce risk of discharge.</p> <p>No groundwater monitoring has been undertaken.</p>
Air Quality	<p>Modelling of likely dust emissions resulting from the quarry was undertaken for a range of production levels. Results indicate that nuisance and health related dust impacts would be negligible at all production levels and under all wind conditions.</p> <p>Operational safeguards will include watering of haul roads and machinery manoeuvring areas, keeping stockpiles in a dampened state, a wheel wash facility, sealing of the access road from the wheel wash to the Great Western Highway and the covering of all loads.</p> <p>In the event that excessive dust generation occurs during adverse wind conditions, activities will be modified or ceased during the period. However, the retention of extensive tree cover around the entire site should minimise this occurrence by sheltering the site from unfavourable winds.</p>	<p>Air quality results in dust depositional gauges have been below criteria. Walker Quarries should liaise with the EPA and DP&E regarding the requirement to monitor TSP and PM10, as there is criteria within the Development Consent (Condition 2.39). Only two out of the proposed four depositional dust gauges have been monitored.</p> <p>Controls have generally been in place to manage dust (reducing clearing, water trucks).</p>
Noise	<p>Modelling of predicted noise levels for potential receptors in the vicinity of the quarry site indicates that under calm atmospheric conditions, all noise assessment goals will be complied with. During adverse conditions (winds and a temperature inversion) noise assessment goals may be exceeded at some receptor locations.</p> <p>Operational safeguards have been incorporated to reduce the risk of noise impacts upon the receiving environment. These include restricting or ceasing quarry activity during adverse weather conditions, retaining a 6-8m highwall at the northern end of the quarry</p>	<p>Controls have been in place to manage noise.</p> <p>Atkins Acoustics completed a 'Noise Audit' to determine whether the site was meeting compliance with the consent and EPL. Monitoring undertaken on 9 December 2014.</p>

Aspect	EIS Commitment	Comment and Recommendations from Audit
	<p>to act as a noise buffer and retaining extensive tree cover around the entire quarry site.</p> <p>Periodic noise monitoring will be undertaken throughout the life of the project to ensure that noise criteria are being complied with. Wind speed and weather conditions will be monitored at a permanent exposed location to allow operational modifications to be considered.</p>	<p>Note Section 5 of the Noise Management Plan (Nov 2014) stated that the results of attended noise levels recorded during each month shall be submitted to the Quarry Manager at the completion of measurements.</p> <p>Monitoring should be undertaken in accordance with the Noise Monitoring Program.</p>
Blasting and Vibration	<p>Modelling indicates that the prescribed allowable level of blast noise will not be exceeded at any time during quarry operations. Due to the potential for flyrock, it may be necessary to close the Great Western Highway for short periods during blasting operations. Blasting is expected to occur once every two weeks at the maximum production level reducing to once every two months at the lower production levels.</p> <p>The quarry site is located adjacent to an existing electricity supply pylon, and therefore blasting will be designed to ensure that vibration levels do not exceed 25millimetres per second, as required by Transgrid. Vibration monitoring will be undertaken at the base of the pylon.</p> <p>Two operational measures have been included to reduce blast vibration and over-pressure impacts. A small diameter (89mm) drill hole will be used in conjunction with the 'Nonel' initiation system. This system allows for individual in-hole delays and prevents the effects of a single large blast.</p>	<p>Minimal blasting has been required as the operations are in the early stages. All blasting reviewed during the audit period was below criteria.</p>
Visual	<p>Quarry operations will not be visible from the majority of public viewing locations identified. View modification at these sites will occur as subtle changes to the current ridgeline profile. Trees occurring in the foreground are likely to obscure the majority of views to quarry activities.</p> <p>Views of the eastern quarry highwall are likely from the elevated western approaches of the Great Western Highway. However, views from this location will predominantly occur from eastbound road traffic, travelling at the nominal speed of 110 km/h. Rehabilitation east of the Stage 2 trench will commence in Year 3 of the quarry program and will soften this outlook considerably.</p>	<p>Additional visual management activities are required to be undertaken in 2016 as the intersection has been fully complete and the batters shaped.</p> <p>Complete hydromulching on exposed batters near the site entrance.</p> <p>Completing plantings (mixture of acacia and eucalyptus) for the visual screening along the front batter.</p>
	<p>Stabilisation works will commence concurrently with development of the quarry. Quarry benches will be revegetated as soon as practicable using a range of endemic trees and shrubs. Upon completion of quarry activities, the void space, access road and surface facilities areas will be ripped, and seeded/planted with a range of endemic tree, plant and grass species.</p> <p>The final void will comprise a gently sloping floor (4%) surrounded by steeper side slopes (approximately 50 degrees), not inconsistent with existing slopes in the area.</p>	<p>There has been no opportunity for batter stabilisation due to the current stage of the quarry.</p>
Land Use	<p>Land uses in the vicinity of the quarry site comprise a mixture of forestry, rural and residential areas. Nineteen dwellings have been identified as occurring within a 2km radius of the quarry site.</p> <p>The operation of the quarry will not impact upon the potential land use adjacent to the site. The area is considered too steep for forestry operations and no agricultural activity occurs in the immediate vicinity. Although not visible, quarry operations will be noticeable to nearby residents through increased truck movements on the Great Western Highway and audible blasting operations occurring at intervals between once per two weeks to once per two months, depending upon production levels.</p>	<p>Based on information provide and the site inspection, there appears to have been no impact to landuse adjacent to the quarry.</p>
Planning and Services	<p>The quarry site is located upon land zoned Rural General 1(a) and Rural Forestry 1(f) under the Greater Lithgow Council City LEP (1994). SEPP 44 (Core Koala Habitat) and SEPP 58 (Protecting Sydney's Water Supply) also apply to the quarry development.</p> <p>Extractive industry is permitted development under the existing land zoning, providing development consent is obtained. The requirements of SEPP 44 and SEPP 58 have been considered and addressed in the development of the EIS document.</p> <p>Connections for power and telephone services are required at the site. Potable water will be purchased off-site as necessary. Wastewater services will be supplied via the installation of a packaged Aerated Wastewater Treatment System to service the office</p>	<p>Temporary buildings have been established. Condition 1.8 of the Development Consent outlined the lack of approval relating to temporary buildings.</p> <p>Other services such as the effluent management system have been established.</p>

Aspect	EIS Commitment	Comment and Recommendations from Audit
	and amenities. Treated effluent will be irrigated onto a managed vegetated area of the site.	
Road Transport	<p>The quarry development will result in an increase in heavy vehicle movements on both the Great Western Highway and Mudgee Road. The extent of the increase will be dependent upon production levels but will be in the order of 7% to 28% for the Great Western Highway and 18% to 73% for Mudgee Road. The extent of increased traffic on Mudgee Road would be dependent upon the level of activity at the proposed Wallerawang Industrial Park. All traffic to the proposed Wallerawang Industrial Park would travel via Mudgee Road and not via Wallerawang.</p> <p>A new 'seagull' intersection, designed to RTA standards, will be constructed approximately 500m west of the Barton Ave intersection. The new intersection will provide safe access and egress to and from the quarry site. The new intersection has been designed to minimise traffic disruption on the Great Western Highway by providing a separate acceleration lane for heavy vehicles entering the highway. During fog conditions, no heavy vehicles will be allowed to leave the quarry site until visibility has returned to an acceptable level.</p>	Intersection has been established. There are site procedures for entering and exiting the site.
Economic Outputs	The output value of the quarry is estimated at \$3.85M per year at an average production rate of 175,000tpa or \$77M over the 20 year approval period. There will be approximately four employees on-site with additional employment resulting from the use of subcontract hauliers and machinery hire. Additional benefits will occur within the Lithgow area from the expenditure for goods and services as well as the payment of wages and taxes.	Currently below the production criteria, with production to increase from 2016 onwards.
Cumulative Impacts	The quarry is sufficiently removed from similar and existing industries so that cumulative impacts of dust and noise will be avoided. The quarry development will result in an increase in heavy vehicle traffic on major roads in the area; however, modelling predicts that the level of service and safety on these roads will not be significantly impacted.	Based on monitoring results, site records and an inspection the cumulative impacts appear to be effectively managed at the quarry.

Christopher Jones

From: Jessie.Evans@planning.nsw.gov.au
Sent: Friday, 18 March 2016 3:06 PM
To: Christopher Jones
Cc: Christopher.Schultz@planning.nsw.gov.au; Howard.Reed@planning.nsw.gov.au; genevieve.seed@planning.nsw.gov.au
Subject: FW: Wallerawang Quarry - Audit

Hi Christopher,

From recent discussions with the quarry company, the Department understands that the Independent Environmental Audit (IEA) is very near completion. The Department expects the IEA to be submitted in the near future.

Regards
Jessie

Jessie Evans

A/Team Leader
Planning Services – Resource Assessment & Compliance
Department of Planning & Environment
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From: Christopher Jones [<mailto:cjones@slrconsulting.com>]
Sent: Friday, 4 March 2016 7:38 AM
To: Howard Reed; Gen Seed
Subject: Wallerawang Quarry - Audit

Hi Howard and Gen,

I am currently completing an Independent Environmental Audit for Wallerawang Quarry (SLR and myself were endorsed by the DP&E). The quarry is owned and operated by Walker Quarries Pty Ltd, a subsidiary of Sitegoal Pty Ltd.

As you would be aware a new Independent Environmental Audit Guideline has been established by the DP&E in late 2015. This guideline now requires the auditor to consult with several government agencies – including DP&E.

Can you please let me know if you have any specific comments about the site and whether you would like any specific aspects investigated as part of the audit?

Regards
Chris

Christopher Jones

Associate Environmental Scientist
SLR Consulting Australia Pty Ltd



Email: cjones@slrconsulting.com
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Direct: 02 4037 3219
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SLR Consulting Australia Pty Ltd, Registered Office: Ground Floor, 2 Lincoln Street Lane Cove NSW 2066, Australia

Property Number 105242: LGS
Environment & Development Dept.



4 March 2016

Christopher Jones
cjones@slrconsulting.com

Dear Christopher,

Audit - DA No. 344-11-2001, Walker/Sitegoal Quarry Pty Ltd, Great Western Highway Wallerawang NSW 2845

I refer to your email received 15 February 2016 regarding an Environmental audit for the Wallerawang Quarry.

Council has concerns with the following conditions of consent:

Structural Adequacy

1.8 The Applicant shall ensure that all new buildings and structures are constructed in accordance with the relevant requirements of the BCA.

Notes:

- Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.*
- Part 8 of the EP&A Regulation sets out the detailed requirements for the certification of development.*

A Building Certificate was lodged to Council on 20 October 2015 for the buildings on the property. Prior to Council being able to approve the Building Certificate or issue an Occupation Certificate, Council requires the following information to be submitted:

1. Structural verification of the pad footings under the office/amenity building.

Community Consultative Committee (CCC)

3.13 The Applicant shall ensure that there is a community consultative committee to oversee the environmental performance of the development. This committee shall:

- c) Meet at least twice a year,*

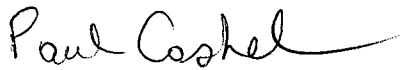
Council advises that the last CCC meetings were held on the 19 May 2015 and 22 January 2015. A CCC meeting was proposed to be undertaken at the completion of the road works in July 2015. This meeting did not occur and Council has concerns that the developer is not complying with the consent conditions.

As the Annual Environmental Review was submitted to Council on 10 December 2015 and no meeting has occurred since in order to review it, can you please ensure that the developer is aware of these conditions and complies accordingly.



Please do not hesitate to contact Miss Lauren Stevens who is available between 8:15am and 10:30am Monday to Friday on (02) 63549999, in Council's Environment & Development Department should you have any queries in relation to this matter.

Yours sincerely

A handwritten signature in black ink that reads "Paul Cashel". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

P G Cashel

TEAM LEADER DEVELOPMENT PLANNER

Christopher Jones

From: Ravi Sundaram <ravi.sundaram@waternsw.com.au>
Sent: Wednesday, 24 February 2016 9:36 AM
To: Christopher Jones
Cc: Peter Dupen; Nicole Wallwood
Subject: RE: DA 344-11-2001 Wallerawang Quarry - Audit (DPI Water)

Hi Christopher

Thank you for consulting with WaterNSW regarding the Independent Environmental Audit. WaterNSW requests that the following matters be investigated as part of the audit:

- Confirm that the on-site wastewater management system (pump-out system) is being operated in accordance with the development consent conditions for DA number S68067/15 (Approved 15 July 2015)
- During a site inspection in June 2015 by WaterNSW, it was noted that there was no ground cover along the downslope batter of sedimentation basin 2. The proponent advised that reseedling was proposed late last year. WaterNSW requests the auditor to check the re-seeding has been completed and groundcover has been established
- Check that erosion and sediment controls are being appropriately maintained and if any site discharges have occurred (the quarry is approved as a zero water discharge site).

WaterNSW would like to receive information on any outcomes/actions from the audit and a copy of the final audit report.

Please call or email me if you wish to discuss any of the above matters.

Regards.

Ravi

Ravi Sundaram
Mining Catchment Specialist



Phone: 02 47242455
Mobile: 0428 226 157
Email: Ravi.Sundaram@waternsw.com.au

From: Christopher Jones [<mailto:cjones@slrconsulting.com>]
Sent: Monday, 15 February 2016 3:51 PM
To: Ravi Sundaram
Subject: DA 344-11-2001 Wallerawang Quarry - Audit (DPI Water)

Hi Ravi,

I am currently completing an Independent Environmental Audit for Wallerawang Quarry, which is owned and operated by Walker Quarries Pty Ltd, a subsidiary of Sitegoal Pty Ltd.

A new Independent Environmental Audit Guideline has been established by the Department of Planning and Environment in 2015. This guideline now requires the auditor to consult with several government agencies.

Can you please let me know if you have any specific comments about the site and whether you would like any specific aspects investigated as part of the audit?

Regards
Chris

Christopher Jones

Associate Environmental Scientist
SLR Consulting Australia Pty Ltd



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APPENDIX 4 – SIGNED DECLARATION FORM

Independent Audit Certification Form	
Development Name	Wallerawang Quarry
Development Consent No.	DA 344-11-2001
Description of Development	Hard rock quarry
Development Address	Lot 6 DP872230 Part Lot 194, DP 751 651 Lidsdale State Forests No. 707
Operator	Owned by: Walker Quarries Pty. Ltd. Operated by: Dukes Civil Pty. Ltd
Operator Address	Lot 6 DP872230 Part Lot 194, DP 751 651 Lidsdale State Forests No. 707
Independent Audit	
Title of Audit	Wallerawang Quarry Independent Environmental Audit
<p><i>I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report and to the best of my knowledge:</i></p> <ul style="list-style-type: none"> <i>The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2014 and Post Approval Guidelines – Independent Audits</i> <i>The findings of the audit are reported truthfully, accurately and completely;</i> <i>I have exercised due diligence and professional judgement in conducting the audit;</i> <i>I have acted professionally, in an unbiased manner and did not allow undue influence to limit or override objectivity in conducting the audit;</i> <i>I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;</i> <i>I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);</i> <i>Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit; and</i> <i>I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</i> <p>Note.</p> <p>a) <i>The Independent Audit is an 'environmental audit' for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</i></p> <p>b) <i>The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</i></p>	

Signature	
Name of Lead / Principal Auditor	Chris Jones
Address	10 Kings Road, New Lambton NSW 2305, Australia
Email Address	cjones@slrconsulting.com
Auditor Certification (if relevant)	Associate Environmental Auditor
Date:	18 March 2016