

WALLERAWANG QUARRY

Independent Environmental Audit

Prepared for:

Walker Quarries
Great Western Highway
Wallerawang NSW 2845

SLR Ref: 630.12427-R01
Version No: v0.1
July 2018



PREPARED BY

SLR Consulting Australia Pty Ltd
ABN 29 001 584 612
10 Kings Road
New Lambton NSW 2305 Australia
(PO Box 447 New Lambton NSW 2305 Australia)
T: +61 2 4037 3200 F: +61 2 4037 3201
E: newcastleau@slrconsulting.com www.slrconsulting.com

BASIS OF REPORT

This report has been prepared by SLR Consulting Australia Pty Ltd with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Walker Quarries (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

DOCUMENT CONTROL

Reference	Date	Prepared	Checked	Authorised
630.12427-R01-Final	4 July 2018	Tracey Ball	Christopher Jones	Christopher Jones
630.12427-R01-Draft	3 July 2018	Tracey Ball	Christopher Jones	Christopher Jones

CONTENTS

1	INTRODUCTION.....	5
1.1	Background to the Site	5
1.2	Audit Scope.....	5
1.2.1	Audit Conditions	6
1.2.2	Approval Documentation	6
1.3	Key Site Contacts	9
1.4	Audit Methodology.....	9
1.4.1	Introductory and Close Out Meetings	10
1.5	Consultation Requirements	10
2	DOCUMENTS REVIEWED AND REFERENCED	18
3	ASSESSMENT OF COMPLIANCE	19
4	APPROVALS AND DOCUMENTATION ASSESSED.....	21
4.1	Previous Audit Recommendations	21
4.2	Project Approval	21
4.3	Environmental Assessment.....	22
4.4	Management Plans and Programs.....	22
4.5	Environment Protection Licence.....	24
4.6	Mining Leases	25
4.7	Water Licences.....	26
4.8	Complaints	26
4.9	Incident/Non-Compliance Management.....	26
5	AUDIT FINDINGS – SUMMARY OF NON COMPLIANCES	27
6	ADDITIONAL RECOMMENDATIONS.....	64
7	CONCLUSION	66

TABLES

Table 1	Contact Details for Key Personnel	9
Table 2	Meeting Attendees.....	10
Table 3	Stakeholder Consultation for the Audit.....	11
Table 4	Compliance Assessment Criteria	19
Table 5	Risk Levels for Non-Compliances.....	20

CONTENTS

Table 6	Management Plans.....	23
Table 7	Summary of Non-Compliance.....	27
Table 8	Additional Recommendations for Wallerawang Quarry	64

FIGURES

Figure 1	Project Approval Area (Source: DA 344-11-2001 Mod 1)	7
Figure 2	Mining Lease Area	8

APPENDICES

Appendix A	Photographs
Appendix B	Compliance Spreadsheet
Appendix C	Audit Certification Form
Appendix D	Endorsement of SLR

1 Introduction

1.1 Background to the Site

The Wallerawang Quarry ("the Quarry") is located approximately 2.5km southeast of Wallerawang and 10 km northwest of Lithgow, on the southern side of the Great Western Highway. It is within the Lithgow Council Local Government Area and is owned by Walker Quarries Pty Ltd, a subsidiary of Sitegoal Pty Ltd (Sitegoal).

The former Hoskins Quarry is located adjacent to the Quarry which was last used in 1927, however the current owners collected a small sample from this quarry for testing purposes in 1994. A surface gravel quarry was also in operation to the east and across the Cox's River from the Quarry until recent years, which has now been rehabilitated and incorporated into the Riverfront Acres Subdivision.

A resource size of quartzite (and some overburden material) in excess of 4.4 Mt was established at the site and Walker Quarries now produces quartz from the hard rock quarry with a life expectancy exceeding 20 years. Extraction began in 2014 when an intersection with the Great Western Highway was constructed and annual Production now varies between 150,000 tonnes per annum (tpa), to a maximum of 500,000 tpa dependent on market demand.

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

The Quarry is covered by a Mining Lease ML1633 (ML) that covers an area of 44.33 hectares. The ML area includes a combination of Crown Land (Lidsdale State Forest) and private land (Lot 6) which is owned by Sitegoal.

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 zones and a Development Consent DA No. 344-11-2001 with several conditions was granted to the site.

A modification to the Development Consent DA 344-11-2001 (Modification 1) was approved by the NSW Department of Planning and Environment (DPE) on the 25th August 2017. There were significant changes between MOD 1 and the original consent.

A Development Consent DA019/18 was recently issued by Lithgow City Council (Council) on the 28th of February 2018, which approved the construction of two demountable office buildings at the site.

During the audit period work at the quarry comprised of extraction, processing, haulage off-site and rehabilitation.

1.2 Audit Scope

This Independent Environmental Audit (IEA) covers the period from 29 October 2015 (the day after the last IEA) to 13 April 2018 (second day of the site component for this audit).

Schedule 5 Conditions 13 and 14 of the DA 344-11-2001 Mod 1 outline the requirement to complete the IEA.

1.2.1 Audit Conditions

13. Within a year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission, commence and pay the full cost of an Independent Environmental Audit of the development. This audit must:

(a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;

(b) include consultation with the relevant agencies and the CCC;

(c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals);

(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals;

(e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and

(f) be conducted and reported to the satisfaction of the Secretary.

14. Within 12 weeks of commencing this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of these recommendations as required. The Applicant must implement these recommendations, to the satisfaction of the Secretary.

The audit commenced on the 12 April 2018, therefore the date that represents 12 weeks from audit commencement is 5 July 2018.

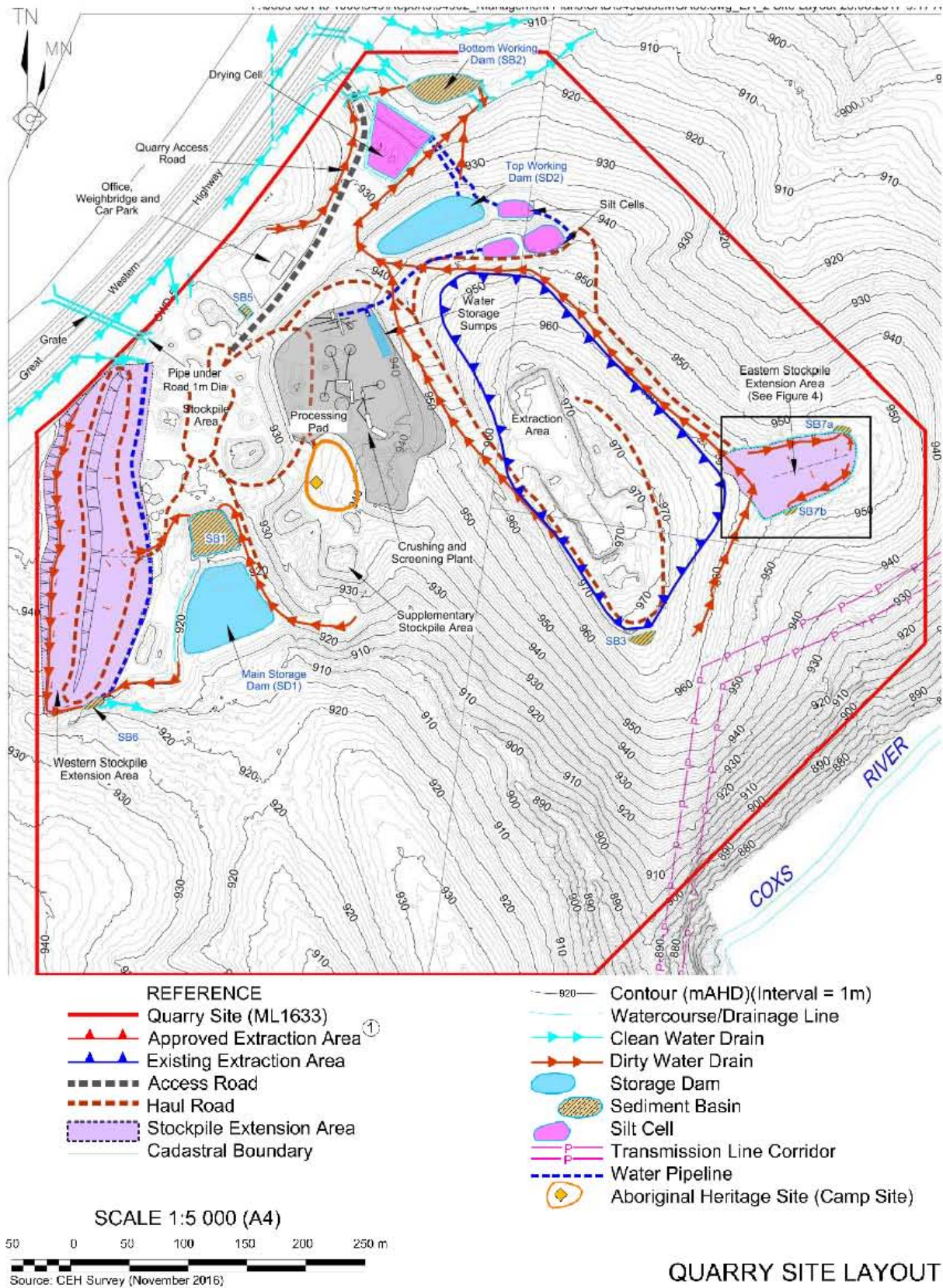
1.2.2 Approval Documentation

The Audit has assessed the key approvals and documentation outlined in **Section 4**, including:

- Development Approvals – DA 344-11-2001 Mod 1 (including management plans) and DA019/18;
- Executive Summary commitments from the Proposed Wallerawang Quarry Environmental Impact Statement (EIS) (Pacrim Environmental, 2001) and Environmental Assessment for Modification to Operations at the Wallerawang Quarry (May 2017);
- Environment Protection Licence (EPL) – EPL 13172; and
- Mining Lease ML1633.

The physical boundaries of the audit are defined by the Development Consent Approval area, which is outlined in **Figure 1**.

APPENDIX 1 DEVELOPMENT LAYOUT PLAN



QUARRY SITE LAYOUT

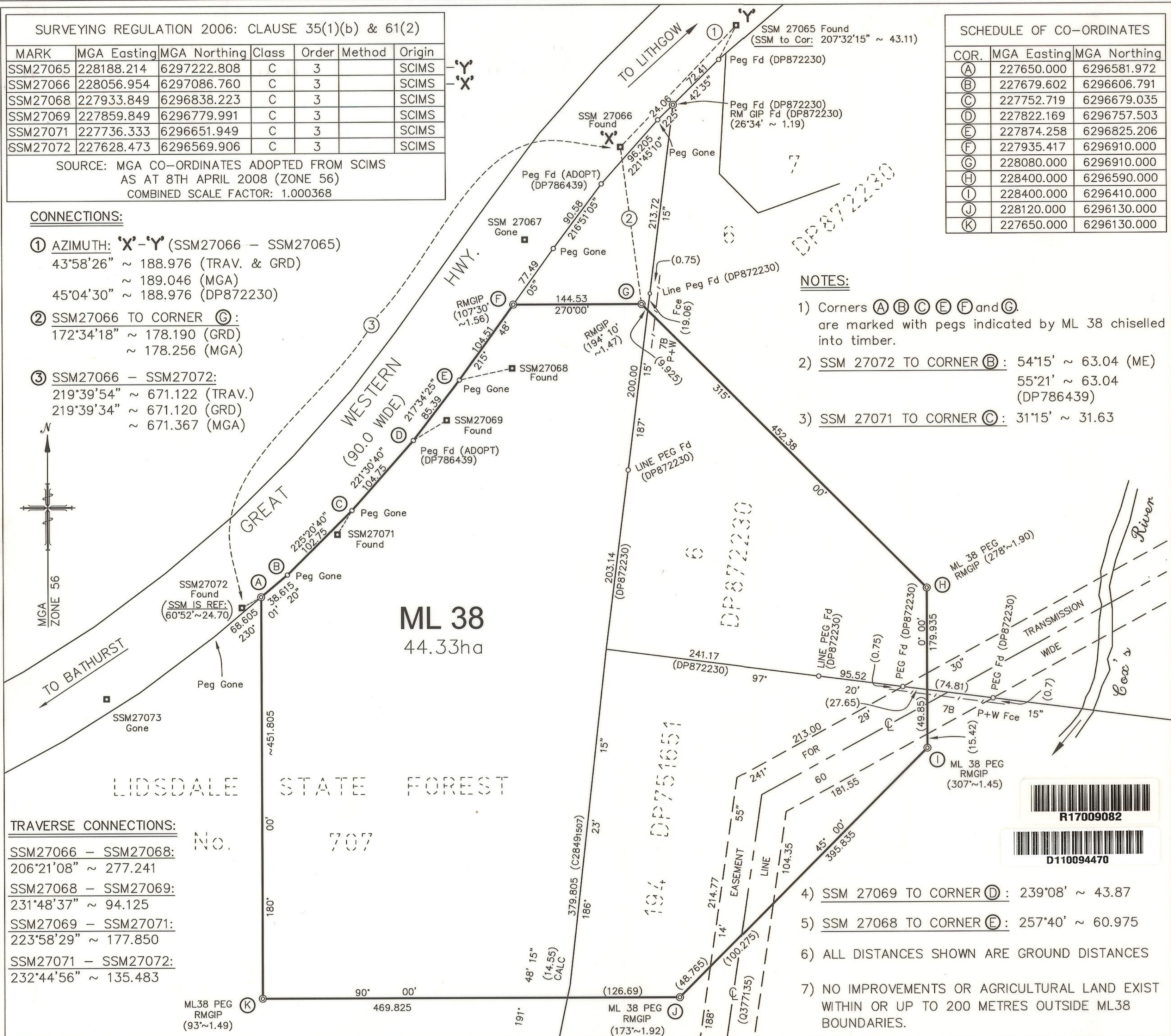
SURVEYING REGULATION 2006: CLAUSE 35(1)(b) & 61(2)

MARK	MGA Easting	MGA Northing	Class	Order	Method	Origin
SSM27065	228188.214	6297222.808	C	3		SCIMS
SSM27066	228056.954	6297086.760	C	3		SCIMS
SSM27068	227933.849	6296838.223	C	3		SCIMS
SSM27069	227859.849	6296779.991	C	3		SCIMS
SSM27071	227736.333	6296651.949	C	3		SCIMS
SSM27072	227628.473	6296569.906	C	3		SCIMS

SOURCE: MGA CO-ORDINATES ADOPTED FROM SCIMS
AS AT 8TH APRIL 2008 (ZONE 56)
COMBINED SCALE FACTOR: 1.000368

CONNECTIONS:

- ① AZIMUTH: 'X' - 'Y' (SSM27066 - SSM27065)
43°58'26" ~ 188.976 (TRAV. & GRD)
~ 189.046 (MGA)
45°04'30" ~ 188.976 (DP872230)
- ② SSM27066 TO CORNER ③:
172°34'18" ~ 178.190 (GRD)
~ 178.256 (MGA)
- ③ SSM27066 - SSM27072:
219°39'54" ~ 671.122 (TRAV.)
219°39'34" ~ 671.120 (GRD)
~ 671.367 (MGA)



TRAVERSE CONNECTIONS:

- SSM27066 - SSM27068:
206°21'08" ~ 277.241
- SSM27068 - SSM27069:
231°48'37" ~ 94.125
- SSM27069 - SSM27071:
223°58'29" ~ 177.850
- SSM27071 - SSM27072:
232°44'56" ~ 135.483

SCHEDULE OF CO-ORDINATES

COR.	MGA Easting	MGA Northing
(A)	227650.000	6296581.972
(B)	227679.602	6296606.791
(C)	227752.719	6296679.035
(D)	227822.169	6296757.503
(E)	227874.258	6296825.206
(F)	227935.417	6296910.000
(G)	228080.000	6296910.000
(H)	228400.000	6296590.000
(I)	228400.000	6296410.000
(J)	228120.000	6296130.000
(K)	227650.000	6296130.000

NOTES:

- 1) Corners (A) (B) (C) (E) (F) and (G) are marked with pegs indicated by ML 38 chiselled into timber.
- 2) SSM 27072 TO CORNER (B): 54°15' ~ 63.04 (ME)
55°21' ~ 63.04 (DP786439)
- 3) SSM 27071 TO CORNER (C): 31°15' ~ 31.63

PLAN OF PORTION ML 38

PARISH: LIDSDALE

COUNTY: COOK

MAP SHEET NO.: 8931-3-S

REDUCTION RATIO 1: 3000

MINING LEASE APPLICATION NO. 279
(ACT 1992)

MINING DIVISION: ORANGE

APPLICANT: WALKER QUARRIES
PTY. LTD.

APPLICATION DATE: 13-4-2006

MINING LEASE NO. 1633 (Act 1992)

STATUS

METHOD OPEN CUT

~~SURFACE EXCEPTION/DEPTH RESTRICTION~~
70 METRES

NOTES

Azimuth: SSM27066 - SSM27065
'X' - 'Y'

Plans used in the course of this survey / compilation
C28491507
DP786439 and DP872230

Survey declared on this plan for corners
..... (A) to (K)

I, KYLE SCOTT
of Craven, Elliston, & Hayes (Lithgow) Pty. Limited,
a surveyor registered under the Surveyors Act, 1929,

hereby certify that the survey represented in this
plan is accurate and has been completed in accordance
with the Survey Practices Regulations, 1996 and the
Directions for the Guidance of Mining Surveyors
and was completed on 5/5/2008

Signature : Kyle Scott
Surveyor's Reference : 3/1414 (KS)

Survey Calcs : 30.9.08
Plan Investigated : 2/10/08
Plan Approved : Val Sobol 16.10.2008
Paper No : 06-138

M27091

1.3 Key Site Contacts

Contact details for key personnel at Wallerawang Quarry are provided in **Table 1** below:

Table 1 Contact Details for Key Personnel

Name	Role	Telephone	Email
Paul Hensley	Compliance Manager	0418 680 022	pfhensley@gmail.com
Ray Sharwood	Production Supervisor	0429 272 148	rays@walkerquarries.com.au

1.4 Audit Methodology

The IEA was undertaken on site by Tracey Ball (Lead Auditor) of SLR, with the site component completed on the 12 and 13 April 2018. SLR is independent of Wallerawang Quarry as defined under Section 3.3 of the NSW Government's (2015) *Independent Audit Guideline*. Chris Jones (SLR Auditor) also assisted with advice and quality assurance during the IEA.

Information was provided by Wallerawang Quarry prior to the audit, during the audit and following the audit. SLR also sourced a large amount of information from the Wallerawang Quarry website.

The methodology for the IEA consisted of the following key steps:

- Introductory and close out meetings;
- Reviewing key documents provided by Wallerawang Quarry prior to the audit;
- Consultation with relevant government agencies as per the audit requirements prior to the site component;
- Preparation of draft Audit Protocol's provided to Wallerawang Quarry prior to the site audit;
- Site component of the audit from 12 to 13 April 2018 – including inspections and discussions with key Wallerawang Quarry personnel;
- Review of additional relevant documentation obtained while on site during the inspection or provided by Wallerawang Quarry after the site inspection; and
- Client review and comment on the draft audit report.

Photographs taken during the site inspections are included in **Appendix A**. A large amount of evidence was viewed and collected as part of the audit, including monitoring records, reports, and correspondence. While this key evidence has been referenced in **Section 2**, it has not been attached to this audit report.

The audit has been completed as per the *Independent Environmental Audit Guidelines* (DPE, October 2015).

The audit team assessed the approvals and documentation outlined in **Section 4**.

1.4.1 Introductory and Close Out Meetings

Introductory and close out meetings were held for the audit. At the opening meeting introductions were made by each of the meeting attendees and SLR explained the audit process. During the close-out meeting a general discussion about compliance and areas for improvement was undertaken. **Table 2** lists those present at these meetings.

Table 2 Meeting Attendees

Name	Role	Comment
Paul Hensley	Compliance Manager	Present at both the opening and closing meeting.
Alex Irwin	Consultant RW Corkery & Co Pty Limited	Present at the opening meeting.
Tracey Ball	SLR Lead Auditor	Present at both meetings and all site inspections.

1.5 Consultation Requirements

Table 3 outlines the stakeholder consultation completed for Walker Quarries, undertaken in accordance with the Audit Guidelines.

Table 3 Stakeholder Consultation for the Audit

Regulatory Authority	Contact details (name, phone and email)	Consultation Details	Comment
DPE	Christopher Schultz Senior Compliance Officer (02) 4224 9478 Christopher.schultz@planning.nsw.gov.au	Email sent to contacts on 19 March 2018. In a return email on 19 March 2018 Christopher Schultz stated: <i>"I believe that the key area to focus on is implementation of management plans, in particular water management and erosion and sediment control. This is a key issue that we are focussing on with the site at the moment – hopefully by the time you undertake the site inspection they will be under control."</i>	The audit reviewed the implementation of environment management plans, as required under DA 344-11-2001 Mod 1. This included a review of the implementation of the Soil and Water Management Plan (SWMP). From the site inspection and a review of documentation provided during the audit, water management at the site appears to be effective. A dirty water and clean water system has been established. The site has the ability to pump between dams to reduce risk of discharge. Erosion and sediment controls have been installed around the site, including at the WSEA, where hay bales are present. Additional erosion and sediment controls in the form of rock lined drains are recommended for the WSEA area. Stabilising media in the form of hydromulch was applied to the slopes of the WSEA in March 2018. After a site inspection on 22/2/2018 DPE requested an update to the SWMP such that it accurately reflected the water management structures on site. The SWMP was updated and submitted to the DPE on 26/02/2018. Exceedances in water quality criteria (TSS and pH) occurred during discharge events from the site (on 20/6/2016 and 22/3/2017).
	Genevieve Seed Planning Officer Resource Assessments (02) 9274 6489 Genevieve.seed@planning.nsw.gov.au		

Regulatory Authority	Contact details (name, phone and email)	Consultation Details	Comment
		<p>In an email dated 19 March 2018 Christopher Schultz stated that the IEA will need to be against the MOD dated 25 August 2017.</p> <p>Please ensure that there is context provided in the audit report if there are any issues relating to compliance against the previous consent that is inconsistent with compliance against the MOD.</p>	<p>Walker quarry did not make all the results of monitoring publically available on the Walker Quarry Website.</p> <p>Noted – Audited against DA 344-11-2001 Mod 1.</p> <p>There were no issues relating to compliance against the previous consent that are inconsistent with compliance against Mod 1. Context is provided in the audit protocols for non-compliances that have occurred prior to the approval of Mod 1.</p>
Environment Protection Authority (EPA)	<p>Darryl Clift Head Regional operations Unit – Central West (02) 6332 7600 Darryl.clift@epa.nsw.gov.au</p>	<p>Email sent to contacts on 19 March 2018.</p> <p>Verbal correspondence was undertaken between the EPA and SLR in late March and was followed up via an email on 4 April 2018 where Allan Adams from the EPA stated:</p> <p><i>“The EPA recently varied the EPL for Wallerawang quarry to include ‘wet weather’ conditions. The new licence will require the licensee to manage run-off,</i></p>	<p>Refer to the assessment against the EPL conditions O4.1, O4.2 and O4.3. These conditions were found to be compliant except for O4.2 with exceedances</p>

Regulatory Authority	Contact details (name, phone and email)	Consultation Details	Comment
	<p>Allan Adams Compliance Officer (02) 6332 7605 Allan.adams@epa.nsw.gov.au</p>	<p><i>sediment control and water discharge in a structured way; compliance with this condition may be of interest for your audit.</i></p> <p><i>Wallerawang Quarry has been identified to be non-compliant in a number of areas, particularly the implementation of management plans (Warning Letter issued), the installation of sand processing equipment that was not approved (MOD submitted and approved) and the clearing of vegetation that was not within the approved area for clearing (Penalty Notice issued). An Official Caution was issued for failing to undertake the IEA last year as required. An audit was undertaken by the Department in December 2015."</i></p>	<p>in TSS and pH.</p> <p>Noted</p>
Division of Resources and Geosciences (DRG)	<p>Gary Kininmonth Principal Inspector Environment (southern) (02) 4222 8304 greg.kininmonth@industry.nsw.gov.au</p>	<p>Email sent to contact 19 March 2018.</p> <p>In a return Email on 22 March 2019 Gary Kininmonth states:</p> <p><i>"From an Environmental Sustainability Unit perspective, I would like to see the audit cover: Compliance with Rehabilitation requirements and commitments of the Development Consent.</i></p> <p><i>Compliance with the Mining Operations Plan, in terms of comparing actual locations of disturbance</i></p>	<p>Refer to DA 344-11-2001 Mod 1 Conditions 29, 30 and 31. All the conditions are compliant except for Condition 31 due to undocumented disturbance.</p> <p>The site inspection and aerial imagery verified that the actual locations of disturbance and</p>

Regulatory Authority	Contact details (name, phone and email)	Consultation Details	Comment
		<p><i>and rehabilitation compared to what is within the MOP.</i></p> <p><i>Consistency between the MOP and Development Consent with regard to rehabilitation progress."</i></p>	<p>rehabilitation are in line with the most recent version of the MOP.</p> <p>The quarry was fined in 2016 for "undocumented area of disturbance". The MOP was revised to take into consideration this disturbance.</p> <p>The Rehabilitation Management Plan (RMP) as required by the Development Consent and the Mine Operation Plan (MOP) are integrated into one document. The rehabilitation objectives and requirement of progressive rehabilitation, as outlined in the development consent, are reflected in the RMP/MOP document.</p>
Department of Industry – Lands and Water	<p>John Galea Water Regulation Officer (02) 4729 8122 John.galea@dpi.nsw.gov.au</p>	<p>Email sent to contact on 19 March 2018</p> <p>Return email from Irene Zinger received on 25 March 2018 with letter attached. The letter stated:</p>	<p>The project does not hold any Water Licences (WALs). Water for the site is supplied by Danny Cullen Water Cart Services and/or also the Council.</p> <p>N/A</p> <p>Water storages for the site include; storage dams SD1 and SD2, and sediment basins SB1 to SB6, and</p>
	<p>Ryan Shepherd Water Regulation Officer (02) 4904 2650 ryan.shepherd@dpi.nsw.gov.au</p>	<p><i>"DoI Water requests that the audit considers compliance with the relevant water licensing requirements for the mining operation, specifically:</i></p> <ul style="list-style-type: none"> <i>Assessment as to whether the project holds the required water entitlements and licences under the Water Management Act 2000 or Water Act 1912 (as applicable);</i> 	
	<p>Irene Zinger Manager Regulatory Operations - Metro Department of Industry – Water irene.zinger@dpi.nsw.gov.au</p>	<ul style="list-style-type: none"> <i>Compliance with the conditions of any water licences/approvals held;</i> <i>Identification of all water storages for the quarry and identification of their licensing</i> 	

Regulatory Authority	Contact details (name, phone and email)	Consultation Details	Comment
		<p><i>status being either exempt, subject to harvestable rights or regulated via a Water Access Licence.</i></p> <ul style="list-style-type: none"> <i>Quantification of both active and passive take by the project from each relevant water source and a comparison against previously modelled predictions."</i> <p><i>"The following additional requirements related to protection of water sources should also be considered in the audit:</i></p> <ul style="list-style-type: none"> <i>Compliance against performance measures within the consent related to water sources, including the Guidelines for Controlled Activities on Waterfront Land and design and installation of creek crossings, management of clean water diversions and sediment dams, stream diversion performance measures and aquatic and riparian ecosystem performance measures</i> <i>Compliance with the requirements of the Water Management Plan</i> 	<p>SB7a and SB7b. All water storages are exempt from licence requirements.</p> <p>According to the SWMP the annual water take would be:</p> <ul style="list-style-type: none"> Active take: Processing (make-up) 9.4ML (SD2). Passive take: Dust Suppression 16ML (SD1). Evaporation 13.1ML. <p>The EIS predicted that 50,000L/day would be required for dust suppression activities during average climatic conditions. The EIS did not predict how much water would be required for processing.</p> <p>Walker Quarries was non-compliant in terms of exceedances to water quality criteria; a form of performance measure. Exceedances in pH and TSS occurred on 20/6/2016 and 22/3/2017.</p> <p>Compliance with the requirements of the SWMP are assessed under DA 344-11-2001 Mod 1 Condition 18. The condition was found to compliant except for:</p> <ul style="list-style-type: none"> The SWMP omitted details about water

Regulatory Authority	Contact details (name, phone and email)	Consultation Details	Comment
		<ul style="list-style-type: none"> <i>Compliance with the requirements to provide compensatory water supplies to adversely affected landowners."</i> 	<p>security, as required by Condition 18; and</p> <ul style="list-style-type: none"> Non-compliances associated with the implementation of the SWMP . N/A – DA 344-11-2001 Mod 1 has no such requirement.
Lithgow City Council	<p>Lauren Stephens Development Assessment Planner (02) 6354 9999 lauren.stevens@lithgow.nsw.gov.au</p>	<p>Emails sent to contact on 19 and 29 March 2018.</p> <p>Topics discussed in letter via return email from Lithgow City Council include:</p> <ul style="list-style-type: none"> Site inspection undertaken by Council on 14 December 2017 which revealed 2 unauthorised demountable structures. Council Requested that a Development Application be submitted as per Condition 8 on DA No. 344-11-2001 Modification 1 Consent A Development Application (DA019/18) was subsequently submitted and approved by council on 28 February 2018. As such the conditions on the consent are to be complied with prior to the issue of the Occupation Certificate. The Council would like an update report in regards to Visual conditions (Conditions 32, 33 and 34) 	<p>Noted.</p> <p>Noted.</p> <p>Noted and audited against (refer to Appendix B).</p> <p>DA 344-11-2001 Mod 1 Conditions 32, 33 and 34 were all compliant.</p>

Regulatory Authority	Contact details (name, phone and email)	Consultation Details	Comment
CCC Chairperson	Sue Graves 0427101827 graves.sm37@gmail.com	<p>Email sent to contact 19 March 2019.</p> <p>Topics mentioned/of interest or concern in return email from Sue on 25 March 2019:</p> <ul style="list-style-type: none"> Aboriginal site exclusion/buffer area. Protected area for Purple Copperwing Butterfly habitat. Tree planting on very steep areas and heavy rain which followed. Run off into Coxs River. <p>No real issues following her recent site inspection. Commented that the whole site was clean and appeared to be very neat and tidy.</p>	<ul style="list-style-type: none"> Exclusion zone in place. Purple Copperwing Butterfly habitat in place and monitoring being actively undertaken. Tree planting adjacent to the highway and on the visual bund. Hydromulching of the Western Stockpile Extension Area (WSEA) has been undertaken. Some erosion on the WSEA. Recommend installation of additional sediment and erosion controls. Run off into Coxs River assessed under DA 344-11-2001 Mod 1 Condition 18. <p>Noted. Noted.</p>

2 Documents Reviewed and Referenced

As part of the IEA numerous documents were reviewed. This included:

- Annual Environmental Management Report (AEMR)/Annual Reviews (2015/2016 and 2016/2017 documents);
- Annual Returns (2016 & 2017);
- Development Consent DA 344-11-2001 Mod 1;
- Environment Protection Licence (EPL 13172);
- Mining Lease ML1633;
- DA019/18;
- Approval Letters and correspondence from government departments;
- Community Consultative Committee (CCC) meeting minutes;
- Site records such as inspections, maintenance and raw monitoring results;
- Previous IEA – SLR (March 2016);
- Complaints Register;
- Environmental monitoring reports and data – air, noise, blasting and water;
- Management Plans:
 - Environmental Management Strategy (2018);
 - RMP / MOP;
 - Noise Management Plan (NMP) (2017);
 - Air Quality Management Plan (AQMP) (2017);
 - Blast Management Plan (BMP) (2017);
 - Bushfire Management Plan (2017);
 - Environmental Monitoring Program (EMP) (2016);
 - Flora and Fauna Management Plan (2016);
 - Soil and Water Management Plan (2018); and
 - Pollution Incident Response Management Plan (PIRMP) (2017).

3 Assessment of Compliance

The terms used in the audit to describe the level of compliance of the site with the relevant approval documentation are outlined in **Table 4** and **Table 5**. These are requirements of the DPE *Independent Environmental Audit Guidelines* (October 2015).

Table 4 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 5 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).

4 Approvals and Documentation Assessed

4.1 Previous Audit Recommendations

The previous audit was completed by SLR, with the audit dated March 2016.

<http://walkerquarries.com.au/wp-content/uploads/2017/12/16-03-18-Wallerawang-Quarry-Independent-Environmental-Audit-SLR1.pdf>

The audit covered the period of 7 December 2009 to 29 October 2015. Actions were reviewed as part of this audit and appear to have been completed. The IEA Action Plan for this audit was signed off as complete by DPE in October 2016.

Recommendations covered some of the following aspects:

- Document review, update and approval;
- Noise, dust and ecological monitoring;
- Weather station;
- Management plans;
- Rehabilitation;
- Weed management;
- Content of future AEMRs;
- Audits;
- Exploration/mining lease reporting; and
- Regulator consultation.

An update on the status of audit actions has been provided in the 2015/2016 and 2016/2017 AEMR/Annual Review documents.

4.2 Project Approval

Appendix B lists the conditions imposed by the Development Consent (DC) and the Development Approval (DA) and indicates the compliance status of each condition, along with recommended actions in response to non-compliances.

Wallerawang operates under one Development Consent and one DA:

- DA 344-11-2001 dated 2004 covering ML1633 and the quarry and associated infrastructure; and
- DA019/18 dated 28 February 2018 issued by Council, covering the construction of demountable office buildings at the site.

DA 344-11-2001 has been modified 1 time (DA Modification 1 dated 25 August 2017), covering additional areas of clearing and changes in processing arrangements. The conditions added to Mod 1 are not reflective of the entire audit period, rather from 25 August 2017.

4.3 Environmental Assessment

Appendix B lists the requirements in the executive summary of the Wallerawang Quarry EIS and Mod 1 Environmental Assessment and indicates the compliance status of each requirement, along with recommended actions in response to non-compliances.

Key aspects of the Executive Summaries of the EIS and Environmental Assessment include:

- Final Landform;
- Planning and Services;
- Economic Outputs;
- Biodiversity;
- Disturbance;
- Processing;
- Visual Amenity;
- Traffic;
- Blasting and Vibration;
- Noise;
- Aboriginal Heritage;
- Air Quality;
- Surface water;
- Groundwater; and
- Cumulative impacts.

4.4 Management Plans and Programs

The following Management Plans (**Table 6**) were assessed as part of the IEA. All the management plans reviewed are required according to DC conditions, except for the Pollution Incident Response Plan (PIRMP) which is required under the *Protection of Environment Operations Act* (POEO Act), the POEO (General) Regulation 2009 and the *Protection of the Environment Legislation Amendment Act 2011* (POELA Act). This particular management plan was reviewed for context however compliance was not assessed during the audit.

Table 6 Management Plans

Management Plan	Development Consent (Mod 1) Condition	Comment
Noise Management Plan (NMP) (November 2017)	Schedule 3 Condition 5	The most recent approved NMP is dated November 2017. It is noted that the NMP has been prepared in accordance with the specific NMP requirements (Condition 5, Schedule 3) of the DA 344-11-2001 Mod 1. There was evidence of implementation of mitigation measures during the site inspection. However, noise monitoring has not been undertaken in accordance with the NMP. Further details regarding this non-compliance are provided in Section 5 .
Soil and Water Management Plan (SWMP) (January 2018)	Schedule 3 Condition 18	The most recent approved SWMP is dated January 2018. There was evidence of monitoring and mitigation measures implemented at the site from a review of Annual Reviews/AEMRs, monitoring data from the site's website and the field inspection. A number of administrative non-compliances relating to missing detail in the SWMP were identified, with these outlined within Section 5 . Section 5 also details non-compliances relating to exceedances in water quality criteria and missing monitoring data from the site's website.
Air Quality Management Plan (AQMP) (November 2017)	Schedule 3 Condition 14	The most recent AQMP is dated November 2017. The management plan has been prepared in accordance with the specific AQMP requirement of DA 344-11-2001 Mod 1 (Condition 14, Schedule 3). There was evidence of monitoring and mitigation measures from a review of Annual Reviews/AEMRs, monitoring data and the field inspection. There was non-compliances related to the implementation of the AQMP, in regards to an exceedance in the Rolling 12 monthly average for depositional dust (most likely due to a contaminated sample) and an exceedance in respirable quartz occupational exposure limit recommendations, as outlined in Section 5 .
Blast Management Plan (BMP) (November 2017)	Schedule 3 Condition 10	The most recently approved version of the BMP is dated November 2017. It is noted that the BMP has been prepared in accordance with the specific BMP requirements (Condition 10, Schedule 3) of the DA 344-11-2001 Mod 1. There was evidence of monitoring and implementation of mitigation measures from a review of Annual Reviews/AEMRs, Complaints Register, monitoring data and the site inspection.

Management Plan	Development Consent (Mod 1) Condition	Comment
Rehabilitation Management Plan (RMP) (dated March 2018)	Schedule 3 Condition 31	<p>The most up-to-date version of the RMP/MOP was reviewed.</p> <p>The RMP has been prepared in accordance with the specific RMP requirement of DA 344-11-2001 Mod 1 (Condition 31, Schedule 3).</p> <p>The implementation of the RMP received a medium risk non-compliance due to “undocumented disturbance” that occurred during the audit period. Further details of this non-compliance are provided Section 5.</p>
Biodiversity Management Plan	Schedule 3 Condition 26	<p>A Biodiversity Management Plan hasn't been prepared for the site as DPE has granted an extension for this document. DPE has agreed that once the Biodiversity Offset Strategy (BOS) is prepared then a Biodiversity Management Plan would be prepared.</p>
Flora and Fauna Management Plan (dated September 2016)	Original Development Consent Condition 3.4	<p>DA 344-11-2001 Mod 1 does not require a Flora and Fauna Management Plan; instead this is a requirement of the original consent (Condition 2.38).</p> <p>The Flora and Fauna management Plan was prepared in accordance with the requirements of the original consent and is implemented at the site.</p>
Environmental Monitoring Program (EMP) (September 2016)	Original Development Consent Condition 3.4	<p>The most recent EMP is dated September 2016.</p> <p>DA 344-11-2001 Mod 1 does not require an EMP, instead this is a requirement of the original consent (Conditions 3.4, 3.5 and 3.6). The EMP was prepared generally in accordance with these Conditions.</p>
Environmental Management Strategy (EMS) (January 2018)	Schedule 5 Condition 1	<p>The most recent EMS is dated January 2018.</p> <p>The EMS has been prepared in accordance with the specific EMS requirement of DA 344-11-2001 Mod 1 (Condition 1, Schedule 5).</p> <p>There was evidence of implementation of the EMS from a review of Annual Reviews/AEMRs, management plans, the Complaints Register, monitoring data and the field inspection.</p>

4.5 Environment Protection Licence

Appendix B lists the conditions imposed by EPL and indicates the compliance status of each condition, along with recommended actions in response to non-compliances. Non-compliances relating to the EPL are outlined in **Section 5**. The EPL includes specific reference to each of the following aspects:

- Administrative Conditions;
- Discharges to Air and Water and Applications to Land;
- Limit Conditions;

- Operating Conditions;
- Monitoring and Recording Conditions;
- Reporting Conditions; and
- General Conditions.

An updated EPL was issued on 23 January 2018, with added conditions (L2.5 and L2.6) for rainfall versus non-compliances.

4.6 Mining Leases

There is one Mining Lease (ML) relating to Wallerawang Quarry; ML 1633.

Appendix B lists the conditions imposed by the ML and indicates the compliance status of each condition, along with recommended actions in response to non-compliances. The ML includes specific reference to each of the following aspects:

- Notice to Landholders;
- Environmental Harm;
- Mining Operations Plan;
- Environment Management Reporting;
- Rehabilitation;
- Working Requirement;
- Control of Operations;
- Reports;
- Licence to Use Reports;
- Confidentiality;
- Terms of the non-exclusive licence;
- Blasting;
- Safety;
- Exploratory Drilling;
- Prevention of Soil Erosion and Pollution;
- Transmission lines, Communication lines and Pipelines;
- Fences, Gates;
- Roads and Tracks;
- Trees and Timber;
- Resource Recovery;
- Indemnity; and

- Security.

4.7 Water Licences

Wallerawang Quarry does not hold any Water Access Licences (WALs).

4.8 Complaints

Complaints are outlined within the Annual Reviews/AEMRs. During the audit period one complaint was recorded and reported. This complaint was regarding a loaded truck leaving the site in adverse (foggy) weather conditions.

4.9 Incident/Non-Compliance Management

Non-compliances were outlined in the Annual Reviews/AEMRs and Annual Return documents. Non-compliances are related to water quality, weather monitoring and clearing of vegetation. No incidents were reported.

5 Audit Findings – Summary of Non Compliances

Table 7 outlines the summary of non - compliances relating to the statutory conditions for Wallerawang Quarry.

Table 7 Summary of Non-Compliance

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
Development Consent – DA 344-11-2001 Mod 1				
Schedule 2, Condition 1	In addition to meeting the specific performance measures and criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the development.	Non-Compliant (Medium Risk)	<ul style="list-style-type: none"> During the audit period exceedances in surface water and dust criteria occurred (refer to Condition 12, Schedule 3 and Condition 17, Schedule 3). During the audit period unauthorised clearing (a new, undocumented area of disturbance) was undertaken (refer to Condition 13(e), Schedule 3). 	<p>REC 1:</p> <ul style="list-style-type: none"> Ensure harm to the environment (that may result from the construction, operation or rehabilitation of the development) is minimised as far as possible.
Schedule 2, Condition 8	<p>The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.</p> <p>Notes:</p> <ul style="list-style-type: none"> <i>Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works; and</i> <i>Part 8 of the EP&A Regulation sets out the requirements for the certification of the development or project.</i> 	Non-Compliant (Low Risk)	<ul style="list-style-type: none"> <u>Non-compliant:</u> Letter from Lithgow City Council noted that during an inspection on the 14/12/2017 the Council identified two transportable structures had been erected on the property without Council approval. According to site comms Walker Quarries was of the understanding that an existing Development Approval already existed for the structures. A Council approval was acquired for the erection of the buildings (DA019_18). Demountable buildings remain on-site (refer to Photo 1). 	<p>REC 2:</p> <ul style="list-style-type: none"> Ensure that all structures are constructed in accordance with the relevant requirements of the BCA. Ensure occupation certificates are acquired for the building works. Ensure the building works comply with

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
				Council Consent (DA019_18).
Schedule 3, Condition 4	<p>The Applicant must:</p> <p>(a) implement best practice management to minimise the construction, operational and road transportation noise of the development;</p> <p>(b) minimise the noise impacts of the development during meteorological conditions when the noise criteria in this consent do not apply (see Appendix 3);</p> <p>(c) carry out noise monitoring (at least every 3 months or as otherwise agreed with the Secretary) to determine whether the development is complying with the relevant conditions of this consent; and</p> <p>(d) regularly assess noise monitoring data and modify and/or stop operations on site to ensure compliance with the relevant conditions of this consent, to the satisfaction of the Secretary.</p> <p>Note: Required frequency of noise monitoring may be reduced if approved by the Secretary.</p>	Non-Compliant (Low Risk)	<p>a) & b) Noise Management Plan prepared & approved by DPE on 21/12/2017 via letter.</p> <ul style="list-style-type: none"> According to site comms relatively new plant and equipment at site installed with noise suppressing devices. During site inspection noted some processing equipment is positioned in the main quarry so that the high wall acts as a natural noise barrier. According to the 2015/2016 & 2016/2017 AEMR/Annual Reviews, and a review of the monitoring data there was no exceedances with noise criteria during the audit period. No complaints regarding noise. <p>(c) Noise Audit undertaken 4 July 2016, and Noise Monitoring Assessments undertaken 12 January 2017, 19 & 20 September 2017 and 4/4/2018. The delay between the January 2017 and September 2017 monitoring was due to the quarry being on care and maintenance. DPE approved the delayed monitoring in an email from C. Schultz, dated 1 August 2017.</p> <ul style="list-style-type: none"> <u>Admin Non-compliant:</u> Monitoring was undertaken on the 19/9/2017 & 20/9/2017, and 4/4/2018, therefore the requirements of monitoring every 6 months was not met, as monitoring was undertaken late. Site noted that monitoring was delayed to capture all site based noise and due to weather conditions. As the non-compliance doesn't result in any risk of environmental harm the non-compliance is classified as administrative. <u>Non-compliant:</u> Warning letter from DPE dated 18/4/2016 indicated that attended monitoring was not undertaken each month in accordance with the NMP and the original development consent condition 2.5. <p>(d) Noise monitoring data assessed in noise audit and assessment reports. Modification and/or cessation of operations on site not required to ensure compliance with the relevant conditions.</p>	<p>REC 3:</p> <ul style="list-style-type: none"> Ensure noise monitoring is undertaken in accordance with the development consent and NMP.
Schedule 3,	The Applicant must implement the Noise Management Plan as approved from time to	Non-Compliant (Low Risk)	<p><u>Implementation:</u></p> <ul style="list-style-type: none"> Noise monitoring undertaken. 	As per REC 3

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation																		
Condition 5	time by the Secretary.		<ul style="list-style-type: none">Noise monitoring results indicate that noise levels are within the required range (do not exceed the criteria).<u>Admin Non-compliant:</u> According to the Section 6.3.5 of the revised & approved NMP (dated 21/12/217) and DA 344_11_2001 Condition 4 above, noise monitoring is to be undertaken "at least every 6 months (September and March)". Monitoring was undertaken on the 19/9/2017 & 20/9/2017, and 4/4/2018, therefore the requirement of monitoring every 6 months was not met. Site noted that monitoring was delayed to capture all site based noise and due to weather conditions. As the non-compliance doesn't result in any risk of environmental harm the non-compliance is an administrative non-compliance.Noise mitigation measures implemented at the site include operating within approved operating hours, and installation of highwall.<u>Non-compliant:</u> Warning letter from DPE dated 18/4/2016 indicated that attended monitoring was not undertaken each month in accordance with the NMP and the original development consent condition 2.5.																			
Schedule 3, Condition 12	<div>Table 4: Air quality criteria</div> <table><tr><th>Pollutant</th><th>Averaging Period</th><th>Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td>a,d 25 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>24 hour</td><td>b 50 µg/m³</td></tr><tr><td>Particulate matter < 2.5 µm (PM_{2.5})</td><td>Annual</td><td>a,d 8 µg/m³</td></tr><tr><td>Total suspended particulates (TSP)</td><td>Annual</td><td>a,d 90 µg/m³</td></tr><tr><td>^c Deposited dust</td><td>Annual</td><td>b 2 g/m²/month a,d 4 g/m²/month</td></tr></table> <div>Notes to Table 4: a Cumulative impact (ie increase in concentrations due to the development plus background concentrations due to all other sources). b Incremental impact (ie increase in concentrations due to the development alone, with zero allowable exceedances of the criteria)</div>	Pollutant	Averaging Period	Criterion	Particulate matter < 10 µm (PM ₁₀)	Annual	a,d 25 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	24 hour	b 50 µg/m ³	Particulate matter < 2.5 µm (PM _{2.5})	Annual	a,d 8 µg/m ³	Total suspended particulates (TSP)	Annual	a,d 90 µg/m ³	^c Deposited dust	Annual	b 2 g/m ² /month a,d 4 g/m ² /month	Non-Compliant (Low Risk)	<p>Evaluation of depositional dust results indicates:</p> <ul style="list-style-type: none">Most dust depositional results within criteria.However rolling 12 monthly averages indicate that all the monitoring sites are within the criteria except for DG4.<u>Non-compliant:</u> Rolling 12 monthly average for depositional dust (4.58) for DG4 on July 2016 exceeded the set criteria, as reported in the 2016/2017 Annual Review/AEMR. This was due to a potentially contaminated sample from July 2016, with a depositional dust reading of 19.5 g/m2/month.<u>Non-compliant:</u> Total Suspended Particulates (TSP) and particulate matter was not measured at the site. The AQMP (dated November 2017, and prior versions) states that "should the rolling average of monthly deposited dust monitoring results reach a trigger level of 3.5g/m2/month the Company would implement a program of particulate matter monitoring to ensure that particulate matter levels (i.e. TSP and PM10) remain within the levels approved in DA 344-11-2001". This monitoring	<p>REC 4:</p> <ul style="list-style-type: none">Ensure all possible measures are undertaken to keep levels of dust at the site down. <p>REC 5:</p> <ul style="list-style-type: none">Ensure dust monitoring is undertaken correctly, including ensuring that dust monitoring bottles are not mixed up.
Pollutant	Averaging Period	Criterion																				
Particulate matter < 10 µm (PM ₁₀)	Annual	a,d 25 µg/m ³																				
Particulate matter < 10 µm (PM ₁₀)	24 hour	b 50 µg/m ³																				
Particulate matter < 2.5 µm (PM _{2.5})	Annual	a,d 8 µg/m ³																				
Total suspended particulates (TSP)	Annual	a,d 90 µg/m ³																				
^c Deposited dust	Annual	b 2 g/m ² /month a,d 4 g/m ² /month																				

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>over the life of the development.</p> <p>c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.</p> <p>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.</p> <p>e "Reasonable and feasible avoidance measures" includes, but is not limited to, the operational requirements in conditions 11, 12 and 13 to develop and implement an air quality management system that ensures operational responses to the risks of exceedance of the criteria.</p>		<p>was not undertaken when the trigger level was exceeded, as described above.</p> <p><u>Observation:</u> DG4 bottle was mixed up with the DG1 bottle. This mistake was discovered on 19/10/2017.</p>	
Schedule 3, Condition 13	<p>The Applicant must:</p> <p>(a) implement best practice management to minimise the dust emissions of the development;</p> <p>(b) regularly assess meteorological and air quality monitoring data and relocate, modify and/or stop operations on site to ensure compliance with the air quality criteria in this consent;</p> <p>(c) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note d under Table 4);</p> <p>(d) monitor and report on compliance with the relevant air quality conditions in this consent;</p>	Non-Compliant (Medium Risk)	<p>(a) The Air Quality Management Plan (AQMP) includes best practice management and mitigation measures for the site to ensure dust emissions are minimised (Section 5.1.2).</p> <p>From the site inspection:</p> <ul style="list-style-type: none"> Minimal dust seen at the site; Unsealed roads and working areas watered down by water truck; Water tank with hose set-up next to processing area, ready to water down material being processed; Rehabilitation being undertaken at cleared and exposed areas. <p>(b) Regularly assess meteorological and air quality monitoring data and relocate, modify and/or stop operations on site to ensure compliance with the air quality criteria in this consent (Table 7 and Section 5.2.2.3 of the AQMP [dated November 2017]).</p> <ul style="list-style-type: none"> According to site comms ALS mixed up sample bottles at 2 of the dust 	<p>REC 6:</p> <ul style="list-style-type: none"> Ensure dust monitoring is undertaken in accordance with the AQMP (dated November 2017). <p>REC 7:</p> <ul style="list-style-type: none"> Ensure future disturbance at site is in accordance with the site's RMP/MOP, including the Vegetation Clearing

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	and (e) minimise the area of surface disturbance and undertake progressive rehabilitation of the site, to the satisfaction of the Secretary.		<p>sampling sites (DGS1 and DGS4) on 19/10/2018. Now site is setting up the sample bottles at site and Envirolab is undertaking the analysis.</p> <ul style="list-style-type: none"> From the site inspection processing is now undertaken in the pit, in an area that is not as exposed. This also reduces the amount of truck traffic and potential dust that would be generated by this traffic. <p>(c) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (Section 5.2 of the AQMP).</p> <ul style="list-style-type: none"> According to site comms during windy conditions quarried material that is being processed is watered down. <p>(d) Monitor and report on compliance with the relevant air quality conditions in this consent:</p> <ul style="list-style-type: none"> <u>Non-compliant</u>: Dust monitoring not undertaken in accordance with the AQMP (dated November 2017, and prior versions). Total Suspended Particulates (TSP) and particulate matter not measured at the site. The AQMP (dated November 2017) states that "should the rolling average of monthly deposited dust monitoring results reach a trigger level of 3.5g/m2/month the Company would implement a program of particulate matter monitoring to ensure that particulate matter levels (i.e. TSP and PM10) remain within the levels approved in DA 344-11-2001" This monitoring was not undertaken when the trigger level was exceeded, as described above. Compliance with relevant air quality conditions in this consent are included in the 2015-2016 and 2016-2017 AEMR/Annual Reviews. <p>(e) From the site inspection progressive rehabilitation being undertaken at the site.</p> <ul style="list-style-type: none"> <u>Non-compliant</u>: Letter from DRG dated 4 October 2016 noted that during the 16 August 2016 inspection DRG noticed there was "a new, undocumented area of disturbance" and requested that additional details were provided of this area. R.W. Corkery & Co. (Corkery) provided a response letter (dated 18 October 2016) on the behalf of Walker Quarries, providing details of the disturbance. DPE issued a letter (dated 	Protocol.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			19/10/2016) of impending enforcement action and opportunity to "show cause". On the behalf of Walker Quarries Corkery issued a letter to "show cause" for vegetation clearing. DPE issued a penalty notice of \$15,000 issued on 21/12/2016. Receipt indicates payment of General Penalty Notice on 22/12/2016. Final Order issued by DPE re: unauthorised clearing PIN, dated 31/1/2017. Approval of extension to resolve non-compliance (through modification to DA) (8/3/2017). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017). The disturbance was prior to the approval of Mod 1 but applicable to DA 344-11-2001 Schedule 2, Condition 1.1.	
Schedule 3, Condition 14	<p>The Applicant must prepare an Air Quality Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be submitted to the Secretary for approval within three months of the determination of Modification 1, unless otherwise agree by the Secretary;</p> <p>(b) describe the measures to be implemented to ensure:</p> <ul style="list-style-type: none"> • compliance with the air quality criteria and operating conditions of this consent; • best practice management is being employed; and • the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events; <p>(c) describe the proposed air quality management system;</p> <p>(d) include an air quality monitoring program that:</p> <ul style="list-style-type: none"> • is capable of evaluating the performance of the development; 	Non-Compliant (Low Risk)	<p><u>Preparation:</u></p> <p>a) Email from RW Corkery (on the behalf of Walker Quarries), dated 24/11/2017, submitted revised AQMP to DPE. DPE approved AQMP via letter dated 21/12/2017.</p> <p>b) Describes the measures to be implemented to ensure:</p> <ul style="list-style-type: none"> • Compliance with the air quality criteria and operating conditions of this consent (Section 5); • Best practice management is being employed (Section 5.1); and • That air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events (Section 5.1). <p>(c) Describes the proposed air quality management system (Section 5) (refer to photo 5);</p> <p>(d) includes an air quality monitoring program that:</p> <ul style="list-style-type: none"> • Is capable of evaluating the performance of the development (Section 6); • The protocol for determining exceedances to relevant conditions of the consent is included in Section 6.3.5 of the AQMP. It states: "A copy of monthly dust monitoring results will be reviewed internally, and periodically by an external environmental consultant, and a rolling 12-month average compared against dust deposition criteria. A 12-monthly (rolling) average exceeding 3.5g/m2/month will trigger then 	Refer to REC 4

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<ul style="list-style-type: none"> includes a protocol for determining any exceedances of the relevant conditions of consent; effectively supports the air quality management system; and evaluates and reports on the adequacy of the air quality management system. <p>The Applicant must implement the approved Air Quality Management Plan as approved from time to time by the Secretary.</p>		<p>consideration of the reactive management measures of Section 5.2."</p> <ul style="list-style-type: none"> Effectively supports the air quality management system (Section 6). Evaluates and reports on the adequacy of the air quality management system (Sections 6.3.5 and 8). <p><u>Implementation:</u></p> <ul style="list-style-type: none"> No complaints received in regards to dust. <u>Non-compliant:</u> Rolling 12 monthly average for depositional dust (4.58) for DG4 on July 2016 exceeded the set criteria, as reported in the 2016/2017 Annual Review/AEMR. This was due to a potentially contaminated sample from July 2016, with a depositional dust reading of 19.5 g/m2/month. <u>Non-compliant:</u> Quartzite dust monitoring was undertaken at site on 11/4/2018, with one exceedance in regards to respirable quartz occupational exposure limit recommendations (Crystalline silica dust). This result is a second tier "Notifiable Incident" under the WHS Mining Regulations. This incident was reported to the DPE Resources Regulator on 27/4/2018. The November 2014 version of the AQMP includes depositional dust sites D1, D2, D3 and D4 (in the next) and sites D64, D62, D61 and D63 on the plan in the AQMP. The September 2016 and November 2017 version of the AQMP includes depositional dust sites D1, D2, D3 and D4. Depositional dust results for sites 62 & 64 available from October 2015 to February 2016. No other dust results available for this time. Depositional dust results for sites DG2 and DG4 available for March and April 2016. No other dust results available for this time. Depositional dust results for sites DG1, DG2, DG3 and DG4 available from May 2016 to April 2018. 	
Schedule 3,	For the life of the development, the Applicant must ensure that there is a suitable	Non-Compliant (Low Risk)	<ul style="list-style-type: none"> During site inspection viewed met. station set-up on the western boundary of the site, near to the adjacent highway. This was the same 	<p>REC 8:</p> <ul style="list-style-type: none"> Ensure the existing

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
Condition 15	meteorological station operating in the vicinity of the site that complies with the requirements in the <i>Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales</i> guideline.		<p>location as designated in the AQMP (November 2017).</p> <ul style="list-style-type: none"> According to the AQMP (November 2017) the met. station is set-up in accordance with the <i>Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales</i> guideline. <u>Non-compliant</u>: According to the Compliance Statement in the 2015/2016 AEMR/Annual Review "Monitoring not done due to breakdown of monitor. A more suitable weather monitoring station has been installed". The non-compliance was prior to the approval of Mod 1 but applicable to DA 344-11-2001 Schedule 2, Condition 2.43. According to the 2016/2017 AEMR/Annual Review Section 6.20 "Meteorological monitoring was done during the reporting period from a weather station" <u>Non-compliant</u>: according to Warning Letter from DPE dated 18/4/2016, a meteorological station was installed but was not downloaded on an ongoing basis nor maintained. 	meteorological station at the site is operated and maintained at the site at all times.
Schedule 3, Condition 17	The Applicant must comply with the discharge limits in any EPL, or with section 120 of the POEO Act.	Non-Compliant (Low Risk)	<ul style="list-style-type: none"> <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L) and 22/3/2017 (120 mg/L). Exceedances prior to Mod 1 Approval, but exceedances still occurred against the original consent criteria (Schedule 2, Condition 2.23) <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) on 22/3/2017 (58 mg/L). Exceedances prior to Mod 1 Approval, but exceedances still occurred against the original consent criteria (Schedule 2, Condition 2.23). <u>Non-compliant</u>: Exceedance in the range of pH (6.5 - 8.5), with a reading of 8.53, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 22/3/2017. Exceedance prior to Mod 1 Approval, but exceedance still occurred against the original consent criteria (Schedule 2, Condition 2.23). 	<p>REC 9:</p> <ul style="list-style-type: none"> Implement a more effective Flocculant system at the main storage dam to keep TSS levels down. <p>REC 10:</p> <ul style="list-style-type: none"> Ensure all Annual Returns are correctly completed.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			<ul style="list-style-type: none"> <u>Non-compliant</u>: pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016. Exceedance prior to Mod 1 Approval, but exceedance still occurred against the original consent criteria (Schedule 2, Condition 2.23). <u>Observation</u>: The water quality monitoring data for the Annual Return reporting period did not provide data that showed the 20/6/2018 exceedance. This exceedance was included in the data provided in Section B2 of the Annual Return but was not included in Section C1. 	
Schedule 3, Condition 18	<p>The Applicant must prepare a Soil and Water Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared by suitably qualified and experienced person/s approved by the Secretary;</p> <p>(b) be prepared in consultation with the EPA, DPI Water and WaterNSW;</p> <p>(c) be submitted to the Secretary for approval within three months of the determination of Modification 1, unless otherwise agreed by the Secretary; and</p> <p>(d) include a:</p> <ul style="list-style-type: none"> • Site Water Balance that includes: • details of: <ul style="list-style-type: none"> o sources and security of water supply; o water use and management on site; o any off-site water transfers; and • measures to be implemented to minimise clean water use on site; • Surface Water Management Plan, that includes: 	Non-Compliant (Low Risk)	<ul style="list-style-type: none"> <u>Preparation</u>: (a) SWMP was prepared by RW Corkery (consultant) on the behalf of Walker Quarries. Alex Irwin from RW Corkery was approved to prepare the SWMP by the Secretary in a letter from DPE dated 21/12/2017, included in Appendix 1 of the SWMP. (b) The SWMP was prepared in consultation with the EPA, DPI Water and WaterNSW. Relevant details of consultation are included in Appendix 2 of the SWMP. (c) The Management Plan was submitted to the Secretary for approval within three months of the determination of Modification 1. Email from RW Corkery (on the behalf of Walker Quarries), dated 24/11/2017, submitted revised Soil and Water Management Plan (SWMP) to DPE. Submission was within the required period. In letter from DPE to Walker Quarries, dated 26/02/2018, an amended SWMP was requested which reflected the works undertaken on site (the construction of the WSEA). The SWMP was revised to reflect the construction of the WSEA and re-submitted to DPE on 10/04/2018. (d) the SWMP includes a: <ul style="list-style-type: none"> • Site Water Balance in Section 7. that includes: 	<p>REC 11:</p> <ul style="list-style-type: none"> • Include security of water supply in the SWMP. • Ensure all references included in Table 3.1. of the SWMP are correct. • Include a program for obtaining detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development (i.e. Cox's river) in the SWMP.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<ul style="list-style-type: none"> • a program for obtaining detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development; • a detailed description of the surface water management system on site including the: <ul style="list-style-type: none"> o clean water diversion system; o erosion and sediment controls; o dirty water management system; and o water storages; and • a program to monitor and report on: <ul style="list-style-type: none"> o any surface water discharges; o the effectiveness of the water management system, o the quality of water discharged from the site to the environment; o surface water flows and quality in local watercourses; 		<ul style="list-style-type: none"> • details of: <ul style="list-style-type: none"> o sources of water supply; • <u>Admin Non-compliant</u>: Security of water supply is not discussed. <ul style="list-style-type: none"> o water use (Section 7.2) and management on site (Section 6.); • The water management section is incorrectly referenced in the SWMP; <ul style="list-style-type: none"> o The SWMP does not include off-site water transfers, however transfers are not applicable to this site as confirmed by the site inspection and review of the 2015/2016 and 2016/2017 Annual Reviews; and o Section 12.2 includes reporting procedures; and • measures to be implemented to minimise clean water use on site (Section 6 and 7.2); • Surface Water Management Plan, that includes: • Section 10.2.1 mentions sampling of Cox's River upstream and downstream "Monitoring is undertaken to assess the quality of water discharged from the Quarry. and the receiving system (Coxs River) both upstream and downstream of the Quarry". Further details are required about the program for obtaining detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development i.e. sampling locations and how often sampling will be undertaken; • a detailed description of the surface water management system (Section 6) on site including the: <ul style="list-style-type: none"> o clean water diversion system (Section 9.2); o erosion and sediment controls (Section 9.3 & Section 9.4); o dirty water management system (Section 8 & Section 5.10; and o water storages (Section 5.2); and • a program to monitor and report on: <ul style="list-style-type: none"> o surface water discharges (Monitor: Section 10.2.1 & Report: Section 10.7); o <u>Admin Non-compliant</u>: The SWMP does not include a specific program to monitor and report on the effectiveness of the water management system. 	<ul style="list-style-type: none"> • Include in the SWMP a specific program to monitor and report on the effectiveness of the water management system. • Include in the SWMP a specific program to monitor and report on surface water flows and quality in local watercourses. • Further details are required about the program for obtaining detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development i.e. sampling locations and how often sampling will be undertaken. • Include Plans in the SWMP that reflect that the crushing plant is located in the

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			<ul style="list-style-type: none"> o the quality of water discharged from the site to the environment (Monitor: Section 10.2.1, Section 10.1.3 & Report: Section 10.7); o <u>Admin Non-compliant</u>: The SWMP does not include a specific program to monitor and report on surface water flows and quality in local watercourses; • <u>Observation</u>: As outlined in DPE's letter dated 30/1/2018 the Plans in the SWMP do not reflect that the crushing plant is located in the pit. 	pit.
Schedule 3, Condition 18 (Cont)	<p>Groundwater Management Plan includes:</p> <ul style="list-style-type: none"> • Provision that requires the Applicant to obtain appropriate water licence(s) to cover the volume of any unforeseen groundwater inflows into the quarry from the quarry face or floor (Section 3.3); and • A monitoring program to manage potential impacts, if any, on any alluvium and associated surface water source near the proposed extraction area that includes: <ul style="list-style-type: none"> o methodology for determining threshold water level criteria (Section 10.4.2); o contingency measures in the event of a breach of thresholds (Section 11.2.4); o a program to regularly report on monitoring (Section 12.2). <p>The Applicant must implement the approved Soil and Water Management Plan as approved from time to time by the Secretary.</p>	Non-Compliant (Low Risk)	<p>Groundwater Management Plan includes:</p> <ul style="list-style-type: none"> • a provision that requires the Applicant to obtain appropriate water licence(s) to cover the volume of any unforeseen groundwater inflows into the quarry from the quarry face or floor; and (Section 3.3). • a monitoring program to manage potential impacts, if any, on any alluvium and associated surface water source near the proposed extraction area that includes: <ul style="list-style-type: none"> o identification of a methodology for determining threshold water level criteria (Section 10.4.2); o contingency measures in the event of a breach of thresholds (Section 11.2.4); o a program to regularly report on monitoring (Section 12.2). <p><u>Implementation:</u></p> <ul style="list-style-type: none"> • <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L) and 22/3/2017 (120 mg/L). • <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) 22/3/2017 (58 mg/L). • <u>Non-compliant</u>: Exceedance in the range of pH (6.5 - 8.5), with a reading of 8.53, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 22/3/2017. 	<ul style="list-style-type: none"> • As per REC 9. • As per REC 10. <p>REC 12:</p> <ul style="list-style-type: none"> • Ensure all surface water monitoring data is included on the Walker Quarry website. • Repair sediment control basin with the small blowout. • Install additional sediment and erosion controls (i.e. rock lined drains) in place at the WSEA to control erosion & sedimentation, particularly where the access road and the bund meet. • Ensure that a pipe be installed at the WSEA

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			<ul style="list-style-type: none"> • <u>Non-compliant</u>: pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016. • The water quality monitoring data for the Annual Return reporting period did not provide data that showed the 20/6/2016 exceedance. This exceedance was included in the data provided in Section B2 of the Annual Return but was not included in Section C1. • <u>Non-compliant</u>: Monitoring of Cox's River upstream (SD3) and downstream (SD4) of the development was undertaken on 13/4/2016, 11/5/2016, 7/7/2016, 8/8/2016, 12/9/2016 and 7/10/2016. Monitoring of Cox's River was not undertaken in 2017 or prior to 13/4/2016. All versions of the Water Management Plan (or SWMP) include a monitoring requirement; 2014 version requires "regular monitoring" and the 2016, 2017 and 2018 version requires "monitoring" to be undertaken. • Samples from the main storage dam (160 mg/L) and the bottom working dam (64 mg/L) on 12/9/2016 indicate that TSS exceeded 30 mg/L. • <u>Non-compliant</u>: According to Section 10.7 of the SWMP (dated January 2018) results of all monitoring undertaken will be made publicly available on the Walker Quarries website (http://walkerquarries.com.au/statutory-information/). However, results from June 2016 and March 2017 were missing from the website; when exceedances in water quality data occurred. • <u>Non-compliant</u>: Warning letter from the DPE dated 18/4/2016 noted the failure to undertake surface water monitoring. • No complaints relating to soil or water. • Site inspection indicated majority of sediment basins were intact and working. 	to convey dirty water to SB1.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			<ul style="list-style-type: none"> <u>Observation</u>: One small sediment basin (at the top of extraction area) had a small blow-out (refer to photo 9). <u>Observation</u>: Inspection of the WSEA identified additional sediment and erosion controls should be put in place to control erosion & sedimentation, particularly where the access road and the bund meet (refer to photo 10). Letter from DPE, dated 26/12/2018, regarding the site inspection conducted on 22/2/2018. DPE requested update to Soil and Water Management Plan (SWMP) and to implement measures to stabilise the slopes in the WSEA. The SWMP was updated and submitted to the DPE on 26/02/2018. The slopes of the WSEA were hydromulched in March 2018. During site inspection Walker Quarries identified that a pipe would be installed at the WSEA to convey dirty water to Sediment Basin 1 (SB1), to continue the separation of clean and dirty water. 	
Schedule 3, Condition 31	<p>The Applicant must prepare a Rehabilitation Management Plan for the project to the satisfaction of DRG.</p> <p>This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary; (b) be prepared in consultation with the Department, DPI Water, FCNSW, OEH, DPI, and Council; (c) be submitted to DRG for approval within three months of the determination of Modification 1, unless the Secretary agrees otherwise; (d) be prepared in accordance with any 	Non-Compliant (Medium Risk)	<p><u>Preparation</u>:</p> <ul style="list-style-type: none"> The RMP/MOP dated March 2018 has been assessed. (a) Was prepared by a suitably qualified and experienced persons (RW Corkery) whose appointment was endorsed by the Secretary via email from DPE dated 18/12/2017. (b) Section 1.5.1 of the RMP/MOP states that consultation regarding the RMP/MOP was undertaken with Forestry Corporation of NSW (FCNSW), DPE, DPI Water, OEH, DPI and Council. Letter from DPE dated 4/4/2018 confirmed RMP (MOP) was administratively complete. Email from DPE dated 12/04/2018 confirmed that a combined approach to the RMP/MOP was acceptable as long as the MOP/RMP specified where each requirement (under the Development Consent and ML) was addressed and that this approach is suitable to DRG as well. (c) Letter from DPE dated 24/10/2017 confirmed extension to the submission 	<ul style="list-style-type: none"> As per REC 7

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>relevant DRG Guideline;</p> <p>(e) describe how the rehabilitation of the site would achieve the objectives identified in Table 6 and be integrated with the Biodiversity Offset Strategy described in condition 27;</p> <p>(f) include a detailed soil and growing medium balance for the development;</p> <p>(g) include a detailed plan for the reinstatement and review of the proposed rehabilitated woodland areas and fauna habitat, including a protocol for periodic trials to demonstrate that the target vegetation community is being achieved;</p> <p>(h) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and for triggering remedial action (if necessary);</p> <p>(i) describe the measures to be implemented to ensure compliance with the relevant conditions of this consent, and address all aspects of rehabilitation including mine closure, final landform (including final voids), final land uses;</p> <p>(j) include procedures for the use of interim stabilisation and temporary vegetation strategies, where reasonable to minimise the area exposed for dust generation;</p> <p>(k) include a program to monitor, independently audit and report on the effectiveness of the measures in paragraph (h) above, and progress against the detailed performance and completion criteria in paragraph (g) above; and</p> <p>(l) build on to the maximum extent practicable</p>		<p>of the Rehabilitation Management Plan (RMP) to 31 March 2018.</p> <ul style="list-style-type: none"> Email transmission confirms revised RMP (MOP) submitted to DPE on 29 March 2018. <p>(d) The RMP/MOP is prepared in accordance with any relevant DRG Guideline;</p> <p>(e) The RMP/MOP (Table 13 and Table 15) outlines how rehabilitation of the site would achieve the objectives identified in Table 6.</p> <ul style="list-style-type: none"> Section 5.1.2 of the RMP/MOP (Domain 9) references the 'integration' of the BOS as part of this domain. <p>(f) Table 7 of the RMP/MOP provides a detailed soil and growing medium balance for the development.</p> <p>(g) Section 5, 6, 7 and 8 of the RMP/MOP provide a detailed plan for the reinstatement and review of the proposed rehabilitated woodland areas and fauna habitat.</p> <ul style="list-style-type: none"> Section 8.2 includes a protocol for periodic trials to demonstrate that the target vegetation community is being achieved. <p>(h) Section 6 of the RMP/MOP includes detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site.</p> <ul style="list-style-type: none"> Section 9.2 includes a Trigger Action Response Plan (TARP). <p>(i) Table 12 includes the measures to be implemented to ensure compliance with the conditions relating of this consent .</p> <ul style="list-style-type: none"> The RMP/MOP address' all aspects of rehabilitation (Section 4). <p>(j) Section 2.3 and 7.2 includes procedures for the use of interim stabilisation and temporary vegetation strategies, where reasonable to minimise the area exposed for dust generation.</p> <p>(k) Section 8 details rehabilitation monitoring.</p> <ul style="list-style-type: none"> Section 10 outlines the process for reporting on progress against completion criteria. <p>(l) Section 3.2 of the RMP/MOP refers to the Management Plans required under this consent and how they will be "implemented to further reduce the risk of environmental incident".</p> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <u>Non-compliant:</u> Letter from DRG dated 4 October 2016 noted that during 	

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	and integrate with the other Management Plans required under this consent.		<p>the 16 August 2016 inspection DRG noticed there was "a new, undocumented area of disturbance" and requested that additional details were provided of this area. R.W. Corkery & Co. (Corkery) provided a response letter (dated 18 October 2016) on the behalf of Walker Quarries, providing details of the disturbance. DPE issued a letter (dated 19/10/2016) of impending enforcement action and opportunity to "show cause". On the behalf of Walker Quarries Corkery issued a letter to "show cause" for vegetation clearing. DPE issued a penalty notice of \$15,000 issued on 21/12/2016. Receipt indicates payment of General Penalty Notice on 22/12/2016. Final Order issued by DPE re: unauthorised clearing PIN, dated 31/1/2017. Approval of extension to resolve non-compliance (through modification to DA) (8/3/2017). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017). Section 2.3 of the RMP/MOP dated 21/12/2017 (MOP Amendment B) identifies these areas of disturbance.</p> <ul style="list-style-type: none"> From the site inspection progressive rehabilitation is being undertaken at the site. Rehabilitation in the form of planting seedlings and spraying hydroseeding undertaken at the site. Such areas include the newly constructed visual bund and the WSEA. Rehabilitation Plan is generally complied with, although drying cell area appears to be larger (according to 2018 google satellite maps) that indicated on the Plan. 	
Schedule 4, Condition 1	As soon as practicable, and no longer than 7 days, after obtaining monitoring results showing: (a) an exceedance of any criteria in Schedule 3, the Applicant must notify the affected landowners in writing of the exceedance, and provide regular monitoring results, at least every 3 months, to each affected landowner until the development is again complying with	Administrative Non-Compliance	<p>(a) According to site communications no exceedances of any criteria in Schedule 3 during the reporting period.</p> <ul style="list-style-type: none"> Exceedance of water quality criteria for pH and TSS occurred during the audit period. <u>Observation</u>: Prior to the Mod 1 being approved and this condition coming into effect (the original consent does not include such a condition), affected landowners were not notified in writing of the exceedance, and provided regular monitoring results, at least every 3 	<p>REC 13:</p> <ul style="list-style-type: none"> Ensure affected landowners are notified in writing of exceedances, and provided regular monitoring results, at least every 3 months, to each affected

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	the relevant criteria; and (b) an exceedance of any air quality criteria in Schedule 3, the Applicant must send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and current tenants of the land (including the tenants of land which is not privately owned).		months, to each affected landowner until the development was again complying with the relevant criteria. (b) <u>Non-compliance</u> : Exceedance in air quality criteria. Walker Quarries was required to send a copy of the NSW Health fact sheet entitled "Mine Dust and You" to landowners and current tenants of the land but did not. As the exceedance was likely due to an outlier result from a contaminated sample, Walker Quarries should have at least consulted with DPE to determine if they were required to send out the fact sheet.	landowner until the development is again complying with the relevant criteria. <ul style="list-style-type: none">Ensure Walker Quarries sends a copy of the NSW Health fact sheet entitled "Mine Dust and You" to landowners and current tenants of the land when exceedances of air quality criteria occur.
Schedule 5, Condition 2	Where consultation with any public authority is required by the conditions of this consent, the Applicant must: (a) consult with the relevant public authority prior to submitting the required document to the Secretary for approval; (b) submit evidence of this consultation as part of the relevant document; (c) describe how matters raised by the authority have been addressed and any matters not resolved; and (d) include details of any outstanding issues raised by the authority and an explanation of disagreement between any public authority and the Applicant. (c) describe how matters raised by the authority have been addressed and any matters not resolved; and (d) include details of any outstanding issues	Administrative Non-Compliance	(a) The EPA was consulted during the preparation of the NMP (dated November 2017). <ul style="list-style-type: none">The EPA, DPI Water and WaterNSW were consulted during the preparation of the SWMP (dated January 2018).The draft Biodiversity Management Plan has not yet been prepared.Section 1.5 of the RMP/MOP (dated March 2018) refers to consultation undertaken with FCNSW, DPE, DPI Water, OEH, DPI and Council.The Bushfire Management Plan (dated November 2017) was prepared in consultation with FCNSW.Prior to undertaking this IEA consultation was undertaken with relevant agencies (EPA, DRG, DPI-Water, DPE, Council) and the Chairperson of CCC. (b) Evidence of consultation with the EPA (letter from EPA dated 3 August 2016) is included within Appendix 1 of the (dated November 2017). <ul style="list-style-type: none">Evidence of consultation with EPA, DPI Water and WaterNSW is provided in Appendix 2 of the SWMP (dated January 2018).Evidence of consultation for the RMP/MOP is included in Appendix 5.	REC 14: <ul style="list-style-type: none">Ensure NMP describes how matters raised by EPA have been addressed and any matters not resolved, and includes details of any outstanding issues raised by EPA and an explanation of any disagreement between EPA and Walker Quarries.Ensure the SWMP describes how matters raised by EPA, DPI Water and WaterNSW have been

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	raised by the authority and an explanation of disagreement between any public authority and the Applicant.		<ul style="list-style-type: none"> Evidence of consultation for the Bushfire Management Plan (dated November 2017) provided in Appendix 1. (c) <u>Non-compliant</u>: The NMP (dated November 2017) doesn't describe how matters raised by EPA have been addressed and any matters not resolved. <u>Non-compliant</u>: The SWMP (dated January 2018) doesn't describe how matters raised by EPA, DPI Water and WaterNSW have been addressed and any matters not resolved. The RMP/MOP (dated March 2018) references how matters raised by DPE, DPI Water, OEH, DPI and Council have been addressed or resolved in the management plan. <u>Non-compliant</u>: The Bushfire Management Plan (dated November 2017) doesn't reference how any matters raised during consultation have been addressed or resolved in the management plan. (d) include details of any outstanding issues raised by the authority and an explanation of disagreement between any public authority and the Applicant. <u>Non-compliant</u>: The NMP (dated November 2017) doesn't include details of any outstanding issues raised by EPA and an explanation of disagreement between EPA and the Applicant. <u>Non-compliant</u>: The SWMP (dated January 2018) doesn't include details of any outstanding issues raised by EPA, DPI Water and WaterNSW and an explanation of disagreement between any public authority and the Applicant. The RMP/MOP (dated March 2018) includes details of any outstanding issues raised by DPE, DPI Water, OEH, DPI and Council and an explanation of disagreement between any public authority and the Applicant (Section 1.5.2). <u>Non-compliant</u>: The Bushfire Management Plan (dated November 2017) doesn't include details of any outstanding issues raised by FCNSW and an explanation of disagreement between FCNSW and the applicant. 	<p>addressed and any matters not resolved, and any details of any outstanding issues raised by EPA, DPI Water and WaterNSW and an explanation of any disagreement between any public authority and Walker Quarries.</p> <ul style="list-style-type: none"> Ensure the Bushfire Management Plan references how any matters raised during consultation have been addressed or resolved in the management plan, and how any matters raised during consultation have been addressed or resolved in the management plan. Also ensure the Bushfire Management Plan includes details of any outstanding issues raised by FCNSW and an explanation of any

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
				disagreement between FCNSW and Walker Quarries.
Schedule 5, Condition 3	<p>The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> the relevant statutory requirements (including any relevant approval, licence or lease conditions); a description of: any relevant limits or performance measures/criteria; and the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; <p>(c) a description of the measures that to be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> impacts and environmental performance of the development; and effectiveness of any management measures (see (c) above); <p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p>	Administrative Non-Compliance	<p>(a) <u>Non-compliant</u>: Detailed baseline data is not provided in the AQMP (dated November 2017).</p> <p><u>Non-compliant</u>: Detailed baseline data is not provided in the NMP (dated November 2017).</p> <p><u>Non-compliant</u>: Detailed baseline data is not provided in the SWMP (dated January 2018).</p> <ul style="list-style-type: none"> The RMP/MOP (dated March 2017) provides baseline data in Plan 1B. <p>(b) (a description of:</p> <ul style="list-style-type: none"> the relevant statutory requirements (including any relevant approval, licence or lease conditions); - AQMP (Section 2); - BMP (Section 2); - NMP (Section 2); - SWMP (Section 3); - Bushfire Management Plan (Section 2); - RMP/MOP (Section 1.3). <p>(b) a description of:</p> <ul style="list-style-type: none"> any relevant limits or performance measures/criteria; and - AQMP (Section 4); - BMP (Section 4); - NMP (Section 4); - SWMP (Section 10.4); - Bushfire Management Plan (Section 5); and - RMP/MOP (Section 6). the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; - AQMP (Sections 4 & 5); - BMP (Sections 4 & 6); 	<p>REC 15:</p> <ul style="list-style-type: none"> Ensure all Management Plans include baseline data, including the AQMP, NMP and SWMP.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> incidents; complaints; non-compliances with statutory requirements; and exceedances of the impact assessment criteria and/or performance criteria; and <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>		<ul style="list-style-type: none"> - NMP (Sections 4 & 5); - SWMP (Sections 10.4 and 6); - Bushfire Management Plan (Section 4); and - RMP/MOP (Sections 6). <p>(c) a description of the measures that to be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <ul style="list-style-type: none"> - AQMP (Section 5); - BMP (Section 6); - NMP (Section 5); - SWMP (Section 6); - Bushfire Management Plan (Section 4); and - RMP/MOP (Section 6). <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> impacts and environmental performance of the development; and <ul style="list-style-type: none"> - AQMP (Sections 6 & 8.2); - BMP (Sections 7 & 9.2); - NMP (Sections 6 & 8.2); - SWMP (Sections 10 and 12.2); - Bushfire Management Plan (Section 2, 5 & 6); and - RMP/MOP (Sections 8 & 10). <ul style="list-style-type: none"> effectiveness of any management measures; <ul style="list-style-type: none"> - AQMP (Sections 6 & 8.2); - BMP (Sections 7 & 9.2); - NMP (Sections 6 & 8.2); - SWMP (Sections 10 and 12.2); - Bushfire Management Plan (Section 2, 5 & 6); and - RMP/MOP (Sections 8 & 10). <p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <ul style="list-style-type: none"> - AQMP (Section 7.2); - BMP (Sections 5.2 & 6.2); - NMP (Section 5.2); 	

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			<ul style="list-style-type: none"> - SWMP (Section 11.2); - Bushfire Management Plan (Section 4.2.2); and - RMP/MOP (Section 9.2). <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <ul style="list-style-type: none"> - AQMP (Section 9.3); - BMP (Section 12); - NMP (Section 11); - SWMP (Sections 13.3); - Bushfire Management Plan (Section 7.3); and - RMP/MOP (Section 9.2). <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> • incidents; - AQMP (Section 7); - BMP (Section 8); - NMP (Section 7); - SWMP (Sections 11); - Bushfire Management Plan (Section 6); and - RMP/MOP (Section 9.2 and 10). • complaints; - AQMP (Section 5.2.2); - BMP (Section 6.2.2); - NMP (Section 5.2.2); - SWMP (Section 11.2.3); - Bushfire Management Plan-N/A. - RMP/MOP-N/A. • non-compliances with statutory requirements; and - AQMP (Section 7.2.1 and 8.2); - BMP (Section 8.2.1 and 9.2); - NMP (Section 7.2.1 and 8.2); - SWMP (Sections 11.2.1 and 12.2); - Bushfire Management Plan-N/A; and - RMP/MOP (Section 9.2). 	

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			<ul style="list-style-type: none"> • exceedances of the impact assessment criteria and/or performance criteria; and - AQMP (Section 7.2.1 and 8.2); - BMP (Section 8.2.1 and 9.2); - NMP (Section 7.2.1 and 8.2); - SWMP (Sections 11.2.1 and 12.2); - Bushfire Management Plan-N/A; and - RMP/MOP (Section 9.2) (h) a protocol for periodic review of the plan. - AQMP (Section 9.3); - BMP (Section 12); - NMP (Section 11); - SWMP (Sections 13.3); - Bushfire Management Plan (Section 7.3); and - RMP/MOP (Section 11.1). 	
Schedule 5, Condition 5	<p>Within 3 months of the submission of an:</p> <p>(a) incident report under condition 9 below;</p> <p>(b) Annual Review under condition 11 below;</p> <p>(c) audit report under condition 12 below; and</p> <p>(d) any modifications to this consent, the Applicant must review the strategies, plans and programs required under this consent, to the satisfaction of the Secretary. The applicant must notify the Department in writing of any such review being undertaken.</p> <p>Where this review leads to revisions in any such document, then within 6 weeks of the review the revised document must be submitted for the approval of the Secretary.</p> <p>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures</p>	Administrative Non-Compliance	<p>(a) incident report under condition 9 below;</p> <ul style="list-style-type: none"> • DPE was notified of the issue of clearing at the WSEA on 18 October 2016, by Walker Quarries. The action from the notification was that Walker Quarries was to update the RMP/MOP. • <u>Non-compliant:</u> The RMP/MOP was not revised and submitted within the required timeframe. <p>(b) Annual Review under condition 11 below;</p> <ul style="list-style-type: none"> • 2015/2016 Annual Review/AEMR submitted on 30/8/2016 notes that all Quarry MPs will be updated and submitted on 31/6/2016. Management plans were updated and submitted on 29/9/2016. • 2016/2017 Annual Review/AEMR submitted on 28/08/2017. All management plans revised and submitted to DPE by 24/11/2017. <p>(c) audit report under condition 12 below; and The following new site Management Plans were submitted by Walker Quarries to DPE in September,</p>	<p>REC 16:</p> <ul style="list-style-type: none"> • Ensure all updates to relevant strategies, plans and programs required as a result of an incident report are undertaken within the 3 month timeframe.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<i>recommended to improve environmental performance of the development.</i>		<p>2016, and were approved on the 29th September, 2016:</p> <ul style="list-style-type: none"> - Environmental Management Strategy - Noise Management Plan - Blast Management Plan - Air Quality Management Plan - Flora and Fauna Management Plan - Water Management Plan - Environmental Monitoring Program 2016 - Bushfire Management Plan. <p>(d) any modifications to this consent,</p> <ul style="list-style-type: none"> • All management plans have been revised and submitted by 24/11/2017, in accordance with the development consent modification (Mod 1). 	
Schedule 5, Condition 12	<p>By the end of September each year, or other timing as may be agreed by the Secretary, the Applicant must submit a review to the Department reviewing the environmental performance of the development to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the development (including any progressive rehabilitation) that was carried out in the previous financial year, and the development that is proposed to be carried out over the current financial year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous financial year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • relevant statutory requirements, limits or performance measures/criteria; • requirements of any plan or program required under this consent; • monitoring results of previous years; and 	Administrative Non-Compliance	<ul style="list-style-type: none"> • Word version of submission letter from RME indicates that the 2015/2016 Annual Review was submitted to DPE on 30/8/2016. • <u>Non-compliant</u>: Correspondence from DPE relating to late submission of 2016/2017 Annual Review. The Annual Review was provided to the DPE on 30 October 2017 and not the required submission date of 31 August 2017. <p>(a) The 2015/2016 & 2016/2017 Annual Reviews describe the development (including any progressive rehabilitation) that was carried out in the previous financial year (Section 4.0 & Section 8.0), and the development that is proposed to be carried out over the current financial year (Section 12.0);</p> <p>(b) The 2015/2016 & 2016/2017 Annual Reviews includes a comprehensive review of the monitoring results (Sections 6.0 & 7.0) and complaints records of the development over the previous financial year (Table 15 & Appendix IX), which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • relevant statutory requirements (Section 3.0), limits or performance measures/criteria (Section 6.0 & 7.0); • requirements of any plan or program required under this consent 	<p>REC 17:</p> <ul style="list-style-type: none"> • Ensure all Annual Reviews/AEMRs are submitted on time. • Ensure surface water monitoring results of previous years are included in future Annual Reviews/AEMRs. • Ensure relevant predictions from the EIS are included in the Annual Review/AEMR for surface water. • Ensure all water quality monitoring

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<ul style="list-style-type: none"> • relevant predictions in the documents listed in condition 2(a) of Schedule 2; (c) identify any non-compliance over the past financial year, and describe what actions were (or are being) taken to ensure compliance; (d) identify any trends in the monitoring data over the life of the development; (e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (f) describe what measures will be implemented over the current [financial/calendar] year to improve the environmental performance of the development. <p>The Applicant must ensure that copies of the Annual Review are submitted to Council and are available to the Community Consultative Committee (see condition 7 of Schedule 5) and any interested person upon request.</p>		<p>(Section 6.0 & 7.0);</p> <ul style="list-style-type: none"> • monitoring results of previous years • <u>Observation</u>: Surface water monitoring results of previous years not provided in the 2015/2016 and 2016/2017 Annual Reviews/AEMRs. Observation and not a non-compliance as the original consent does not have such a specific requirement. <ul style="list-style-type: none"> - Section 5.0 provides dust, blast and noise results of previous years. • <u>Non-compliant</u>: Relevant predictions from the EIS have not been provided for surface water for the 2015/2016 and 2016/2017 Annual Reviews/AEMRs. Relates to the original consent Schedule 2, Condition 37d). <ul style="list-style-type: none"> - Section 5.0 provides dust, blast and noise EIS predictions. (c) 2015/2016 Annual Review/AEMR (Sections 1, 6 and 7) and 2016/2017 Annual Review/AEMR (Sections 1, 5 and 7) provide non-compliances over the past financial year, and what actions were taken to ensure compliance. <p>identify trends in the monitoring data over the life of the development.</p> <p>(d) 2015/2016 Annual Review/AEMR (Section 6) and 2016/2017 Annual Review/AEMR (Sections 6 and 7).</p> <p>(e) Section 6 identifies any discrepancies between the predicted and actual impacts of the development, and analyses the potential cause of any significant discrepancies.</p> <p>(f) Section 12 describes what measures will be implemented over the current [financial/calendar] year to improve the environmental performance of the development.</p> <ul style="list-style-type: none"> • According to letter from RME (word version) to Council, 2015/2016 Annual Review/AEMR was submitted to Council on 4/10/2016. 	<p>data and exceedances are accurately reported in the Annual Review.</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			<ul style="list-style-type: none"> According to letter from RME (word version) to Council, 2016/2017 Annual Review/AEMR was submitted to Council on 17/11/2017. Annual Reviews are available via the site's website. <u>Observation</u>: Annual Review incorrectly reports water quality monitoring data and exceedance of criteria for sample taken on 12/9/2016. Sample reported as being taken on 21/9/2016 instead of 12/9/2016 and exceedance of TSS incorrectly reported as 115 mg/L instead of 160 mg/L. 	
Schedule 5, Condition 13	<p>Within a year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission, commence and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>(a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies and the CCC;</p> <p>(c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals);</p> <p>(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals;</p> <p>(e) recommend appropriate measures or actions to improve the environmental</p>	Non-Compliant (Low Risk)	<ul style="list-style-type: none"> <u>Non-compliant</u>: According to DPE letter dated 13/12/2017 Walker Quarries were required to undertake an IEA by 28 February 2017 (in accordance with Condition 3.8 of Schedule 2 of Development Consent 344-11-2001 [original consent]). a) Audit team endorsed on 8/3/2018 by a letter from the nominee for the Secretary; (b) Prior to the audit EPA, DRG, DPI-Water, DPE, Council and the Chairperson of CCC were consulted via emails. Emails sent on 19 March 2018. Summary of responses from the DPEs and CCC is included in the audit report; (c) This set of protocols (spreadsheets) assesses the environmental performance of the development and whether it is complying with the relevant requirements in this consent and the EPL (EPL 13172), including any assessment, strategy, plan or program required under these approvals; (d) This set of protocols (spreadsheets) reviews the adequacy of strategies, plans or programs required under the abovementioned approvals; (e) This set of protocols (spreadsheets) recommends appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and (f) This audit will be submitted to the Secretary and is being undertaken 	<p>REC 18:</p> <ul style="list-style-type: none"> Ensure all IEAs are undertaken within the required timeframe. Ensure a status update of non-compliances is provided in future Annual Reviews/AEMRs.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and (f) be conducted and reported to the satisfaction of the Secretary.		<p>in accordance with DPE's Independent Audit Guideline, dated October 2015.</p> <ul style="list-style-type: none"> <u>Observation</u>: A Warning Letter from DPE dated 18/4/2016 noted that monitoring of non-compliances from the 2015 IEA was not undertaken. 	
Schedule 5, Condition 14	Within 12 weeks of commencing this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of these recommendations as required. The Applicant must implement these recommendations, to the satisfaction of the Secretary.	Non-Compliant (Low Risk)	<ul style="list-style-type: none"> The prior IEA Report and Action Plan and was submitted to DPE on March 2016. The previous audit was required to have been undertaken by 28 February 2015 (1 year after commencement of construction). <u>Non-compliant</u>: Site received warning letter from DPE on 17 April 2016 requesting a revised IEA Action Plan. <p>RWC was engaged to prepare this in May 2-16 and submitted the IEA Action Plan on 17 May 2016. Prior to Mod 1 being approved but the original consent has a similar condition; Schedule 2 Condition 3.9.</p>	<p>REC 19:</p> <ul style="list-style-type: none"> Ensure Action Plan is prepared and submitted within the required time.
Schedule 5, Condition 15	<p>Within 6 months of the date of this consent, until the completion of all works, including rehabilitation and remediation the Applicant must:</p> <p>(a) make the following information publicly available on its website:</p> <ul style="list-style-type: none"> the documents listed in condition 2(a) of Schedule 2; current statutory approvals for the development; all approved strategies, plans and programs required under the conditions of this consent; a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved 	Administrative Non-Compliance	<p>(a) The following information is publicly available on the site's website:</p> <ul style="list-style-type: none"> the documents listed in condition 2(a) of Schedule 2 (EIS and EA [Mod 1]); current statutory approvals for the development; all approved strategies, plans and programs required under the conditions of this consent; <u>Non-compliant</u>: A comprehensive summary of the monitoring results of the development is not included on the website. The surface water monitoring data for June 2016 and March 2017 is missing. A complaints register, updated monthly. <u>Non-compliant</u>: On the 18/6/2018 the site's website only provided the 2017 Annual Review and not the Annual Reviews for previous years. 	<p>REC 20:</p> <ul style="list-style-type: none"> Ensure all relevant monitoring data is provided on the site's website. <p>REC 21:</p> <ul style="list-style-type: none"> Ensure Annual Reviews for previous years are included on the site's website. Ensure the site's response to the recommendations of

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	plans and programs; • a complaints register, updated monthly; • the annual reviews of the development; • any independent environmental audit as described in condition 12 above, and the Applicant's response to the recommendations in any audit; and • any other matter required by the Secretary; and (b) keep this information up-to-date, to the satisfaction of the Secretary.		<ul style="list-style-type: none"> The March 2016 IEA Report is included on the site's website. <u>Non-compliant</u>: On the 18/6/2018 the site's website did not include the site's response to the recommendations of the March 2016 IEA Report findings. <p>(b) This information is kept up-to-date.</p>	the March 2016 IEA Report findings is included on the site's website.
Development Approval – DA019/18				
Nil non-compliances				
Environment Protection Licence – EPL 13172				
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.	Non-compliant (low-risk)	<ul style="list-style-type: none"> <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L) and 22/3/2017 (120 mg/L). <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) on 22/3/2017 (58 mg/L). <u>Non-compliant</u>: Exceedance in the range of pH (6.5 - 8.5), with a reading of 8.53, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 22/3/2017. <u>Non-compliant</u>: pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2018. <u>Observation</u>: The water quality monitoring data for the Annual Return reporting period did not provide data that showed the 20/6/2018 exceedance. This exceedance was included in the data provided in 	<ul style="list-style-type: none"> As per REC 9. As per REC 10.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation																														
			Section B2 of the Annual Return but was not included in Section C1.																															
L2.1	For each monitoring/discharge point or utilisation area specified in the table\ 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.	Non-compliant (low-risk)	<ul style="list-style-type: none"><u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L) and 22/3/2017 (120 mg/L).<u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) on 22/3/2017 (58 mg/L).<u>Non-compliant</u>: Exceedance in the range of pH (6.5 - 8.5), with a reading of 8.53, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 22/3/2017.<u>Non-compliant</u>: pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2018.<u>Observation</u>: The water quality monitoring data for the Annual Return reporting period did not provide data that showed the 20/6/2018 exceedance. This exceedance was included in the data provided in Section B2 of the Annual Return but was not included in Section C1.	<ul style="list-style-type: none">As per REC 9.As per REC 10.																														
L2.2	<p>POINT 1.2</p> <p>Where a pH quality limit is specified in the</p> <table><tr><th>Pollutant</th><th>Units of Measure</th><th>50 percentile concentration limit</th><th>90 percentile concentration limit</th><th>3DGM concentration limit</th><th>100 percentile concentration limit</th></tr><tr><td>Oil and Grease</td><td>milligrams per litre</td><td></td><td></td><td></td><td>10</td></tr><tr><td>pH</td><td>pH</td><td></td><td></td><td>6.5 - 8.5</td><td></td></tr><tr><td>Sulfate</td><td>milligrams per litre</td><td></td><td></td><td></td><td>250</td></tr><tr><td>Total suspended solids</td><td>milligrams per litre</td><td></td><td></td><td></td><td>30</td></tr></table>	Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	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	Non-compliant (low-risk)	<ul style="list-style-type: none"><u>Non-compliant</u>: pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016. Exceedance prior to Mod 1 Approval, but exceedance still occurred against the original consent criteria (Schedule 2, Condition 2.23).	REC 22: <ul style="list-style-type: none">Ensure mitigation measures are implemented at the site to obtain compliant water quality discharge results.
Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																													
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																													
L2.4		Non-compliant (low-risk)	<ul style="list-style-type: none"><u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L) and 22/3/2017 (120 mg/L).	<ul style="list-style-type: none">As per REC 9.As per REC 10.As per REC 20.																														

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			<ul style="list-style-type: none"> <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) on 22/3/2017 (58 mg/L). <u>Non-compliant</u>: Exceedance in the range of pH (6.5 - 8.5), with a reading of 8.53, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 22/3/2017. <u>Non-compliant</u>: pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2018. The water quality monitoring data for the Annual Return reporting period did not provide data that showed this exceedance. This exceedance was included in the data provided in Section B2 of the Annual Return but was not included in Section C1. According to the EPA website the EPA wrote to the quarry in regards to the exceedance of water concentration limits, including 20/6/2018 exceedance of pH and turbidity. 	
O1.1	<p>Licensed activities must be carried out in a competent manner.</p> <p>This includes:</p> <p>a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and</p> <p>b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.</p>	Non-Compliant (Medium Risk)	<p>a) <u>Non-compliant</u>: Material was processed at the site that was not in accordance with the DA Approval. Letter from DPE requesting information on sand washing on-site, dated 23/11/2016. Letter from Hicksons Lawyers to DPE re: sand washing, dated 2/12/2016. Formal letter from DPE re: non-compliance of sand washing, dated 21/12/2016. DPE confirmation of extension to timeframe (23/12/2016). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017). DA Mod 1 approved 25 August 2017.</p> <p>* Material being processed is wet down, along with roads.</p> <p>* Trucks go through a wheel wash and are covered before they leave site with material.</p> <p>* Diesel is stored on-site in a self-bunded tank (refer to photo 13).</p> <p>* Oil is stored on-site in a shipping container and on bund (refer to photo 14).</p> <p>b) Waste is not processed, reprocessed or transported from site.</p>	<p>REC 23:</p> <ul style="list-style-type: none"> Ensure processing in the future is undertaken in accordance to DA 344_11_2001 Mod 1. Undertake general clean-up of rubbish around the site.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			<p>* Site inspection verified waste generated by the development is appropriately stored, handled, and disposed of. Waste is stored in flip top bins before being collected on a monthly basis by Suez.</p> <p>* <u>Observation</u>: Some litter around the site (refer to photo 15).</p>	
O4.2	Water discharged to comply with condition O5.1 may only be discharged to waters from those stormwater control structures (sediment dams) identified at EPA identification point 1 and 2 where the discharged water complies with the discharge limits stipulated at condition L2.4 (and taking into consideration condition L2.6).	Non-compliant (low-risk)	<ul style="list-style-type: none"> <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L) and 22/3/2017 (120 mg/L). <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) on 22/3/2017 (58 mg/L). <u>Non-compliant</u>: Exceedance in the range of pH (6.5 - 8.5), with a reading of 8.53, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 22/3/2017. <u>Non-compliant</u>: pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2018. <u>Observation</u>: The water quality monitoring data for the Annual Return reporting period did not provide data that showed the 20/6/2018 exceedance. This exceedance was included in the data provided in Section B2 of the Annual Return but was not included in Section C1. 	<ul style="list-style-type: none"> As per REC 9. As per REC 10.
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.	Non-compliant (low-risk)	<p>a) Noise, blast, dust and water discharge monitoring results are maintained on Walker Quarries website in a legible form.</p> <p>b) Walker Quarries website provides data.</p> <ul style="list-style-type: none"> <u>Non-compliant</u>: Monitoring data for dust only goes back to June 2014. Data prior to this data and up to April 2014 not available from site. Data from April 2014 to May 2014 was provided during the prior audit. <u>Non-compliant</u>: Monitoring data for noise only goes back to July 2016. 	<p>REC 24:</p> <ul style="list-style-type: none"> Ensure all monitoring results for Walker Quarry are retained on the company's website for a minimum of 4 years or on-site.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			<p>Data prior to this data and up to April 2014 not available from site. Also missing April to June 2016 data.</p> <ul style="list-style-type: none"> <u>Non-compliant:</u> Monitoring data for water only goes back to July 2014. According to Annual Return for the period 21 Oct 2009 to 20 Oct 2010 water monitoring commenced May 2011 and therefore data going back to April 2014 should be available. Missing June 2016 and March 2017 from the website but available from Walker quarries once requested. According to site communications missing data is a result of the prior quarry operator shredding data . According to the prior IEA dust, water, blast and noise monitoring data was provided to the auditor. Monitoring data for blasting only goes back to September 2014, however the first blast was undertaken on 3/9/2014. <p>c) No authorised officer of the EPA has asked for records produced in a legible form.</p>	
M1.3	<p>The following records must be kept in respect of any samples required to be collected for the purposes of this licence:</p> <p>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.</p>	Administrative Non-Compliance	<p>a) Blast, noise, dust and water results available from the Walker Quarry website had the date on which each sample was taken; b) Noise and water results available from the Walker Quarry website had the time(s) at which the sample was collected;</p> <ul style="list-style-type: none"> <u>Non-compliant:</u> All blast monitoring results available from the Walker Quarry website did not have the time the sample was collected. <u>Non-compliant:</u> Dust monitoring results available from the Walker Quarry website did not have the time the sample was collected. <p>c) Blast, noise, dust and water monitoring results available from the Walker Quarry website had the point at which the sample was taken; d) Noise monitoring results available from the Walker Quarry website had the name of the person who collected the sample.</p>	<p>REC 25:</p> <ul style="list-style-type: none"> Ensure blast and dust monitoring results include the time at which the sample was collected. Ensure blast, dust and water monitoring results include the name of the person who collected the sample.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation																																			
			<ul style="list-style-type: none"> <u>Non-compliant</u>: All blast monitoring results available from the Walker Quarry website did not clearly provide the person who collected the sample. <u>Non-compliant</u>: Dust and water monitoring results between October 2015 and September 2017 refer to "ALS staff" and not the person's name. 																																				
M4.1	<p>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.</p> <p>Point 4</p> <table border="1"> <thead> <tr> <th>Parameter</th><th>Units of Measure</th><th>Frequency</th><th>Averaging Period</th><th>Sampling Method</th></tr> </thead> <tbody> <tr> <td>Air temperature</td><td>°C</td><td>Continuous</td><td>1 hour</td><td>AM-4</td></tr> <tr> <td>Wind direction</td><td>°</td><td>Continuous</td><td>15 minute</td><td>AM-2 & AM-4</td></tr> <tr> <td>Wind speed</td><td>m/s</td><td>Continuous</td><td>15 minute</td><td>AM-2 & AM-4</td></tr> <tr> <td>Sigma theta</td><td>°</td><td>Continuous</td><td>15 minute</td><td>AM-2 & AM-4</td></tr> <tr> <td>Rainfall</td><td>mm</td><td>Continuous</td><td>15 minute</td><td>AM-4</td></tr> <tr> <td>Relative humidity</td><td>%</td><td>Continuous</td><td>1 hour</td><td>AM-4</td></tr> </tbody> </table>	Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method	Air temperature	°C	Continuous	1 hour	AM-4	Wind direction	°	Continuous	15 minute	AM-2 & AM-4	Wind speed	m/s	Continuous	15 minute	AM-2 & AM-4	Sigma theta	°	Continuous	15 minute	AM-2 & AM-4	Rainfall	mm	Continuous	15 minute	AM-4	Relative humidity	%	Continuous	1 hour	AM-4	Non-compliant (low-risk)	<ul style="list-style-type: none"> During site inspection viewed met. station set-up on the western boundary of the site, near to the adjacent highway. This was in accordance with the site location for the met. station designated in the AQMP (November 2017). According to the AQMP (November 2017) the met. station is set-up in accordance with the <i>Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales</i> guideline. <u>Non-compliant</u>: According to the Compliance Statement in the 2015/2016 AEMR/Annual Review "Monitoring not done due to breakdown of monitor. A more suitable weather monitoring station has been installed". <p>According to the 2016/2017 AEMR/Annual Review Section 6.20 "Meteorological monitoring was done during the reporting period from a weather station"</p>	As per REC 8
Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method																																			
Air temperature	°C	Continuous	1 hour	AM-4																																			
Wind direction	°	Continuous	15 minute	AM-2 & AM-4																																			
Wind speed	m/s	Continuous	15 minute	AM-2 & AM-4																																			
Sigma theta	°	Continuous	15 minute	AM-2 & AM-4																																			
Rainfall	mm	Continuous	15 minute	AM-4																																			
Relative humidity	%	Continuous	1 hour	AM-4																																			
M5.2	<p>The record must include details of the following:</p> <p>a) the date and time of the complaint;</p> <p>b) the method by which the complaint was made;</p> <p>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;</p>	Administrative Non-Compliance	<p>A register of complaints is maintained on the company website.</p> <p>a) The date of the complaint is included in the register.</p> <p><u>Non-compliant</u>: The time of the complaint isn't included in the register.</p> <p>b) <u>Non-compliant</u>: The method by which the complaint was made isn't included in the register.</p> <p>c) <u>Non-compliant</u>: Personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect, isn't included in the register.</p> <p>d) The nature of the complaint is included in the register.</p>	<p>REC 26:</p> <ul style="list-style-type: none"> The complaints register must include all details per EPL 13172 condition M5.2 																																			

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	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.		e) <u>Non-compliant</u> : The action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant isn't included in the register. f) <u>Non-compliant</u> : If no action was taken by the licensee and the reasons why no action was taken isn't included in the register.	
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or 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').	Administrative Non-Compliance	<u>Non-compliant</u> : The 2015/2016 Annual Return was sent to the EPA on 22/12/2016, according to an letter from Rangott's dated 22/12/2016. The Annual Review was due to the Department on 19/12/2016. <u>Non-compliant</u> : The 2016/2017 Annual Return was received by the Department on 20/12/2016, according to the EPA website.	REC 27: <ul style="list-style-type: none">Ensure all future Annual Returns are submitted within the required 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.	Administrative Non-Compliance	<u>Non-compliant</u> : The licensee had not retained copies of Annual Returns supplied to the EPA for a period of at least 4 years after the Annual Returns were supplied to the EPA. Walker Quarries had not retained copies of the 2013/2014 and 2014/2015 Annual Returns at site.	REC 28: <ul style="list-style-type: none">Ensure copies of Annual Returns dating back 4 years from the date of submission are retained on site.
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	Non-compliant (low-risk)	<ul style="list-style-type: none"><u>Non-compliant</u>: Exceedances in dust and water criteria during the audit period should have been reported to the EPA.	REC 29: <ul style="list-style-type: none">Ensure all exceedances in criteria are reported to the EPA.
Mining Lease - ML 1633				
2	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.	Non-Compliant (Medium Risk)	<ul style="list-style-type: none">During the audit period exceedances in surface water and dust criteria occurred (refer to Condition 12, Schedule 3 and Condition 17, Schedule 3).During the audit period unauthorised clearing (a new, undocumented	<ul style="list-style-type: none">As per REC 1

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			area of disturbance) was undertaken (refer to Condition 13(e), Schedule 3.	
3	<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; and vi) 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 	Non-Compliant (Medium Risk)	<p>Preparation:</p> <ul style="list-style-type: none"> (a) Email transmission confirms revised RMP/MOP submitted to DPE on 29 March 2018. • Letter from DPE dated 4/4/2018 confirmed RMP (MOP) was administratively complete. <p>b) The MOP:</p> <ul style="list-style-type: none"> i) Plan 2 and text (Section 1.2 and 5.1) of the RMP/MOP identifies areas of disturbance. ii) Section 1.2 of the RMP/MOP details the staging of specific mining operations. iii) Section 4 and 5 identifies how the mine will be managed to allow mine closure. iv) Section 3 identifies 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"> - Table 12 includes the measures to be implemented to ensure compliance with the conditions of DA 344_11_2001. - Section 1.3 of the RMP/MOP reflects the conditions of approval under the Protection of the Environment Operations Act 1997 i.e. conditions of the EPL. - Section 1.4 and Table 12 includes the requirements of this lease. vi) The RMP/MOP is prepared in accordance with the DRG Guideline. <p><u>Implementation:</u></p>	<ul style="list-style-type: none"> • As per REC 7

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>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; and</p> <p>ii) 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> <p>(e) A MOP ceases to have effect 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>		<ul style="list-style-type: none"> <u>Non-compliant</u>: Letter from DRG dated 4 October 2016 noted that during the 16 August 2016 inspection DRG noticed there was "a new, undocumented area of disturbance" and requested that additional details were provided of this area. R.W. Corkery & Co. (Corkery) provided a response letter (dated 18 October 2016) on the behalf of Walker Quarries, providing details of the disturbance. DPE issued a letter (dated 19/10/2016) of impending enforcement action and opportunity to "show cause". On the behalf of Walker Quarries Corkery issued a letter to "show cause" for vegetation clearing. DPE issued a penalty notice of \$15,000 issued on 21/12/2016. Receipt indicates payment of General Penalty Notice on 22/12/2016. Final Order issued by DPE re: unauthorised clearing PIN, dated 31/1/2017. Approval of extension to resolve non-compliance (through modification to DA) (8/3/2017). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017). From the site inspection progressive rehabilitation being undertaken at the site. Rehabilitation in the form of planting seedlings and spraying hydroseeding undertaken at the site. Such areas include the newly constructed visual bund and the WSEA. RMP is generally complied with, although drying cell area appears to be larger (according to 2018 google satellite maps) that indicated on the Plan. 	
5	<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>	Administrative Non-Compliance	<ul style="list-style-type: none"> Approval letter from DRG dated 12 April 2018 for the 2016/2017 Wallerawang Quarry Annual Review/AEMR. The 2015/2016 and 2016/2017 Annual Reviews: <p>a) Report against compliance with the MOP (Section 4.0).</p> <p>b) <u>Non-compliant</u>: Does not report on progress against rehabilitation completion criteria.</p> <p>c) Report on the extent of compliance with regulatory requirements</p>	<p>REC 30:</p> <ul style="list-style-type: none"> Ensure future Annual Reviews/AEMR's report on progress against rehabilitation completion criteria.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			(Section 1.0). d) The 2015/2016 and 2016/2017 Annual Review/AEMRs have been prepared generally in accordance with the DPE <i>Annual Review Guidelines</i> (dated October 2015).	
11	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.	Administrative Non-Compliance	<ul style="list-style-type: none"> 2015/2016 Annual Exploration Report submitted to DRG (formerly DRE) on 12/8/2016. <u>Non-compliant</u>: 2016/2017 Annual Exploration Report submitted to DRG (formerly DRE) on 14/8/2017. Not submitted within the required timeframe of 28 days. Exploration Progress Report for the period 12 January 2017 to 11 January 2018. Annual Exploration Report for the period 15 July 2015 to 15 July 2016. Annual Exploration Report for the period 15 July 2016 to 15 July 2017. The Annual Exploration Reports provided: (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; and (e) Plans, maps and other data necessary to satisfactorily interpret the report. 	<p>REC 31:</p> <ul style="list-style-type: none"> Ensure the Annual Exploration Report is submitted to DRG by 12 August of each year.
17	(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	Administrative Non-Compliance	<ul style="list-style-type: none"> <u>Non-compliant</u>: DPI Water was advised of upcoming drilling program on 23/06/2017. The proposed commencement of drilling was the 3/7/2017. DPI Water was not provided at least twenty eight days advance notice of the proposed commencement of drilling operations. 	<p>REC 32:</p> <ul style="list-style-type: none"> Ensure DPI Water is provided at least twenty eight days

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>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 groundwater's;</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>			<p>advance notice of the proposed commencement of drilling operations.</p>
18	<p>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</p>	Non-Compliant (Medium Risk)	<ul style="list-style-type: none"> During the audit period exceedances in surface water and dust criteria occurred. During the audit period unauthorised clearing (a new, undocumented area of disturbance) was undertaken. 	<p>REC 33:</p> <ul style="list-style-type: none"> Operations must be carried out in a manner so that they

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	accordance with an accepted Mining Operations Plan. For the purpose of this condition, water shall be taken to include any watercourse, waterbody or groundwater's. The lease holder must observe and perform any instructions given by the Director-General in this regard.			do not cause or aggravate air pollution, water pollution (including sedimentation) or soil contamination or erosion
23	<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>	Non-Compliant (Medium Risk)	<ul style="list-style-type: none"> <u>Non-compliant</u>: Letter from DRG dated 4 October 2016 noted that during the 16 August 2016 inspection DRG noticed there was "a new, undocumented area of disturbance" and requested that additional details were provided of this area. R.W. Corkery & Co. (Corkery) provided a response letter (dated 18 October 2016) on the behalf of Walker Quarries, providing details of the disturbance. DPE issued a letter (dated 19/10/2016) of impending enforcement action and opportunity to "show cause". On the behalf of Walker Quarries Corkery issued a letter to "show cause" for vegetation clearing. DPE issued a penalty notice of \$15,000 issued on 21/12/2016. Receipt indicates payment of General Penalty Notice on 22/12/2016. Final Order issued by DPE re: unauthorised clearing PIN, dated 31/1/2017. Approval of extension to resolve non-compliance (through modification to DA) (8/3/2017). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017). 	<ul style="list-style-type: none"> As per REC 7

6 Additional Recommendations

Additional recommendations relating to compliant conditions are outlined within **Table 8**

Table 8 Additional Recommendations for Wallerawang Quarry

Aspect	Recommendation
Annual quarry production data	REC 34: Attach a copy of S1 Forms to future AEMR/Annual Reviews.
Employee awareness of the conditions of DA Mod 1	REC 35: Include up-to-date versions of the EMS and EMP in training folders.
Noise monitoring	REC 36: Ensure noise monitoring is undertaken over a single day.
Signage displayed on trucks	REC 37: Ensure Walker Quarries uses its best endeavours to ensure that appropriate signage is displayed on all trucks used to transport product from the development so they can be easily identified by road users.
Waste management	REC 38: The site should provide opportunities/incentives to minimise waste generated at the site, such as installing recycling bins. In future Annual Reviews/AEMRs include details regarding how many kilograms/tonnes of waste are produced/removed from site on an annual basis.
Dangerous goods	REC 39: Update the Hazardous Substance Control Plan so that it reflects the current development consent (Mod 1).
Bushfire Management Plan	REC 40: Include a clause in the Bushfire Management Plan stating that emergency services will be assisted to the extent practicable if there is a fire in the vicinity of the site.
PIRMP	REC 41: Update the PIRMP to include the telephone number/contact details of the DPE.
Incident reporting	REC 42: Ensure all exceedances are reported to the DPE and other agencies.
Sediment basin	REC 43: Ensure storage basins identified at EPA identification points 1 and 2 are desilted on a regular basis.
Complaints telephone line	REC 44: Update either the Walker Quarry website or EMS to include the correct complaints telephone line.
Blast Management Plan	REC 45: Include appropriate reference to Australian Standard 2187.2 of 2006 in the next version of the Blast Management Plan.

Aspect	Recommendation
Dust sample analysis	REC 46: Obtain lab analysis on percentage of contaminated material within dust deposition results.

7 Conclusion

Good Performance

The following areas of good performance were noted during the audit:

- All Management Plans have been updated and approved by the DPE, in accordance with DA 344-11-2001 Mod 1, except for the Biodiversity Management Plan, where an extension has been granted;
- Walker Quarries obtained approval of Mod 1 and are now operating in compliance with the new consent (in terms of processing and disturbance areas);
- Environmental monitoring is being undertaken at the site;
- The visual bund has been installed;
- Progressive rehabilitation is being undertaken at the site, including rehabilitation of the WSEA and the visual bund;
- Noise control achieved through the purchase of new equipment with noise dampeners;
- Water is recycled in the sand washing process;
- Fines system (a Sandvik SRD180) was installed in March 2018 to recover fines (sediment);
- Majority of drains are rock lined;
- A number of mitigation measures for noise and dust management are being implemented;
- A new weather station installed at the site which is monitored from the weighbridge;
- Sediment Dams installed at the site;
- Chemicals (oil) and diesel tank are appropriately bunded; and
- Archaeological site is properly fenced.

General Areas of Improvement

- Non-compliances with water quality criteria during discharge events;
- Non-compliance with dust deposition criteria;
- Disturbance outside the approval area by the previous operator (Dukes). This has already been rectified with the approval of Mod 1 and update to the RMP/MOP;
- Processing material not in accordance with the original development consent. This has already been rectified with the approval of Mod 1;
- General housekeeping required for the site, with a few weeds and a small amount of waste on site (refer to Photo 15);
- Water management at the WSEA was not in accordance with approved documentation, however this was rectified with a revised SWMP submitted to DPE;
- Some erosion at the WSEA that needs to be managed appropriately;

-
- Small blowout of one of the sediment basins at the top of the extraction area that needs repair; and
 - Dust deposition sampling bottles mixed-up. Ensure future monitoring is undertaken properly.

APPENDIX A

Photographs



Photo 1 – Demountable building on-site



Photo 2 – Minimal dust and noise identified from dozers, trucks and processing equipment



Photo 3 – Water truck at Main Storage Dam (SD1)



Photo 4 – Rehabilitation (hydromulch application) undertaken at the WSEA



Photo 5 – Depositional Dust Gauge



Photo 6 – Main Storage Dam (SD1) and Sediment Basin (SB1)) (mid-ground)



Photo 7 – Silt cells



Photo 8 – Top storage dam



Photo 9 – Sediment basin with small blowout



Photo 10 – Erosion prone area at the WSEA



Photo 11 – Fenced Aboriginal Heritage Site



Photo 12 – Vegetated visual bund along the northern perimeter of the quarry



Photo 13 – Self-bunded diesel tank on-site (in mid-ground)



Photo 14 – Oil stored on a bund (containers to the side are empty)



Photo 15 – Rubbish around the site

APPENDIX B

Compliance Spreadsheets

Assessment against EIS and Environmental Assessment – Executive Summary

Aspect	EIS/Environmental Commitment	Comment and Recommendations from Audit
EIS		
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 archaeological area has been fenced. The EMS covers Aboriginal Heritage. Heritage is covered during the site induction (EMS is part of the site's induction package).
Flora and Fauna	Upon completion of quarry activities, the site will be returned to a floristic structure commensurate with the surrounding area.	Ongoing rehabilitation being undertaken at the site. According to the RMP/MOP dated March 2018 the site will be returned to woodland.
Surface and Ground Water	Water from undisturbed areas will be diverted around the site and discharged to the Coxs 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. 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.	From the site inspection and a review of documentation provided during the audit, water management at the site appears to be effective. A dirty water and clean water system has been established. The site has the ability to pump between dams to reduce risk of discharge. After a site inspection on 22/2/2018 DPE requested an update to the SWMP such that it accurately reflected the water management structures on site. The SWMP was updated and submitted to the DPE on 26/02/2018. Exceedances in water quality criteria (TSS and pH) occurred during discharge events from the site (on 20/6/2016 and 22/3/2017).
Air Quality	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. In the event that excessive dust generation occurs during adverse wind conditions, activities will be modified or ceased during the	All these controls were observed during the site inspection. No dust complaints received during the audit period, and only one exceedance in the rolling 12 monthly average for depositional dust, therefore

Aspect	EIS/Environmental Commitment	Comment and Recommendations from Audit
	<p>period.</p> <p>However, the retention of extensive tree cover around the entire site should minimise this occurrence by sheltering the site from unfavourable winds.</p>	<p>dust mitigation measures are seen to be effective.</p> <p>Tree cover has been retained around the site.</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.</p> <p>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 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>As confirmed by the site inspection, mitigation measures are implemented on site to manage noise (including processing in the extraction area and using new processing equipment).</p> <p>Noise monitoring undertaken during the audit period did not detect any noise exceedances.</p> <p>As above</p> <p>Monitoring has been undertaken during the audit period, however not strictly in accordance with the requirements of the NMP, as monitoring was undertaken late (not within the required 6 month period).</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>All blasting undertaken during the audit period was below criteria.</p> <p>Mitigation measures are described in the BMP.</p>

Aspect	EIS/Environmental Commitment	Comment and Recommendations from Audit
	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.	
Visual	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.	Ongoing rehabilitation has been undertaken at the quarry site. The visual bund has also been installed.
Final Void	<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>During the site inspection the quarry highwall appeared to be stable.</p> <p>Rehabilitation of the void is limited until completion of quarry activities (closure).</p>
Planning and Services	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 and amenities. Treated effluent will be irrigated onto a managed vegetated area of the site.	<p>Potable water purchased as necessary.</p> <p>Septic tank system installed at site.</p> <p>Septic tank system pumped out as required.</p>
Road Transport	<p>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.</p> <p>During fog conditions, no heavy vehicles will be allowed to leave the quarry site until visibility has returned to an acceptable level.</p>	<p style="text-align: right;">L_</p> <p>The intersection has been constructed and fully operational.</p> <p>The one complaint during the audit period was as a result of a truck leaving the site in foggy conditions.</p>

Aspect	EIS/Environmental Commitment	Comment and Recommendations from Audit
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.	DA Mod 1 increased the production rate to 500,000 tpa. The quarry operated within this limit during the audit period. More than four employees at the site.
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.
Mod 1 Environmental Assessment		
WSEA	On approval of the Proposed Modification, earthworks would be undertaken to create flat surfaces for the placement of Quarry products.	During the site inspection noted that flat surfaces have been created at the WSEA area.
Water management	In order to maximise the available area for product stockpiling, the Proponent also proposes to in-fill the existing clean water drain to the west of the approved stockpile area and replace this with an underground pipeline to transfer clean water from the north of the Quarry Site to natural drainage to the south.	During the site visit inspected the diversion at the WSEA where water is being diverted away from the clean water drain into a sediment basin. Also inspected the point where the underground pipeline will be installed.
Silt Removal	The proposed Modification also provides for the removal of silt collected in the silt cells either to a drying cell or modularised dewatering unit.	During site inspection noted that a modularised dewatering unit is being used.
Amendment to Final Landform	The additional disturbance would require an amendment to the final landform of the Quarry, however, this change would be minor and the landform would remain in sympathy with the surrounding topography. Minor and targeted amendments to the quarry Landscape Planting Plan incorporating a vegetated bund wall along the northern perimeter of the Quarry Site would minimise any impacts of the additional disturbance on the visibility of the Quarry.	The RMP/MOP has been updated (March 2018) to show the final landform. Vegetated bund wall has been installed along the northern perimeter of the Quarry Site.
Water Management	The Quarry <i>Water Management Plan</i> would require updating to include additional water diversion and collection infrastructure to ensure pollution of receiving waters by suspended sediment is avoided. The Quarry water balance, previously prepared and included in the Water Management Plan to include the aggregate and sand washing operations, has	SWMP updated in January 2018. Updated water balance included in the January 2018 version of the SWMP.

Aspect	EIS/Environmental Commitment	Comment and Recommendations from Audit
	<p>been reviewed and confirms sufficient water would be available for on-site requirements for all but very dry years.</p> <p>Under these conditions, water would be purchased or obtained under appropriate licence (either from a water supply work to be established or by trading on the commercial market).</p>	<p>According to site comms, water supplies for the development come from Danny Cullen Water Cart Services and also the Council.</p>

MOD 1 Consolidated Consent (DA 344-11-2001)

2017 Consent (dated 25 August 2017)

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
Administrative Conditions				
Obligation to Minimise Harm to the Environment				
1	In addition to meeting the specific performance measures and criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the development.	Non-Compliant (Medium Risk)	<p>* During the audit period exceedances in surface water and dust criteria occurred (refer to Condition 12, Schedule 3 and Condition 17, Schedule 3).</p> <p>* During the audit period unauthorised clearing (a new, undocumented area of disturbance) was undertaken (refer to Condition 13(e), Schedule 3.</p>	* Ensure harm to the environment (that may result from the construction, operation or rehabilitation of the development) is minimised as far as possible.
Terms of Consent				
2	<p>The Applicant must carry out the development:</p> <p>(a) generally in accordance with the EIS and EA (Mod 1); and</p> <p>(b) in accordance with the conditions of this consent and Development Layout Plan.</p> <p>Note: <i>The Development Layout Plan is shown in Appendix 1.</i></p>	Compliant	<p>The development has been undertaken:</p> <p>(a) Generally in accordance with the EIS and EA (Mod 1); and</p> <p>(b) Generally in accordance with the conditions of this consent (except for matters noted within this audit) and the Development Layout Plan.</p>	
3	If there is any inconsistency between the documents in condition 2(a), the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.	Note		
4	<p>The Applicant must comply with any written requirement/s of the Secretary arising from the Department's assessment of:</p> <p>(a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent (including any stages of these documents);</p>	Compliant	<p>(a) I. The 2016 Annual Review/AEMR was assessed by DPE and the DPE requested in a letter to Walker Quarries dated 19/10/2016 that additional details are included in the 2017 Annual Review. The 2017 Annual Review included these requirements.</p> <p>II. Letter sent from DPE, dated 19/10/2016 requesting follow-up re: blast monitoring. Walker Quarries provided details regarding blast monitoring, in letter to DPE. DPE then confirmed of compliance with blast monitoring in letter dated 26 August 2016.</p> <p>III. Correspondence from DPE relating to late submission of 2016/2017 Annual Review. The Annual Review was provided to the DPE on 30 October 2017 and not the required submission date of 31 August 2017.</p> <p>IV. Correspondence from DPE dated 13/11/2017 requested a revised Annual Review. The revised Annual Review was prepared and submitted to the DPE via email on 24/11/2018.</p> <p>V. Warning Letter from DPE following IEA, dated 18/4/2016. Action Plans dated May 2016 & June 2016 prepared and supplied to DPE to address the Warning Letter. Monthly reports on progress against Action Plan (from June 2016 to September 2016 and Close-out Confirmation report (dated October 2016). Close-out Report submitted to the DPE via email dated 16 October 2016. Email from DPE (dated 17 October 2016) confirmed no further actions identified in the IEA or compliance audit is required.</p>	
4	<p>(b) any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with this consent; and</p> <p>(c) the implementation of any actions or measures contained in these documents.</p>	Compliant	<p>(b) A number of site inspections were undertaken by the DPE during the audit period regarding compliance with this consent.</p> <p>I. As detailed in letter dated 4 October 2016, during the 16 August 2016 inspection DPE noted that there was "a new, undocumented area of disturbance" and requested that additional details were provided of this area. R.W. Corkery & Co. (Corkery) provided a response letter (dated 18 October 2016) on the behalf of Walker Quarries, providing details of the disturbance. DPE issued a letter (dated 19/10/2016) of impending enforcement action and opportunity to "show cause". On the behalf of Walker Quarries Corkery issued a letter to "show cause" for vegetation clearing. DPE issued a penalty notice of \$15,000 issued on 21/12/2016. Receipt indicates payment of General Penalty Notice on 22/12/2016. Final Order issued by DPE re: unauthorised clearing PIN, dated 31/1/2017. Approval of extension to resolve non-compliance (through modification to DA) (8/3/2017). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017). DA Mod 1 approved 25 August 2017.</p> <p>II. Letter from DPE requesting information on sand washing on-site, dated 23/11/2016. Letter from Hicksons Lawyers to DPE re: sand washing, dated 2/12/2016. Formal letter from DPE re: non-compliance of sand washing, dated 21/12/2016. DPE confirmation of extension to timeframe (23/12/2016). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017).</p> <p>III. Letter from DPE, dated 26/12/2018, regarding the site inspection conducted on 22/2/2018. DPE requested update to Soil and Water Management Plan (SWMP) and to implement measures to stabilise the slopes in the WSEA. The SWMP was updated and submitted to the DPE on 26/02/2018. The slopes of the Western Stockpile Extension Area (WSEA) were hydromulched in March 2018.</p> <p>(c) The implementation of these actions and documents is confirmed (via the above correspondence).</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
Limits on				
Quarrying Operations				
5	The Applicant may carry out quarrying operations on the site until 15 July 2019. Note: Under this consent, the Applicant is required to rehabilitate the site and carry out additional requirements and undertakings to the satisfaction of the Secretary. Consequently, this consent will continue to apply in all respects other than the right to conduct quarrying operations until the rehabilitation of the site and those requirements and undertakings have been carried out to the standard required by the applicable conditions.	Note		
6	The Applicant must not undertake quarrying operations below a level of 930 m AHD. Note: Construction of drainage sumps may be constructed below this level with the agreement of the Secretary	Compliant	* Survey Plan from Rangott Mineral Exploration provided.	
7	The Applicant must not extract and/or transport more than 500,000 tonnes of quarry products from the site in any calendar year.	Compliant	* Summary report showing weighbridge tonnages and royalty payments; 73,034 tonnes (2016), 69,778 tonnes (2017), 25,193 tonnes (January - March 2018), and 9,484 tonnes (April 2018). * S1 Form for year ending 30 June 2016 indicated sales during 2015 - 2016 were 42,076 tonnes. * S1 Form for year ending 30 June 2017 indicated sales during 2016 - 2017 were 85,124 tonnes..	
Structural Adequacy				
8	The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. Notes: • Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works; and • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development or project.	Non-Compliant (Low Risk)	* Non-compliant: Letter from Lithgow City Council noted that during an inspection on the 14/12/2017 the Council identified two transportable structures had been erected on the property without Council approval. * According to site comms Walker Quarries was of the understanding that an existing Development Approval already existed for the structures. * A Council approval was acquired for the erection of the buildings (DA019_18). * Demountable buildings remain on-site (refer to Photo 1).	* Ensure that all structures are constructed in accordance with the relevant requirements of the BCA. * Ensure occupation certificates are acquired for the building works. * Ensure the building works comply with Council Consent (DA019_18).
Demolition				
9	The Applicant must ensure that all demolition work is carried out in accordance with <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> , or its latest version.	Not Triggered	* No demolition works undertaken.	
Protection of Public Infrastructure				
10	Unless the Applicant and the applicable authority agree otherwise the Applicant must: (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. Note: This condition does not apply to damage to roads caused as a result of general road usage.	Not Triggered	* Based on a site inspection and pers comm with Walker Quarries personnel there has been no issues relating to damaging public infrastructure identified. * Blast Management Plan includes clause that "No blasting will be initiated within 30 metres of any power line infrastructure, or within 100 metres of any other public infrastructure or underground utilities (such as Telstra infrastructure) without the written permission of the agency responsible for managing that infrastructure." * No damage to public infrastructure reported in 2015-2016 & 2016-2017 AEMR/Annual Reviews.	
Operation of Plant and Equipment				
11	The Applicant must ensure that all the plant and equipment used at the site, or to monitor the performance of the development is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Compliant	a) Site inspection indicated that plant and equipment seemed to have been maintained. * During site inspection minimal dust and noise identified from dozers, trucks and processing equipment (refer to Photo 2). * Maintenance reports (pre-start and operational safety check sheet) for equipment, dated 3/1/2018. b) Onsite/offsite training conducted to ensure plant and equipment operated in a proper and efficient manner. Training files viewed during site inspection.	
Production Data				
12	The Applicant must: (a) from the commencement of quarrying operations provide calendar year annual quarry production data to DRG using the standard form for that purpose; and (b) include a copy of this data in the Annual Review.	Compliant	a) S1 Form for year ending 30 June 2016 and year ending 30 June 2017. The S1 form for year ending 30 June 2017 submitted to DRG on 15/2/2018 via email. Correspondence regarding the submission of the S1 Form for year ending 30 June 2016 to DRG unavailable as prior operator destroyed record. b) Annual quarry production data is included in the 2015-2016 & 2016-2017 AEMR/Annual Review. * <u>Observation:</u> Copies of S1 Forms are not attached to the AEMR/Annual Reviews.	* Attach a copy of S1 Forms to future AEMR/Annual Reviews.
Compliance				
13	The Applicant must ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.	Compliant	* Copies of the site's Environmental Safety Policy kept in the mess and weighbridge office. * Every site employee receives a copy of and training in the Environmental Management Strategy (EMS) and Environmental Monitoring Program (EMP). * <u>Observation:</u> Outdated versions of the EMS and EMP included in folders used for training.	* Include up-to-date versions of the EMS and EMP in training folders.
Schedule 3				
Noise				
Hours of Operation				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action										
1	<p>The Applicant must:</p> <p><i>Table 1: Operating Hours</i></p> <table><tr><th>Activity</th><th>Permissible Hours</th></tr><tr><td>Quarrying operations</td><td><ul style="list-style-type: none">7 am to 6 pm Monday to Friday8 am to 1 pm SaturdayAt no time on Sundays or public holidays</td></tr><tr><td>Loading and dispatch of trucks</td><td><ul style="list-style-type: none">May be conducted at any time, provided these activities comply with the noise criteria in Table 2</td></tr><tr><td>Blasting</td><td><ul style="list-style-type: none">9 am to 5 pm Monday to Friday9 am to 1 pm on SaturdaysAt no time on Sundays or public holidays</td></tr><tr><td>Maintenance</td><td><ul style="list-style-type: none">May be conducted at any time, provided that these activities are not audible at any privately-owned residence</td></tr></table>	Activity	Permissible Hours	Quarrying operations	<ul style="list-style-type: none">7 am to 6 pm Monday to Friday8 am to 1 pm SaturdayAt no time on Sundays or public holidays	Loading and dispatch of trucks	<ul style="list-style-type: none">May be conducted at any time, provided these activities comply with the noise criteria in Table 2	Blasting	<ul style="list-style-type: none">9 am to 5 pm Monday to Friday9 am to 1 pm on SaturdaysAt no time on Sundays or public holidays	Maintenance	<ul style="list-style-type: none">May be conducted at any time, provided that these activities are not audible at any privately-owned residence	Compliant	<ul style="list-style-type: none">* Timesheets indicating employee start and finish times were provided. Staff arrive at work before 7am on Monday to Friday and before 8am on Saturday but according to site comms no quarrying operations is carried out at the site until 7am.* According to site comms quarrying operations did not occur after 1pm on Saturday even though staff were present on site.* Timesheets indicate no quarry operations undertaken after 6pm. One timesheet indicated a 6.15pm finish time, however the employee was not undertaking quarry operations. Instead undertook maintenance duties, according to diary note and visitor log.* 2015-2016 & 2016-2017 AEMR/Annual Reviews indicate blasting was carried within permitted hours and days. Other operational hours are not discussed in these documents.* No complaints from public regarding start times.	
Activity	Permissible Hours													
Quarrying operations	<ul style="list-style-type: none">7 am to 6 pm Monday to Friday8 am to 1 pm SaturdayAt no time on Sundays or public holidays													
Loading and dispatch of trucks	<ul style="list-style-type: none">May be conducted at any time, provided these activities comply with the noise criteria in Table 2													
Blasting	<ul style="list-style-type: none">9 am to 5 pm Monday to Friday9 am to 1 pm on SaturdaysAt no time on Sundays or public holidays													
Maintenance	<ul style="list-style-type: none">May be conducted at any time, provided that these activities are not audible at any privately-owned residence													
2	<p>The following activities may be carried out outside the hours specified in condition 1 above:</p> <p>(a) delivery or dispatch of materials as requested by Police or other public authorities; and</p> <p>(b) emergency work to avoid the loss of lives, property or to prevent environmental harm.</p> <p>In such circumstances, the Applicant must notify the Secretary and affected residents prior to undertaking the activities, or as soon as is practical thereafter.</p>	Not Triggered	<p>(a) No delivery or dispatch of materials as requested by Police or other public authorities.</p> <p>(b) No emergency work to avoid the loss of lives, property or to prevent environmental harm.</p>											
Noise Impact														
3	<p>The Applicant must:</p> <p><i>Table 2: Noise criteria dB(A)</i></p> <table><tr><th>Receiver</th><th>Day LAeq (15 minute)</th><th>Evening LAeq (15 minute)</th><th>Night LAeq (15 minute)</th></tr><tr><td>Any residence on privately owned land</td><td>43</td><td>43</td><td>39</td></tr></table> <p>Noise generated by the development is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. Appendix 3 sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.</p> <p>However, the noise criteria in Table 2 do not apply if the Applicant has an agreement with the relevant landowner to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.</p>	Receiver	Day LAeq (15 minute)	Evening LAeq (15 minute)	Night LAeq (15 minute)	Any residence on privately owned land	43	43	39	Compliant	<p><u>Noise assessment reports results:</u> Atkins Acoustics Site Attended Noise Audit, dated 20 July 2016 (attended noise measurements). Monitoring undertaken during the day. Estimated quarry contribution to noise below 43 dB(A); N1 (<34), N2 (<38) and N3 (<33).</p> <p>* Muller Acoustic Consulting Pty Ltd (MAC) Noise Monitoring Assessment, dated 23 January 2017 (attended noise measurements). Monitoring undertaken on 12/1/2017, during the day. Estimated quarry contribution to noise below 43 dB(A); N1 (quarry inaudible), N2 (quarry inaudible) and N3 (quarry inaudible).</p> <p>* MAC Noise Monitoring Assessment, dated September 2017. Monitoring undertaken on 19/9/2017 and 20/9/2017, during the day. Estimated quarry contribution to noise below 43 dB(A); N1 (quarry inaudible), N2 (quarry inaudible) and N3 (quarry inaudible), for both days. A sound power assessment of quarry was also undertaken on 19/9/2017 and 20/9/2018.</p> <p>* MAC Noise Monitoring Assessment, dated May 2018. Monitoring undertaken on 4/4/2018, during the day. Estimated quarry contribution to noise below 43 dB(A); N1 (quarry inaudible), N2 (quarry inaudible) and N3 (quarry inaudible), for both days. A sound power assessment of quarry was also undertaken on 4/4/2018.</p> <p>* <u>Observation:</u> Monitoring undertaken over two days 19/9/2017 and 20/9/2017, instead of a single day. The NMP (Section 6.3.5) states that "Monitoring will take place over a single day".</p>	<ul style="list-style-type: none">* Ensure noise monitoring is undertaken over a single day.		
Receiver	Day LAeq (15 minute)	Evening LAeq (15 minute)	Night LAeq (15 minute)											
Any residence on privately owned land	43	43	39											
Operating Conditions														
4	<p>The Applicant must:</p> <p>(a) implement best practice management to minimise the construction, operational and road transportation noise of the development;</p> <p>(b) minimise the noise impacts of the development during meteorological conditions when the noise criteria in this consent do not apply (see Appendix 3);</p> <p>(c) carry out noise monitoring (at least every 3 months or as otherwise agreed with the Secretary) to determine whether the development is complying with the relevant conditions of this consent; and</p> <p>(d) regularly assess noise monitoring data and modify and/or stop operations on site to ensure compliance with the relevant conditions of this consent, to the satisfaction of the Secretary.</p> <p>Note: Required frequency of noise monitoring may be reduced if approved by the Secretary.</p>	Non-Compliant (Low Risk)	<p>a) & b) Noise Management Plan prepared & approved by DPE on 21/12/2017 via letter.</p> <p>* According to site comms relatively new plant and equipment at site installed with noise suppressing devices.</p> <p>* During site inspection noted some processing equipment is positioned in the main quarry so that the high wall acts as a natural noise barrier.</p> <p>* According to the 2015/2016 & 2016/2017 AEMR/Annual Reviews, and a review of the monitoring data there was no exceedances with noise criteria during the audit period.</p> <p>* No complaints regarding noise.</p> <p>(c) Noise Audit undertaken 4 July 2016, and Noise Monitoring Assessments undertaken 12 January 2017, 19 & 20 September 2017 and 4/4/2018. The delay between the January 2017 and September 2017 monitoring was due to the quarry being on care and maintenance. DPE approved the delayed monitoring in an email from C. Schultz, dated 1 August 2017.</p> <p>* <u>Admin Non-compliant:</u> Monitoring was undertaken on the 19/9/2017 & 20/9/2017, and 4/4/2018, therefore the requirements of monitoring every 6 months was not met, as monitoring was undertaken late. Site noted that monitoring was delayed to capture all site based noise and due to weather conditions. As the non-compliance doesn't result in any risk of environmental harm the non-compliance is an administrative non-compliance.</p> <p>* <u>Non-compliant:</u> Warning letter from DPE dated 18/4/2016 indicated that attended monitoring was not undertaken each month in accordance with the NMP and the original development consent condition 2.5.</p> <p>(d) Noise monitoring data assessed in noise audit and assessment reports. Modification and/or cessation of operations on site not required to ensure compliance with the relevant conditions.</p>	<ul style="list-style-type: none">* Ensure noise monitoring is undertaken in accordance with the development consent and NMP.										
Noise														
5	<p>The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with the EPA;</p> <p>(b) be submitted to the Secretary within three months of the determination of Modification 1, unless otherwise agreed by the Secretary;</p> <p>(c) describe the measures to be implemented to ensure:</p> <ul style="list-style-type: none">* compliance with the noise criteria and operating conditions of this consent;* best practice management is being employed; and* the noise impacts of the development are minimised during meteorological conditions under which the noise criteria in this consent do not apply (see Appendix 3); <p>(d) describe the proposed noise management system; and</p> <p>(e) include a monitoring program to be implemented to measure noise from the development against the noise criteria in Table 2, and which evaluates and reports on the effectiveness of the noise management system on site.</p>	Compliant	<p><u>Preparation:</u></p> <p>(a) Letter (attached as Appendix 1 to the NMP) from the EPA dated 3 August 2016 acknowledges consultation undertaken by Walker Quarries;</p> <p>(b) Noise Management Plan (NMP) submitted to DPE via email from RW Corkery (on the behalf of Walker Quarries) on 24/11/2017.</p> <p>(c) The Section 5 of the NMP describes the measures to be implemented to ensure:</p> <ul style="list-style-type: none">* Compliance with the noise criteria and operating conditions of this consent;* Best practice management is being employed; and* The noise impacts of the development are minimised during meteorological conditions under which the noise criteria in this consent do not apply; <p>(d) Describes the proposed noise management system (Section 5); and</p> <p>(e) Include a monitoring program to be implemented to measure noise from the development against the noise criteria in Table 2, and which evaluates and reports on the effectiveness of the noise management system on site (Section 6).</p> <p>* DPE approved NMP in letter dated 21/12/2017.</p>											

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
5	The Applicant must implement the Noise Management Plan as approved from time to time by the Secretary.	Non-Compliant (Low Risk)	<p><u>Implementation:</u></p> <ul style="list-style-type: none"> * Noise monitoring undertaken. * Noise monitoring results indicate that noise levels are within the required range (do not exceed the criteria). * <u>Admin Non-compliant:</u> According to the Section 6.3.5 of the revised & approved NMP (dated 21/12/217) and DA 344_11_2001 Condition 4 above, noise monitoring is to be undertaken "at least every 6 months (September and March)". Monitoring was undertaken on the 19/9/2017 & 20/9/2017, and 4/4/2018, therefore the requirement of monitoring every 6 months was not met. Site noted that monitoring was delayed to capture all site based noise and due to weather conditions. As the non-compliance doesn't result in any risk of environmental harm the non-compliance is an administrative non-compliance. * Noise mitigation measures implemented at the site include operating within approved operating hours, and installation of highwall. * <u>Non-compliant:</u> Warning letter from DPE dated 18/4/2016 indicated that attended monitoring was not undertaken each month in accordance with the NMP and the original development consent condition 2.5. 	* Ensure noise monitoring is undertaken in accordance with the development consent and NMP.

Blasting

Blasting Impact Assessment Criteria

6	The Applicant must ensure that blasting on site does not cause any exceedance of the criteria in Table 3.				Compliant	<p>* Blasting reports dated 07/12/2015, 04/05/2016, 18/07/2016, 06/02/2017, 23/10/2017 & 21/02/2018 indicate that blasting on site does not cause any exceedance of the blast criteria.</p> <p>* Letter from DPE, dated 19/10/2016, RE: the Wallerawang Quarry AEMR/Annual Review stated that blast monitoring was only undertaken at Monitoring Point 2 since 3 September 2014. The letter stated that a response was requested by 4/11/2016 advising why monitoring was not undertaken at Monitoring Point 2.</p> <p>* Letter from DPE, dated 21/12/2016, RE: Blast Monitoring at Lake Wallace Dam Wall referred to response email from RME Rangott Mineral Exploration Pty Ltd (on the behalf of the Walker quarries) to the DPE dated 17/11/2016, and how the Blasting Monitoring Program and the Blasting/Vibration Management Protocol did not specifically identify Monitoring Point 2 as a monitoring point, even though Monitoring Point 2 was incorrectly referred to in the Annual Review. DPE noted that monitoring at Point 2 be undertaken in the future in accordance with the recently submitted Blast Management Plan.</p> <p>* Since 17/11/2016 monitoring at all 3 blast monitoring sites has been undertaken.</p>
	Table 3: Blasting Criteria					
	Receiver	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance		
	Any residence on privately-owned land	120	10	0%		
		115	5	5% of the total number of blasts over a period of 12 months		
All public infrastructure	-	50	0%			
However, these criteria do not apply if the Applicant has a written agreement with the relevant landowner or infrastructure owner to exceed the limits in Table 3, and the Applicant has advised the Department in writing of the terms of this agreement.						

Property Inspections

7	<p>If the Applicant receives a written request from the owner of any privately-owned land within 2 kilometres of the site for a property inspection to establish the baseline condition of any buildings and structures on their land, or to have a previous property inspection updated, then within 2 months of receiving this request the Applicant must:</p> <ul style="list-style-type: none"> (a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to: * establish the baseline condition of any buildings and other structures on the land, or update the previous property inspection report; and * identify measures that should be implemented to minimise the potential blasting impacts of the development on these buildings and structures; and (b) give the landowner a copy of the new or updated property inspection report. <p>If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the property inspection report, either party may refer the matter to the Secretary for resolution.</p>	Not Triggered	<ul style="list-style-type: none"> * According to site comms no written requests from owner of any privately-owned land within 2 kilometres of the site for a property inspection within the audit period. * According to 2015/2016 & 2016/2017 AEMR/Annual Review no property inspections undertaken. 	
---	--	---------------	--	--

Property Investigations

8	<p>If the owner of any privately-owned land within 2 kilometres of the site or any other landowner where the Secretary is satisfied an investigation is warranted, or claims in writing that buildings or structures on their land have been damaged as a result of blasting on the site, then within 2 months of receiving this written claim the Applicant must:</p> <ul style="list-style-type: none"> (a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to investigate the claim; and (b) give the landowner a copy of the property investigation report. If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Applicant must repair the damage to the satisfaction of the Secretary. <p>If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Secretary for resolution.</p>	Not Triggered	<ul style="list-style-type: none"> * According to site comms no investigations conducted at the request of owners of privately-owned land within 2 kilometres of the site or by any other landowner. 	
---	---	---------------	---	--

Operating Conditions

9	<p>During blasting operations, the Applicant must:</p> <ul style="list-style-type: none"> (a) implement best practice management to: <ul style="list-style-type: none"> * protect the safety of people and livestock; * protect public or private infrastructure and property from damage; and * minimise the dust and fume emissions; (b) operate a suitable system to enable the local community to get up-to-date information on the proposed blasting schedule on site; and (c) carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent, to the satisfaction of the Secretary. 	Compliant	<ul style="list-style-type: none"> (a) No complaints regarding blasts. * Blast Management Plan prepared (dated November) and implemented, and the following sections refer to best practice: <ul style="list-style-type: none"> * Protect the safety of people and livestock - Sections 6.1.3, 6.1.4 and 6.1.5; * Protect public or private infrastructure and property from damage - Sections 6.1.4 and 6.1.5; and * Minimise the dust and fume emissions - Sections 6.1.4, 6.1.6 and 6.1.7. (b) Section 6.1.1 of the Blast Management plan includes a local community notification procedure for the blasting schedule (Section 6.1.1). Currently 5 landowners are registered to receive blast notifications. (c) Blast monitoring is undertaken in accordance with Section 7 of the Blast Management Plan. * Blast monitoring data dated 07/12/2015, 04/05/2016, 18/07/2016, 06/02/2017, 23/10/2017 & 21/02/2018 indicate that blasting on site does not cause any exceedance of the blast criteria. * Letter from DPE (C. Schultz), dated 19/10/2016, RE: the Wallerawang Quarry AEMR/Annual Review stated that blast monitoring was only undertaken at Monitoring Point 2 since 3 September 2014. The letter stated that a response was requested by 4/11/2016 advising why monitoring was not undertaken at Monitoring Point. * Letter from DPE, dated 21/12/2016, RE: Blast Monitoring at Lake Wallace Dam Wall referred to response email from RME Rangott Mineral Exploration Pty Ltd (on the behalf of the Walker quarries) to the DPE dated 17/11/2016, and how the Blasting Monitoring Program and the Blasting/Vibration Management Protocol did not specifically identify Monitoring Point 2 as a monitoring point, even though Monitoring Point 2 was incorrectly referred to in the Annual Review. DPE noted that monitoring at Point 2 be undertaken in the future in accordance with the recently submitted Blast Management Plan. * Since 17/11/2016 monitoring at all 3 blast monitoring sites (including Point 2) has been undertaken. 	
---	---	-----------	---	--

Blast Management Plan

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																								
10	<p>The Applicant must prepare a Blast Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be submitted to the Secretary for approval within three months of the determination of Modification 1, unless otherwise agreed by the Secretary;</p> <p>(b) describe the measures to be implemented to ensure compliance with the blast criteria and operating conditions of this consent;</p> <p>(c) include measures to manage flyrock to ensure the safety of people and livestock and to protect properties;</p> <p>(d) include a monitoring program for evaluating and reporting on compliance with the blasting criteria in this consent;</p> <p>(e) include local community notification procedures for the blasting schedule, in particular to nearby residences; and</p> <p>(f) include a protocol for investigating and responding to complaints related to blasting operations.</p> <p>The Applicant must implement the Blast Management Plan as approved from time to time by the Secretary.</p>	Compliant	<p><u>Preparation:</u></p> <p>(a) Revised Blast Management Plan (BMP) submitted to DPE via email from RW Corkery (on the behalf of Walker Quarries), dated 24/11/2017.</p> <p>(b) Describes the measures to be implemented to ensure compliance with the blast criteria and operating conditions of this consent (Section 6).</p> <p>(c) Includes measures to manage flyrock to ensure the safety of people and livestock and to protect properties (Section 6.1.5).</p> <p>(d) Includes a monitoring program for evaluating and reporting on compliance with the blasting criteria in this consent (Section 7).</p> <p>(e) Includes local community notification procedures for the blasting schedule (Section 6.1.1).</p> <p>(f) Includes a protocol for investigating and responding to complaints related to blasting operations (Section 6.2.2.1).</p> <p><u>Implementation:</u></p> <p>* No complaints received regarding blasts.</p> <p>* Blast monitoring data dated 07/12/2015, 04/05/2016, 18/07/2016, 06/02/2017, 23/10/2017 & 21/02/2018 indicates blasting did not exceed blasting criteria.</p> <p>* Letter from DPE, dated 19/10/2016, RE: the Wallerawang Quarry AEMR/Annual Review stated that blast monitoring was only undertaken at Monitoring Point 2 since 3 September 2014.</p> <p>* Letter from DPE, dated 21/12/2016 referred how the Blasting Monitoring Program and the Blasting/Vibration Management Protocol did not specifically identify Monitoring Point 2 as a monitoring point, even though Monitoring Point 2 was incorrectly referred to in the Annual Review. DPE noted that monitoring at Point 2 be undertaken in the future in accordance with the recently submitted Blast Management Plan (dated September 2016).</p> <p>* Since 17/11/2016 monitoring at all 3 blast monitoring sites has been undertaken.</p>																									
Air Quality																												
Air Quality Impact Assessment Criteria																												
11	<p>The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 4 at any residence on privately-owned land.</p>	Compliant	<p>* Air Quality Management Plan (AQMP) (dated November 2017) prepared for the site which includes avoidance and mitigation measures (Section 5.1.2), and a dust monitoring program (Section 6).</p> <p>From the site inspection:</p> <p>* Minimal dust seen at the site (refer to photo 2);</p> <p>* Unsealed roads and working areas watered down by water truck (refer to photo 3);</p> <p>* Water tank with hose set-up next to processing area, ready to water down material being processed;</p> <p>* Rehabilitation being undertaken at cleared and exposed areas (refer to photo 4).</p> <p>* <u>Observation:</u> According to site comms ALS mixed up sample bottles at 2 of the dust sampling sites; mix up between monitoring site 1 and 4 (on 19/10/2017). Now site is setting up the sample bottles at site and Envirolab is undertaking the analysis.</p>	<p>* Ensure dust monitoring is undertaken correctly, including ensuring that dust monitoring bottles are not mixed up.</p>																								
12	<p><i>Table 4: Air quality criteria</i></p> <table><tr><th>Pollutant</th><th>Averaging Period</th><th colspan="2">Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td colspan="2">a,d 25 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>24 hour</td><td colspan="2">b 50 µg/m³</td></tr><tr><td>Particulate matter < 2.5 µm (PM_{2.5})</td><td>Annual</td><td colspan="2">a,d 8 µg/m³</td></tr><tr><td>Total suspended particulates (TSP)</td><td>Annual</td><td colspan="2">a,d 90 µg/m³</td></tr><tr><td>^c Deposited dust</td><td>Annual</td><td>b 2 g/m²/month</td><td>a,d 4 g/m²/month</td></tr></table> <p>Notes to Table 4:</p> <p>a Cumulative impact (ie increase in concentrations due to the development plus background concentrations due to all other sources).</p> <p>b Incremental impact (ie increase in concentrations due to the development alone, with zero allowable exceedances of the criteria over the life of the development).</p> <p>c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.</p> <p>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.</p> <p>e "Reasonable and feasible avoidance measures" includes, but is not limited to, the operational requirements in conditions 11, 12 and 13 to develop and implement an air quality management system that ensures operational responses to the risks of exceedance of the criteria.</p>	Pollutant	Averaging Period	Criterion		Particulate matter < 10 µm (PM ₁₀)	Annual	a,d 25 µg/m³		Particulate matter < 10 µm (PM ₁₀)	24 hour	b 50 µg/m³		Particulate matter < 2.5 µm (PM _{2.5})	Annual	a,d 8 µg/m³		Total suspended particulates (TSP)	Annual	a,d 90 µg/m³		^c Deposited dust	Annual	b 2 g/m²/month	a,d 4 g/m²/month	Non-Compliant (Low Risk)	<p>Evaluation of depositional dust results indicates:</p> <p>* Most dust depositional results within criteria.</p> <p>* However rolling 12 monthly averages indicate that all the monitoring sites are within the criteria except for DG4.</p> <p><u>Non-compliant:</u> Rolling 12 monthly average for depositional dust (4.58) for DG4 on July 2016 exceeded the set criteria, as reported in the 2016/2017 Annual Review/AEMR. This was due to a potentially contaminated sample from July 2016, with a depositional dust reading of 19.5 g/m2/month.</p> <p><u>Non-compliant:</u> Total Suspended Particulates (TSP) and particulate matter was not measured at the site. The AQMP (dated November 2017, and prior versions) states that "should the rolling average of monthly deposited dust monitoring results reach a trigger level of 3.5g/m2/month the Company would implement a program of particulate matter monitoring to ensure that particulate matter levels (i.e. TSP and PM10) remain within the levels approved in DA 344-11-2001". This monitoring was not undertaken when the trigger level was exceeded, as described above.</p> <p><u>Observation:</u> DG4 bottle was mixed up with the DG1 bottle. This mistake was discovered on 19/10/2017.</p>	<p>* Ensure all possible measures are undertaken to keep levels of dust at the site down.</p> <p>* Ensure dust monitoring is undertaken correctly, including ensuring that dust monitoring bottles are not mixed up.</p>
Pollutant	Averaging Period	Criterion																										
Particulate matter < 10 µm (PM ₁₀)	Annual	a,d 25 µg/m³																										
Particulate matter < 10 µm (PM ₁₀)	24 hour	b 50 µg/m³																										
Particulate matter < 2.5 µm (PM _{2.5})	Annual	a,d 8 µg/m³																										
Total suspended particulates (TSP)	Annual	a,d 90 µg/m³																										
^c Deposited dust	Annual	b 2 g/m²/month	a,d 4 g/m²/month																									
Operating Conditions																												

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
13	The Applicant must: (a) implement best practice management to minimise the dust emissions of the development; (b) regularly assess meteorological and air quality monitoring data and relocate, modify and/or stop operations on site to ensure compliance with the air quality criteria in this consent; (c) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note d under Table 4);	Compliant	(a) The Air Quality Management Plan (AQMP) includes best practice management and mitigation measures for the site to ensure dust emissions are minimised (Section 5.1.2). From the site inspection: * Minimal dust seen at the site; * Unsealed roads and working areas watered down by water truck; * Water tank with hose set-up next to processing area, ready to water down material being processed; * Rehabilitation being undertaken at cleared and exposed areas. (b) Regularly assess meteorological and air quality monitoring data and relocate, modify and/or stop operations on site to ensure compliance with the air quality criteria in this consent (Table 7 and Section 5.2.2.3 of the AQMP [dated November 2017]). * According to site comms ALS mixed up sample bottles at 2 of the dust sampling sites (DGS1 and DGS4) on 19/10/2018. Now site is setting up the sample bottles at site and Envirolab is undertaking the analysis. * From the site inspection processing is now undertaken in the pit, in an area that is not as exposed. This also reduces the amount of truck traffic and potential dust that would be generated by this traffic. (c) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (Section 5.2 of the AQMP). * According to site comms during windy conditions quarried material that is being processed is watered down.	
13	(d) monitor and report on compliance with the relevant air quality conditions in this consent; and (e) minimise the area of surface disturbance and undertake progressive rehabilitation of the site, to the satisfaction of the Secretary.	Non-Compliant (Medium Risk)	(d) Monitor and report on compliance with the relevant air quality conditions in this consent: Non-compliant: Dust monitoring not undertaken in accordance with the AQMP (dated November 2017, and prior versions). * Total Suspended Particulates (TSP) and particulate matter not measured at the site. The AQMP (dated November 2017) states that "should the rolling average of monthly deposited dust monitoring results reach a trigger level of 3.5g/m2/month the Company would implement a program of particulate matter monitoring to ensure that particulate matter levels (i.e. TSP and PM10) remain within the levels approved in DA 344-11-2001" This monitoring was not undertaken when the trigger level was exceeded, as described above. * Compliance with relevant air quality conditions in this consent are included in the 2015-2016 and 2016-2017 AEMR/Annual Reviews. (e) From the site inspection progressive rehabilitation being undertaken at the site. * Non-compliant: Letter from DRG dated 4 October 2016 noted that during the 16 August 2016 inspection DRG noticed there was "a new, undocumented area of disturbance" and requested that additional details were provided of this area. R.W. Corkery & Co. (Corkery) provided a response letter (dated 18 October 2016) on the behalf of Walker Quarries, providing details of the disturbance. DPE issued a letter (dated 19/10/2016) of impending enforcement action and opportunity to "show cause". On the behalf of Walker Quarries Corkery issued a letter to "show cause" for vegetation clearing. DPE issued a penalty notice of \$15,000 issued on 21/12/2016. Receipt indicates payment of General Penalty Notice on 22/12/2016. Final Order issued by DPE re: unauthorised clearing PIN, dated 31/1/2017. Approval of extension to resolve non-compliance (through modification to DA) (8/3/2017). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017). The disturbance was prior to the approval of Mod 1 but applicable to DA 344-11-2001 Schedule 2, Condition 1.1.	* Ensure dust monitoring is undertaken in accordance with the AQMP (dated November 2017). * Ensure future disturbance at site is in accordance with the site's RMP/MOP, including the Vegetation Clearing Protocol.
Air Quality				
14	The Applicant must prepare an Air Quality Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be submitted to the Secretary for approval within three months of the determination of Modification 1, unless otherwise agree by the Secretary; (b) describe the measures to be implemented to ensure: • compliance with the air quality criteria and operating conditions of this consent; • best practice management is being employed; and • the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events; (c) describe the proposed air quality management system; (d) include an air quality monitoring program that: • is capable of evaluating the performance of the development; • includes a protocol for determining any exceedances of the relevant conditions of consent; • effectively supports the air quality management system; and • evaluates and reports on the adequacy of the air quality management system.	Compliant	<u>Preparation:</u> a) Email from RW Corkery (on the behalf of Walker Quarries), dated 24/11/2017, submitted revised AQMP to DPE. DPE approved AQMP via letter dated 21/12/2017. b) Describes the measures to be implemented to ensure: • Compliance with the air quality criteria and operating conditions of this consent (Section 5); • Best practice management is being employed (Section 5.1); and • That air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events (Section 5.1). (c) Describes the proposed air quality management system (Section 5) (refer to photo 5); (d) includes an air quality monitoring program that: • Is capable of evaluating the performance of the development (Section 6); • The protocol for determining exceedances to relevant conditions of the consent is included in Section 6.3.5 of the AQMP. It states: "A copy of monthly dust monitoring results will be reviewed internally, and periodically by an external environmental consultant, and a rolling 12-month average compared against dust deposition criteria. A 12-monthly (rolling) average exceeding 3.5g/m2/month will trigger the consideration of the reactive management measures of Section 5.2." • Effectively supports the air quality management system (Section 6). • Evaluates and reports on the adequacy of the air quality management system (Sections 6.3.5 and 8).	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
14	The Applicant must implement the approved Air Quality Management Plan as approved from time to time by the Secretary.	Non-Compliant (Low Risk)	<p><u>Implementation:</u></p> <ul style="list-style-type: none"> * No complaints received in regards to dust. * <u>Non-compliant:</u> Rolling 12 monthly average for depositional dust (4.58) for DG4 on July 2016 exceeded the set criteria, as reported in the 2016/2017 Annual Review/AEMR. This was due to a potentially contaminated sample from July 2016, with a depositional dust reading of 19.5 g/m2/month. * <u>Non-compliant:</u> Quartzite dust monitoring was undertaken at site on 11/4/2018, with one exceedance in regards to respirable quartz occupational exposure limit recommendations (Crystalline silica dust). This result is a second tier "Notifiable Incident" under the WHS Mining Regulations. This incident was reported to the DPE Resources Regulator on 27/4/2018. * The November 2014 version of the AQMP includes depositional dust sites D1, D2, D3 and D4 (in the next) and sites D64, D62, D61 and D63 on the plan in the AQMP. The September 2016 and November 2017 version of the AQMP includes depositional dust sites D1, D2, D3 and D4. * Depositional dust results for sites 62 & 64 available from October 2015 to February 2016. No other dust results available for this time. * Depositional dust results for sites DG2 and DG4 available for March and April 2016. No other dust results available for this time. * Depositional dust results for sites DG1, DG2, DG3 and DG4 available from May 2016 to April 2018. 	* Ensure all possible measures are undertaken to keep levels of dust at the site down.
Meteorological Monitoring				
15	For the life of the development, the Applicant must ensure that there is a suitable meteorological station operating in the vicinity of the site that complies with the requirements in the <i>Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales</i> guideline.	Non-Compliant (Low Risk)	<ul style="list-style-type: none"> * During site inspection viewed met. station set-up on the western boundary of the site, near to the adjacent highway. This was the same location as designated in the AQMP (November 2017). * According to the AQMP (November 2017) the met. station is set-up in accordance with the <i>Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales</i> guideline. * <u>Non-compliant:</u> According to the Compliance Statement in the 2015/2016 AEMR/Annual Review "Monitoring not done due to breakdown of monitor. A more suitable weather monitoring station has been installed". The non-compliance was prior to the approval of Mod 1 but applicable to DA 344-11-2001 Schedule 2, Condition 2.43. * According to the 2016/2017 AEMR/Annual Review Section 6.20 "Meteorological monitoring was done during the reporting period from a weather station" * <u>Non-compliant:</u> according to Warning Letter from DPE dated 18/4/2016, a meteorological station was installed but was not downloaded on an ongoing basis nor maintained. 	* Ensure the existing meteorological station at the site is operated and maintained at the site at all times.
Soil and Water				
Water Supply				
16	The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of operations under the consent to match its available water supply, to the satisfaction of the Secretary.	Compliant	<ul style="list-style-type: none"> * During the site inspection sufficient water was available on-site for the operation of the development (refer to photo 6). * Water is re-used for processing after it goes through a series of silt cells and fines reclaimer adjacent to the processing pad (refer to photo 7). * Water is stored on site in the Main Storage Dam and the Top Storage Dam which can be used for on-site water requirements, including dust suppression and processing (refer to photo 6 and 8). * According to the SWMP (January 2018) water can be transferred from the sediment basins to the two storage dams. During the site inspection pumps were on-site which allow this transfer of water. * According to site comms water supplies for the development come from Danny Cullen Water Cart Services and also the Council. 	
Water Discharges				
17	The Applicant must comply with the discharge limits in any EPL, or with section 120 of the POEO Act.	Non-Compliant (Low Risk)	<ul style="list-style-type: none"> * <u>Non-compliant:</u> Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L) and 22/3/2017 (120 mg/L). Exceedances prior to Mod 1 Approval, but exceedances still occurred against the original consent criteria (Schedule 2, Condition 2.23) * <u>Non-compliant:</u> Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) on 22/3/2017 (58 mg/L). Exceedances prior to Mod 1 Approval, but exceedances still occurred against the original consent criteria (Schedule 2, Condition 2.23). * <u>Non-compliant:</u> Exceedance in the range of pH (6.5 - 8.5), with a reading of 8.53, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 22/3/2017. Exceedance prior to Mod 1 Approval, but exceedance still occurred against the original consent criteria (Schedule 2, Condition 2.23). * <u>Non-compliant:</u> pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016. Exceedance prior to Mod 1 Approval, but exceedance still occurred against the original consent criteria (Schedule 2, Condition 2.23). * <u>Observation:</u> The water quality monitoring data for the Annual Return reporting period did not provide data that showed the 20/6/2018 exceedance. This exceedance was included in the data provided in Section B2 of the Annual Return but was not included in Section C1. 	<ul style="list-style-type: none"> * Implement a more effective Flocculant system at the main storage dam to keep TSS levels down. * Ensure all Annual Returns are correctly completed.
Soil and Water Management Plan				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
18	The Applicant must prepare a Soil and Water Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared by suitably qualified and experienced person/s approved by the Secretary; (b) be prepared in consultation with the EPA, DPI Water and WaterNSW; (c) be submitted to the Secretary for approval within three months of the determination of Modification 1, unless otherwise agreed by the Secretary; and	Compliant	<u>Preparation:</u> (a) SWMP was prepared by RW Corkery (consultant) on the behalf of Walker Quarries. * Alex Irwin from RW Corkery was approved to prepare the SWMP by the Secretary in a letter from DPE dated 21/12/2017, included in Appendix 1 of the SWMP. (b) The SWMP was prepared in consultation with the EPA, DPI Water and WaterNSW. * Relevant details of consultation are included in Appendix 2 of the SWMP. (c) The Management Plan was submitted to the Secretary for approval within three months of the determination of Modification 1. * Email from RW Corkery (on the behalf of Walker Quarries), dated 24/11/2017, submitted revised Soil and Water Management Plan (SWMP) to DPE. Submission was within the required period. * In letter from DPE to Walker Quarries, dated 26/02/2018, an amended SWMP was requested which reflected the works undertaken on site (the construction of the WSEA). * The SWMP was revised to reflect the construction of the WSEA and re-submitted to DPE on 10/04/2018.	
18	(d) include a: * Site Water Balance that includes: * details of: o sources and security of water supply; o water use and management on site; o any off-site water transfers; and o reporting procedures; and * measures to be implemented to minimise clean water use on site; * Surface Water Management Plan, that includes: * a program for obtaining detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development; * a detailed description of the surface water management system on site including the: o clean water diversion system; o erosion and sediment controls; o dirty water management system; and o water storages; and	Administrative Non-Compliance	<u>Preparation:</u> (d) the SWMP includes a: * Site Water Balance in Section 7. that includes: * details of: o sources of water supply; * <u>Non-compliant:</u> Security of water supply is not discussed. o water use (Section 7.2) and management on site (Section 6.); * The water management section is incorrectly referenced in the SWMP; o The SWMP does not include off-site water transfers, however transfers are not applicable to this site as confirmed by the site inspection and review of the 2015/2016 and 2016/2017 Annual Reviews; and o Section 12.2 includes reporting procedures; and * measures to be implemented to minimise clean water use on site (Section 6 and 7.2); * Surface Water Management Plan, that includes: * Section 10.2.1 mentions sampling of Cox's River upstream and downstream "Monitoring is undertaken to assess the quality of water discharged from the Quarry. and the receiving system (Coxs River) both upstream and downstream of the Quarry". Further details are required about the program for obtaining detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development i.e. sampling locations and how often sampling will be undertaken; * a detailed description of the surface water management system (Section 6) on site including the: o clean water diversion system (Section 9.2); o erosion and sediment controls (Section 9.3 & Section 9.4); o dirty water management system (Section 8 & Section 5.10; and o water storages (Section 5.2); and	* Include security of water supply in the SWMP. * Ensure all references included in Table 3.1. of the SWMP are correct. * Include a program for obtaining detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development (i.e. Cox's river) in the SWMP.
18	* a program to monitor and report on: o any surface water discharges; o the effectiveness of the water management system, o the quality of water discharged from the site to the environment; o surface water flows and quality in local watercourses;	Administrative Non-Compliance	<u>Preparation:</u> * a program to monitor and report on: o surface water discharges (Monitor: Section 10.2.1 & Report: Section 10.7); o <u>Non-compliant:</u> The SWMP does not include a specific program to monitor and report on the effectiveness of the water management system. o the quality of water discharged from the site to the environment (Monitor: Section 10.2.1, Section 10.1.3 & Report: Section 10.7); o <u>Non-compliant:</u> The SWMP does not include a specific program to monitor and report on surface water flows and quality in local watercourses; * <u>Observation:</u> As outlined in DPE's letter dated 30/1/2018 the Plans in the SWMP do not reflect that the crushing plant is located in the pit.	* Include in the SWMP a specific program to monitor and report on the effectiveness of the water management system. * Include in the SWMP a specific program to monitor and report on surface water flows and quality in local watercourses. * Further details are required about the program for obtaining detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development i.e. sampling locations and how often sampling will be undertaken. * Include Plans in the SWMP that reflect that the crushing plant is located in the pit.
18	Groundwater Management Plan includes: * Provision that requires the Applicant to obtain appropriate water licence(s) to cover the volume of any unforeseen groundwater inflows into the quarry from the quarry face or floor (Section 3.3); and * A monitoring program to manage potential impacts, if any, on any alluvium and associated surface water source near the proposed extraction area that includes: o methodology for determining threshold water level criteria (Section 10.4.2); o contingency measures in the event of a breach of thresholds (Section 11.2.4); o a program to regularly report on monitoring (Section 12.2).	Compliant	Groundwater Management Plan includes: * a provision that requires the Applicant to obtain appropriate water licence(s) to cover the volume of any unforeseen groundwater inflows into the quarry from the quarry face or floor; and (Section 3.3). * a monitoring program to manage potential impacts, if any, on any alluvium and associated surface water source near the proposed extraction area that includes: o identification of a methodology for determining threshold water level criteria (Section 10.4.2); o contingency measures in the event of a breach of thresholds (Section 11.2.4); o a program to regularly report on monitoring (Section 12.2).	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
18	The Applicant must implement the approved Soil and Water Management Plan as approved from time to time by the Secretary.	Non-Compliant (Low Risk)	<p><u>Implementation:</u></p> <ul style="list-style-type: none"> * Non-compliant: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L) and 22/3/2017 (120 mg/L). * Non-compliant: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) 22/3/2017 (58 mg/L). * Non-compliant: Exceedance in the range of pH (6.5 - 8.5), with a reading of 8.53, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 22/3/2017. * Non-compliant: pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016. * The water quality monitoring data for the Annual Return reporting period did not provide data that showed the 20/6/2016 exceedance. This exceedance was included in the data provided in Section B2 of the Annual Return but was not included in Section C1. * <u>Non-compliant:</u> Monitoring of Cox's River upstream (SD3) and downstream (SD4) of the development was undertaken on 13/4/2016, 11/5/2016, 7/7/2016, 8/8/2016, 12/9/2016 and 7/10/2016. Monitoring of Cox's River was not undertaken in 2017 or prior to 13/4/2016. All versions of the Water Management Plan (or SWMP) include a monitoring requirement; 2014 version requires "regular monitoring" and the 2016, 2017 and 2018 version requires "monitoring" to be undertaken. * Samples from the main storage dam (160 mg/L) and the bottom working dam (64 mg/L) on 12/9/2016 indicate that TSS exceeded 30 mg/L. * <u>Non-compliant:</u> According to Section 10.7 of the SWMP (dated January 2018) results of all monitoring undertaken will be made publicly available on the Walker Quarries website (http://walkerquarries.com.au/statutory-information/). However, results from June 2016 and March 2017 were missing from the website; when exceedances in water quality data occurred. * <u>Non-compliant:</u> Warning letter from the DPE dated 18/4/2016 noted the failure to undertake surface water monitoring. 	<ul style="list-style-type: none"> * Implement a more effective Flocculant system at the main storage dam to keep TSS levels down. * Ensure all Annual Returns are correctly completed. * Ensure all surface water monitoring data is included on the Walker Quarry website.
18	The Applicant must implement the approved Soil and Water Management Plan as approved from time to time by the Secretary (cont.).	Compliant	<p><u>Implementation:</u></p> <ul style="list-style-type: none"> * No complaints relating to soil or water. * Site inspection indicated majority of sediment basins were intact and working. * <u>Observation:</u> One small sediment basin (at the top of extraction area) had a small blow-out (refer to photo 9). * <u>Observation:</u> Inspection of the WSEA identified additional sediment and erosion controls should be put in place to control erosion & sedimentation, particularly where the access road and the bund meet (refer to photo 10). * Letter from DPE, dated 26/12/2018, regarding the site inspection conducted on 22/2/2018. DPE requested update to Soil and Water Management Plan (SWMP) and to implement measures to stabilise the slopes in the WSEA. The SWMP was updated and submitted to the DPE on 26/02/2018. The slopes of the WSEA were hydromulched in March 2018. * During site inspection Walker Quarries identified that a pipe would be installed at the WSEA to convey dirty water to Sediment Basin 1 (SB1), to continue the separation of clean and dirty water. 	<ul style="list-style-type: none"> * Repair sediment control basin with the small blowout. * Install additional sediment and erosion controls (i.e. rock lined drains) in place at the WSEA to control erosion & sedimentation, particularly where the access road and the bund meet. * Ensure that a pipe be installed at the WSEA to convey dirty water to SB1.
Transport				
Monitoring of Product Transport				
19	The Applicant must keep accurate records of all laden truck movements to and from the site and publish a summary of records on its website every 6 months.	Compliant	* Laden truck movements summary for 1 August-31 January 2018 provided on the Walker Quarry website.	
Operating Conditions				
20	The Applicant must: (a) ensure that all laden trucks entering or exiting the site have their loads covered, with the exception of loads consisting solely of boulders greater than one tonne in weight; (b) ensure that all laden trucks exiting the site are cleaned of material that may fall from vehicles, before leaving the site; and (c) use its best endeavours to ensure that appropriate signage is displayed on all trucks used to transport product from the development so they can be easily identified by road users.	Compliant	(a) Site inspection verified laden trucks exiting the site had their loads covered. (b) Site inspection verified trucks were using on-site wheel wash & that site staff use cameras in weighbridge to ensure an effective wheel wash. (c) <u>Observation:</u> During the site inspection noted that appropriate signage is not displayed on all trucks. * According to site comms this condition was disputed by Walker Quarry when the draft conditions (for Mod 1) were issued and is unenforceable as Walker Quarries cannot mandate signage on trucks it does not own or operate.	* Ensure Walker Quarries uses its best endeavours to ensure that appropriate signage is displayed on all trucks used to transport product from the development so they can be easily identified by road users.
Aboriginal Heritage				
21	The Applicant must not disturb the area marked "Aboriginal Heritage Site" on the Development Layout Plan in Appendix 1.	Compliant	* Site inspection verified that the area marked "Aboriginal Heritage Site" on the Development Layout Plan in Appendix 1 has not been disturbed. The site is fenced (refer to photo 11).	
22	Throughout the life of the development, the Applicant must protect and conserve the area subject to condition 20, in consultation with the Bathurst Local Aboriginal Land Council, and to the satisfaction of the Secretary.	Compliant	* Site inspection verified that the Aboriginal Heritage Site was protected and conserved during the audit period. * The Bathurst Local Aboriginal Land Council was not consulted during the audit period.	
23	If any item or object of Aboriginal heritage significance is identified on site, the Applicant must ensure that: (a) all work in the immediate vicinity of the suspected Aboriginal item or object ceases immediately; (b) a 10 m buffer area around the suspected item or object is cordoned off; and (c) the OEH is contacted immediately. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the <i>National Parks and Wildlife Act 1974</i> .	Not Triggered	* According to site comms no items or objects of Aboriginal heritage of significance were identified on site during the audit period. * 2015/2016 and 2016/2017 Annual Review/AEMRs do not mention any items or objects of Aboriginal heritage of significance being identified on site.	
BIODIVERSITY AND REHABILITATION				
Biodiversity				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action												
24	<p>By 28 February 2018, the Applicant must provide a Biodiversity Offset Strategy in accordance with the <i>Framework for Biodiversity Assessment - NSW Biodiversity Offsets Policy for Major Projects</i> , for the retirement of ecosystem and species credits as set out in Table 5, to the satisfaction of the Secretary and OEH.</p> <table><caption>Table 5: Biodiversity credits to be retired</caption><thead><tr><th>Credit type</th><th>Number of Credits</th></tr></thead><tbody><tr><td colspan="2">Ecosystem Credits</td></tr><tr><td>PCT 732 – Broad-leaved Peppermint - Ribbon Gum grassy open forest in the north east of the South Eastern Highlands Bioregion</td><td>120</td></tr><tr><td>PCT 1093 – Red Stringybark – Brittle Gum – Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion</td><td>34</td></tr><tr><td colspan="2">Species Credits</td></tr><tr><td>Purple Copper Butterfly</td><td>184</td></tr></tbody></table>	Credit type	Number of Credits	Ecosystem Credits		PCT 732 – Broad-leaved Peppermint - Ribbon Gum grassy open forest in the north east of the South Eastern Highlands Bioregion	120	PCT 1093 – Red Stringybark – Brittle Gum – Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion	34	Species Credits		Purple Copper Butterfly	184	Compliant	<p>* Letter from DPE dated 28/2/2018 confirmed that the DPE considers that the interim Biodiversity Offset Strategy (BOS) "satisfies the requirements of condition 24 of Schedule 3 for the time being". The provision of a final BOS relies on establishing conversion procedures for biodiversity credits under the new Biodiversity Conservation Act 2016.</p> <p>* In an email dated 28/02/2018 DPE confirmed the interim BOS did not need to be placed on the Walker Quarry's website.</p>	
Credit type	Number of Credits															
Ecosystem Credits																
PCT 732 – Broad-leaved Peppermint - Ribbon Gum grassy open forest in the north east of the South Eastern Highlands Bioregion	120															
PCT 1093 – Red Stringybark – Brittle Gum – Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion	34															
Species Credits																
Purple Copper Butterfly	184															
Security of Offsets																
25	<p>By 31 December 2018, unless otherwise agreed with the Secretary, the Applicant must make suitable arrangements to provide appropriate long-term security for the Biodiversity Offset Strategy, to the satisfaction of the Secretary. Any mechanism must remain in force in perpetuity.</p> <p>Note: <i>Mechanisms to provide appropriate long-term security to the land within the Biodiversity Offset Strategy in accordance with the NSW Biodiversity Offset Policy for Major Projects 2014.</i></p>	Not Triggered	<p>* Site only has interim BOS.</p> <p>* Quarry not yet required to submit long-term security for the Biodiversity Offset Strategy.</p>	<p>* Ensure suitable arrangements are made to provide appropriate long-term security for the BOS, once the BOS is finalised.</p>												
Biodiversity Management Plan																
26	<p>The Applicant must prepare a Biodiversity Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;</p> <p>(b) be prepared in consultation with OEH;</p> <p>(c) be submitted to the Secretary within three months of providing a satisfactory Biodiversity Offset Strategy or by 31 March 2018, whichever is earlier;</p> <p>(d) describe the short, medium, and long term measures to be undertaken to manage the remnant vegetation and fauna habitat on the site a describe the short, medium and long term measures to be implemented to manage remnant vegetation and habitat on site, including within any biodiversity offset areas;</p> <p>(e) include a detailed description of the measures described in paragraph (d) to be implemented over the next 3 years (to be updated for each 3 year period following initial approval of the plan) including the procedures to be implemented for:</p> <ul style="list-style-type: none">• maximising the salvage of environmental resources within the approved disturbance area, including tree hollows, vegetative and soil resources, for beneficial reuse in the enhancement of any biodiversity offset areas or site rehabilitation;• restoring and enhancing the quality of native vegetation and fauna habitat in any biodiversity offset and rehabilitation areas through assisted natural regeneration, targeted vegetation establishment and the introduction of fauna habitat features;• protecting vegetation and fauna habitat outside the approved disturbance area on-site;• minimising the impacts on native fauna, including undertaking pre-clearance surveys;• ensuring minimal environmental consequences for threatened species, populations and habitats, including the Purple Copper Butterfly;• collecting and propagating seed;• controlling weeds and feral pests;• controlling erosion; and• managing bushfire risk; <p>(f) include a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria;</p> <p>(g) identify the potential risks to the successful implementation of the Biodiversity Offset Strategy, and include a description of the contingency measures to be implemented to mitigate these risks; and</p> <p>(h) include details of who is responsible for monitoring, reviewing, and implementing the plan.</p> <p>The Applicant must implement the Biodiversity Management Plan as approved from time to time by the Secretary.</p>	Not Triggered	<p>* Extension granted for the submission of the Biodiversity Management Plan.</p> <p>* Letter from DPE dated 28/2/2018 confirmed that the DPE agrees to the submission of the Biodiversity Management Plan within three months of providing the final BOS.</p> <p>* Fauna and vegetation monitoring undertaken during audit period</p> <p>- Purple Copper butterfly (Oct 2016 & Dec 2017)</p> <p>- Vegetation monitoring (Oct 2016 & Dec 2017)</p>	<p>* Within three months of providing the final BOS, complete and submit the Biodiversity Management Plan to DPE.</p>												
27	<p>Within six months of the approval of the Biodiversity Offset Strategy, unless otherwise agreed by the Secretary, the Applicant must lodge a Conservation Bond with the Department to ensure that the Biodiversity Offset Strategy is implemented in accordance with the performance and completion criteria in the Biodiversity Management Plan. The sum of the bond must be determined by:</p> <p>(a) calculating the full cost of implementing the Biodiversity Offset Strategy at third party rates (other than land acquisition costs); and</p> <p>(b) employing a suitably qualified, independent and experienced person to verify the calculated costs.</p> <p>The calculation of the Conservation Bond must be submitted to the Department for approval at least 1 month prior to the lodgement of the bond.</p>	Not Triggered	<p>* Site only has interim BOS.</p> <p>* Quarry not yet required to submit long-term security for the Biodiversity Offset Strategy.</p>	<p>* Ensure suitable arrangements are made to provide appropriate long-term security for the BOS, once the BOS is finalised.</p>												

Condition Number	Condition	Compliance Status	Evidence	Recommended Action										
28	<p>The Conservation Bond must be reviewed and if required, an updated bond must be lodged with the Department within 3 months following:</p> <p>(a) an update or revision to the Biodiversity Management Plan;</p> <p>(b) the completion of an Independent Environmental Audit in which recommendations relating to the implementation of the Biodiversity Offset Strategy have been made; or</p> <p>(c) in response to a request by the Secretary.</p> <p>If the Biodiversity Offset Strategy is completed generally in accordance with the completion criteria in the Biodiversity Management Plan to the satisfaction of the Secretary, the Secretary will release the bond.</p> <p>If the Biodiversity Offset Strategy is not completed generally in accordance with the completion criteria in the Biodiversity Management Plan, the Secretary will call in all, or part of, the conservation bond, and arrange for the completion of the relevant works.</p>	Not Triggered	<p>* Site only has interim BOS.</p> <p>* Quarry not yet required to submit long-term security for the Biodiversity Offset Strategy.</p>	<p>* Ensure suitable arrangements are made to provide appropriate long-term security for the BOS, once the BOS is finalised.</p>										
Rehabilitation Objectives														
29	<p>The Applicant must rehabilitate the site to the satisfaction of DRG. This rehabilitation must be generally consistent with the proposed rehabilitation activities described in the documents listed in condition 2 of Schedule 2 (and shown conceptually in the Rehabilitation Plan in Appendix 2), and comply with the objectives in Table 6.</p> <table><caption>Table 6: Rehabilitation Objectives</caption><thead><tr><th>Feature</th><th>Objective</th></tr></thead><tbody><tr><td>All areas of the site affected by the development</td><td><ul style="list-style-type: none">SafeHydraulically and geotechnically stableNon-pollutingFit for the intended post-mining land use(s)Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land</td></tr><tr><td>Surface Infrastructure</td><td><ul style="list-style-type: none">Decommissioned and removed, unless otherwise agreed by the Secretary</td></tr><tr><td>Quarry benches and pit floor</td><td><ul style="list-style-type: none">Landscaped and vegetated using native tree and understorey species</td></tr><tr><td>Final Void</td><td><ul style="list-style-type: none">Minimise the size, depth and slope of the batters of the final voidMinimise the drainage catchment of the final void</td></tr></tbody></table>	Feature	Objective	All areas of the site affected by the development	<ul style="list-style-type: none">SafeHydraulically and geotechnically stableNon-pollutingFit for the intended post-mining land use(s)Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land	Surface Infrastructure	<ul style="list-style-type: none">Decommissioned and removed, unless otherwise agreed by the Secretary	Quarry benches and pit floor	<ul style="list-style-type: none">Landscaped and vegetated using native tree and understorey species	Final Void	<ul style="list-style-type: none">Minimise the size, depth and slope of the batters of the final voidMinimise the drainage catchment of the final void	Compliant	<p>* Documents listed in Condition 2 of Schedule 2:</p> <p><u>EIS</u></p> <p>* Quarry benches to be rehabilitated at a later stage.</p> <p>* Progressive rehabilitation being undertaken.</p> <p>* Native vegetation (retention of the seed bank) at the site.</p> <p>* Stockpiling of cleared trees at site for future use.</p> <p>* According to site comms, harvesting and storage of seed was undertaken at site by the Lithgow Community Seed Bank Corporation, on September 2017.</p> <p><u>EA (Mod 1)</u></p> <p>* Stripping of topsoil and reapplication of the topsoil onto the WSEA.</p> <p>* Progressive rehabilitation being undertaken.</p> <p><u>Conditions of this consent</u></p> <p>* (refer to other relevant conditions).</p> <p><u>Rehabilitation Plan</u>:</p> <p>* Site moving towards final landform in accordance with plan.</p> <p>* Rehabilitation Management Plan includes rehabilitation objectives.</p> <p>* Site inspection confirmed progressive rehabilitation being undertaken at site and the site is moving towards rehabilitation objectives.</p> <p>* Majority of rehabilitation can not be completed until closure at the quarry.</p>	
Feature	Objective													
All areas of the site affected by the development	<ul style="list-style-type: none">SafeHydraulically and geotechnically stableNon-pollutingFit for the intended post-mining land use(s)Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land													
Surface Infrastructure	<ul style="list-style-type: none">Decommissioned and removed, unless otherwise agreed by the Secretary													
Quarry benches and pit floor	<ul style="list-style-type: none">Landscaped and vegetated using native tree and understorey species													
Final Void	<ul style="list-style-type: none">Minimise the size, depth and slope of the batters of the final voidMinimise the drainage catchment of the final void													
Progressive Rehabilitation														
30	<p>The Applicant must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim stabilisation measures must be implemented where reasonable and feasible to control dust emissions in disturbed areas that are not active and which are not ready for final rehabilitation.</p> <p>Note: It is accepted that parts of the site that are progressively rehabilitated may be subject to future re-disturbance.</p>	Compliant	<p>* Progressive rehabilitation of the site is being undertaken, including hydroseeding of WSEA that was undertaken in March 2018.</p> <p>* Dust minimised with the water truck wetting down disturbed areas, included roadways, the processing pad and the extraction area (refer to Photo 2 and 3).</p>											
Rehabilitation Management Plan														
	<p>The Applicant must prepare a Rehabilitation Management Plan for the project to the satisfaction of DRG. This plan must:</p> <p>(a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;</p> <p>(b) be prepared in consultation with the Department, DPI Water, FCNSW, OEH, DPI, and Council;</p> <p>(c) be submitted to DRG for approval within three months of the determination of Modification 1, unless the Secretary agrees otherwise;</p> <p>(d) be prepared in accordance with any relevant DRG Guideline;</p> <p>(e) describe how the rehabilitation of the site would achieve the objectives identified in Table 6 and be integrated with the Biodiversity Offset Strategy described in condition 27;</p> <p>(f) include a detailed soil and growing medium balance for the development;</p>	Compliant	<p><u>Preparation:</u></p> <p>* The RMP/MOP dated March 2018 has been assessed.</p> <p>(a) Was prepared by a suitably qualified and experienced persons (RW Corkery) whose appointment was endorsed by the Secretary via email from DPE dated 18/12/2017.</p> <p>(b) Section 1.5.1 of the RMP/MOP states that consultation regarding the RMP/MOP was undertaken with Forestry Corporation of NSW (FCNSW), DPE, DPI Water, OEH, DPI and Council.</p> <p>* Letter from DPE dated 4/4/2018 confirmed RMP (MOP) was administratively complete.</p> <p>* Email from DPE dated 12/04/2018 confirmed that a combined approach to the RMP/MOP was acceptable as long as the MOP/RMP specified where each requirement (under the Development Consent and ML) was addressed and that this approach is suitable to DRG as well.</p> <p>(c) Letter from DPE dated 24/10/2017 confirmed extension to the submission of the Rehabilitation Management Plan (RMP) to 31 March 2018.</p> <p>* Email transmission confirms revised RMP (MOP) submitted to DPE on 29 March 2018.</p> <p>(d) The RMP/MOP is prepared in accordance with any relevant DRG Guideline;</p> <p>(e) The RMP/MOP (Table 13 and Table 15) outlines how rehabilitation of the site would achieve the objectives identified in Table 6.</p> <p>* Section 5.1.2 of the RMP/MOP (Domain 9) references the 'integration' of the BOS as part of this domain.</p>											

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
31	(g) include a detailed plan for the reinstatement and review of the proposed rehabilitated woodland areas and fauna habitat, including a protocol for periodic trials to demonstrate that the target vegetation community is being achieved; (h) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and for triggering remedial action (if necessary); (i) describe the measures to be implemented to ensure compliance with the relevant conditions of this consent, and address all aspects of rehabilitation including mine closure, final landform (including final voids), final land uses; (j) include procedures for the use of interim stabilisation and temporary vegetation strategies, where reasonable to minimise the area exposed for dust generation; (k) include a program to monitor, independently audit and report on the effectiveness of the measures in paragraph (h) above, and progress against the detailed performance and completion criteria in paragraph (g) above; and (l) build on to the maximum extent practicable and integrate with the other Management Plans required under this consent.	Compliant	(f) Table 7 of the RMP/MOP provides a detailed soil and growing medium balance for the development. (g) Section 5, 6, 7 and 8 of the RMP/MOP provide a detailed plan for the reinstatement and review of the proposed rehabilitated woodland areas and fauna habitat. * Section 8.2 includes a protocol for periodic trials to demonstrate that the target vegetation community is being achieved. (h) Section 6 of the RMP/MOP includes detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site. * Section 9.2 includes a Trigger Action Response Plan (TARP). (i) Table 12 includes the measures to be implemented to ensure compliance with the conditions relating of this consent. * The RMP/MOP address' all aspects of rehabilitation (Section 4). (j) Section 2.3 and 7.2 includes procedures for the use of interim stabilisation and temporary vegetation strategies, where reasonable to minimise the area exposed for dust generation. (k) Section 8 details rehabilitation monitoring. Section 10 outlines the process for reporting on progress against completion criteria. (l) Section 3.2 of the RMP/MOP refers to the Management Plans required under this consent and how they will be "implemented to further reduce the risk of environmental incident".	
31	Rehabilitation Management Plan (cont.)	Non-Compliant (Medium Risk)	<u>Implementation:</u> * Non-compliant: Letter from DRG dated 4 October 2016 noted that during the 16 August 2016 inspection DRG noticed there was "a new, undocumented area of disturbance" and requested that additional details were provided of this area. R.W. Corkery & Co. (Corkery) provided a response letter (dated 18 October 2016) on the behalf of Walker Quarries, providing details of the disturbance. DPE issued a letter (dated 19/10/2016) of impending enforcement action and opportunity to "show cause". On the behalf of Walker Quarries Corkery issued a letter to "show cause" for vegetation clearing. DPE issued a penalty notice of \$15,000 issued on 21/12/2016. Receipt indicates payment of General Penalty Notice on 22/12/2016. Final Order issued by DPE re: unauthorised clearing PIN, dated 31/1/2017. Approval of extension to resolve non-compliance (through modification to DA) (8/3/2017). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017). Section 2.3 of the RMP/MOP dated 21/12/2017 (MOP Amendment B) identifies these areas of disturbance. * From the site inspection progressive rehabilitation is being undertaken at the site. * Rehabilitation in the form of planting seedlings and spraying hydroseeding undertaken at the site. Such areas include the newly constructed visual bund and the WSEA. * Rehabilitation Plan is generally complied with, although drying cell area appears to be larger (according to 2018 google satellite maps) that indicated on the Plan.	* Ensure all future disturbance at site is in accordance with the site's RMP/MOP, including the Vegetation Clearing Protocol.
Visual				
32	The Applicant must implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development to the satisfaction of the Secretary.	Compliant	* Site inspection confirmed that lighting plants are not used on-site. * Timesheets indicate that the site generally only operates during daylight hours. * According to the 2015/2016 and 2016/2017 Annual Review/AEMR (Section 6.9) with the only lighting used after dark is reported as security lighting at the office building. * Visual inspection confirmed that the visual bund has been constructed and this bund and the area between the Great Western Highway and the quarry has been vegetated.	
33	Prior to utilising the WSEA, the Applicant must construct a visual bund between the north-western boundary of the WSEA and the Great Western Highway, as described in EA (Mod 1). The visual bund must be maintained to the satisfaction of the Secretary.	Compliant	* Site inspection confirmed that the visual bund has been constructed and has been hydroseeded, and drainage and sediment and erosion controls are in place. * Visual bund is located along the northern perimeter of the quarry and is vegetated, in accordance with the EA (Mod 1) (refer to photo 12). * Site inspection confirmed WSEA is not yet operational.	
34	The Applicant must install bunds at strategic locations around the site and plant additional trees along the boundary of the development site to screen, so far as is reasonable and feasible, the development from external viewers, to the satisfaction of the Secretary	Compliant	* Site inspection confirmed a visual bund has been constructed along the northern perimeter of the quarry and that they are vegetated (refer to photo 12). * Site inspection confirmed trees have been planted along Great Western Highway, between the highway and the quarry.	
Waste				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
35	The Applicant must: (a) manage on-site sewage treatment and disposal in accordance with the requirements of its EPL, and to the satisfaction of the EPA and Council; (b) minimise the waste generated by the development; (c) ensure that the waste generated by the development is appropriately stored, handled, and disposed of; and (d) report on waste management and minimisation in the Annual Review, to the satisfaction of the Secretary.	Compliant	(a) According to 2015/2016 Annual Review/AEMR (Section 6.19) and 2016/2017 Annual Review/AEMR (Section 6.19) "bunded 'pump-out' sewage system is present" that is pumped out by a relevant contractor. * Williams is the contractor that pumps out the sewage system. * Sewage (waste) appears to be handled in a "competent manner". * According to site comms, EPA satisfied with this form of disposal as they modified the EPL to reflect it. * Council recognises on-site sewage management system as an appropriate management system, in Community Strategic Plan 2030. (b) <u>Observation</u> : Site not undertaking all possible measures to minimise the waste generated by the development. * Site inspection identified no recycling bins provided at the site. * According to site communications In the future the site will implement recycling of oil. * 2015/2016 and 2016/2017 Annual Review/AEMRs do not mention the management of waste material, except for overburden. * Table 6 of the EMS (dated January 2018) includes some measures for waste management. * Fines system (a Sandvik SRD180) was installed in March 2018 to recover fines (sediment) and reduce water wastage. (c) Site inspection verified waste generated by the development is appropriately stored, handled, and disposed of. Waste is stored in flip top bins before being collected on a monthly basis by a licenced contractor (Suez). * Some litter around the site. (d) Waste management section included in the Annual Review but it doesn't state how may kilograms/tonnes of waste (rubbish) are produced/removed from site. * This section of the 2015/2016 and 2016/2017 Annual Review/AEMRs were approved by DPE in letters from DPE dated 2017 19/10/2016 and 12/4/2017.	* The site should provide opportunities/incentives to minimise waste generated at the site, such as installing recycling bins. * Undertake general clean-up of rubbish around the site. * In future Annual Reviews/AEMRs include details regarding how may kilograms/tonnes of waste are produced/removed from site on an annual basis.
36	Except as expressly permitted in an EPL, the Applicant must not receive waste at the site for storage, treatment, processing, reprocessing or disposal.	Not Triggered	* Site inspection verified waste is not received at site for storage, treatment, processing, reprocessing or disposal. * The 2015/2016 and 2016/2017 Annual Review/AEMR did not identify any waste that is received at the site. * According to the EPL only "General or Specific exempted waste" is allowed to be accepted at the site.	
Liquid Storage				
37	The Applicant must ensure that all tanks and similar storage facilities (other than for water) are protected by appropriate bunding or other containment, in accordance with the relevant Australian Standards.	Compliant	* Australian Standard (AS) 4452B1997 defines a bund as: "an impervious embankment of earth, or a wall of brick, stone, concrete or other suitable material, which may form part or all of the perimeter of a compound that provides a barrier to retain liquid." * Site inspection verified that the diesel tank on-site is self-bunded, and meets the required AS (refer to photo 13). * Bund appears to be big enough to store 110% of the diesel tank.	
Dangerous Goods				
38	The Applicant must ensure that the storage, handling, and transport of dangerous goods is done in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the <i>Dangerous Goods Code</i> .	Compliant	* Diesel and oil stored on site. * Diesel fuel stored in self-bunded tank and oil stored on a bund (refer to photo 14). * Spill kits located around the site. * MSDS register and data sheets are kept in the office. * Hazardous Substance Control Plan dated September 2017, provides "procedure for the purchasing, storage, use, handling and transport of hazardous substances (including Dangerous Goods) at the Wallerawang Quarry." The Plan is based on the original development consent. * Site inspection verified that the diesel tank on-site is self-bunded, and meets the required AS. <u>Observation</u> : The most up-to-date version of the Hazardous Substance Control Plan is based on the original consent.	* Update the Hazardous Substance Control Plan so that it reflects the current development consent (Mod 1).
Bushfire				
39	The Applicant must: (a) ensure that the development is suitably equipped to respond to any fires on site; and (b) assist the Rural Fire Service and emergency services to the extent practicable if there is a fire in the vicinity of the site.	Compliant	a) Site inspection confirmed water truck and pumps on site, that have fire suppression systems. b) Section 4.2.2 Bushfire Management Plan (dated November 2017) refers to assisting the Rural Fire Service (RFS). <u>Observation</u> : The Bushfire Management Plan (dated November 2017) doesn't refer to assisting emergency services.	* Include a clause in the Bushfire Management Plan stating that emergency services will be assisted to the extent practicable if there is a fire in the vicinity of the site.
40	The Applicant must prepare a Bushfire Management Plan for the site, in consultation with FCNSW, to the satisfaction of the Rural Fire Service.	Compliant	* Bushfire Management Plan prepared (dated November 2017). * Email from RW Corkery (on the behalf of Walker Quarries), dated 24/11/2017, submitted revised Bushfire Management Plan to DPE. * Approved by DPE (refer to hardcopy letter dated 21/12/2017) * Section 1.3 and Appendix 1 of the Bushfire Management Plan refers to consultation with FCNSW and RFS.	
Additional Procedures				
Notification Of Landowners				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
1	As soon as practicable, and no longer than 7 days, after obtaining monitoring results showing: (a) an exceedance of any criteria in Schedule 3, the Applicant must notify the affected landowners in writing of the exceedance, and provide regular monitoring results, at least every 3 months, to each affected landowner until the development is again complying with the relevant criteria; and (b) an exceedance of any air quality criteria in Schedule 3, the Applicant must send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and current tenants of the land (including the tenants of land which is not privately owned).	Non-Compliant (Low Risk)	(a) According to site communications no exceedances of any criteria in Schedule 3 during the reporting period. * Exceedance of water quality criteria for pH and TSS occurred during the audit period. * Observation: Prior to the Mod 1 being approved and this condition coming into effect (the original consent does not include such a condition), affected landowners were not notified in writing of the exceedance, and provided regular monitoring results, at least every 3 months, to each affected landowner until the development was again complying with the relevant criteria. (b) Non-compliance: Exceedance in air quality criteria. Walker Quarries was required to send a copy of the NSW Health fact sheet entitled "Mine Dust and You" to landowners and current tenants of the land but did not. As the exceedance was likely due to an outlier result from a contaminated sample, Walker Quarries should have at least consulted with DPE to determine if they were required to send out the fact sheet.	* Ensure affected landowners are notified in writing of exceedances, and provided regular monitoring results, at least every 3 months, to each affected landowner until the development is again complying with the relevant criteria. * Ensure Walker Quarries sends a copy of the NSW Health fact sheet entitled "Mine Dust and You" to landowners and current tenants of the land when exceedances of air quality criteria occur.
Independent Review				
2	If an owner of privately-owned land considers the development to be exceeding the relevant criteria in Schedule 3, then he/she may ask the Secretary in writing for an independent review of the impacts of the development on his/her land. If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision, the Applicant must: (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to: • consult with the landowner to determine his/her concerns; • conduct monitoring to determine whether the development is complying with the relevant criteria in Schedule 3; and • if the development is not complying with these criteria, then identify measures that could be implemented to ensure compliance with the relevant criteria; and (b) give the Secretary and landowner a copy of the independent review; and (c) comply with any written requests made by the Secretary to implement any findings of the review.	Not Triggered	* According to site communications no owners of privately-owned land considered the development to be exceeding the relevant criteria in Schedule 3. * 2015/2016 and 2016/2017 Annual Review/AEMR doesn't include any details in regards to communications with owners of privately-owned land that consider the development to be exceeding the relevant criteria in Schedule 3.	
Visual Impact Mitigation				
3	If an owner of privately-owned land located to the west or north-west of the site, considers that the visual impacts of the development at his/her land could be minimised, then he/she may ask the Secretary in writing for a review of the visual impacts of the development on his/her land. If the Secretary is satisfied that a review is warranted, then within 2 months of the Secretary's decision, the Applicant must: (a) commission a suitably qualified and experienced person, whose appointment has been approved by the Secretary, to: • consult with the landowner to determine his/her concerns; • investigate ways to minimise the visual impacts of the development on land; and • prepare a visual mitigation report detailing the outcomes of the investigation and the proposed mitigation measures. (b) give the Secretary and landowner a copy of the review; and (c) comply with any written requests made by the Secretary to implement any findings of the review.	Not Triggered	* According to site communications, and the 2015/2016 and 2016/2017 Annual Review/AEMR no owner of privately-owned land located to the west or north-west of the site requested a review of visual impacts of the development on his/her land. * Complaints records did not include any complaints about visual impacts.	
Environmental Management, Reporting and Auditing				
Environmental Management				
Environmental Management Strategy				
1	The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must: (a) be submitted to the Secretary for approval within 6 months of the Secretary requiring preparation of the strategy by notice to the Applicant; (b) provide the strategic framework for environmental management of the development; (c) identify the statutory approvals that apply to the development; (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (e) describe the procedures to be implemented to: • keep the local community and relevant agencies informed about the operation and environmental performance of the development; • receive, record, handle and respond to complaints; • resolve any disputes that may arise during the course of the development; • respond to any non-compliance; • respond to emergencies; and (f) include: • copies of any strategies, plans and programs approved under the conditions of this consent; and • a clear plan depicting all the monitoring to be carried out under the conditions of this consent.	Compliant	<u>Preparation:</u> (a) Email from RW Corkery (on the behalf of Walker Quarries), dated 24/11/2017, submitted revised Environmental Management Strategy (EMS) to DPE. Letter from DPE dated 30/1/2018 approved EMS. (b) Provides the strategic framework for environmental management of the development (Section 5); (c) Identifies the statutory approvals that apply to the development (Section 4); (d) Describe the role and responsibility of all key personnel involved in the environmental management of the development (Section 8). Authority and accountability is covered off in responsibility. (e) Describes the procedures to be implemented to: • keep the local community and relevant agencies informed about the operation and environmental performance of the development (Section 6.1.1 to 6.1.3); • receive, record, handle and respond to complaints (Section 6.2.1); • resolve any disputes that may arise during the course of the development (Section 6.2.2); • respond to any non-compliance (Section 6.3.3); • respond to emergencies (Section 6.6); and (f) The EMP is attached to the report as Appendix 2. Management Plans are referred to in Section 5.2 and are available on the Walker Quarry website. • a clear plan depicting all the monitoring to be carried out under the conditions of this consent is provided in Appendix 2 (Figure 1).	
1	The Applicant must implement any Environmental Management Strategy as approved from time to time by the Secretary.	Compliant	<u>Implementation:</u> * Management plans and EMP have been prepared for the site. * EMS, management plans and CCC minutes are provided on the company website. * Only one complaint received during the reporting period. * Dust, noise and water quality monitoring undertaken at the site. * Complaints procedure posted on the Walker Quarries website. * Annual Review/AEMRs prepared and posted on the website.	
Evidence of Consultation				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
2	Where consultation with any public authority is required by the conditions of this consent, the Applicant must: (a) consult with the relevant public authority prior to submitting the required document to the Secretary for approval; (b) submit evidence of this consultation as part of the relevant document; (c) describe how matters raised by the authority have been addressed and any matters not resolved; and (d) include details of any outstanding issues raised by the authority and an explanation of disagreement between any public authority and the Applicant. (c) describe how matters raised by the authority have been addressed and any matters not resolved; and (d) include details of any outstanding issues raised by the authority and an explanation of disagreement between any public authority and the Applicant.	Compliant	(a) The EPA was consulted during the preparation of the NMP (dated November 2017). * The EPA, DPI Water and WaterNSW were consulted during the preparation of the SWMP (dated January 2018). * The draft Biodiversity Management Plan has not yet been prepared. * Section 1.5 of the RMP/MOP (dated March 2018) refers to consultation undertaken with FCNSW, DPE, DPI Water, OEH, DPI and Council. * The Bushfire Management Plan (dated November 2017) was prepared in consultation with FCNSW. * Prior to undertaking this IEA consultation was undertaken with relevant agencies (EPA, DRG, DPI-Water, DPE, Council) and the Chairperson of CCC. (b) Evidence of consultation with the EPA (letter from EPA dated 3 August 2016) is included within Appendix 1 of the (dated November 2017). * Evidence of consultation with EPA, DPI Water and WaterNSW is provided in Appendix 2 of the SWMP (dated January 2018). * Evidence of consultation for the RMP/MOP is included in Appendix 5. * Evidence of consultation for the Bushfire Management Plan (dated November 2017) provided in Appendix 1.	
		Administrative Non-Compliance	(c) <u>Non-compliant</u> : The NMP (dated November 2017) doesn't describe how matters raised by EPA have been addressed and any matters not resolved. * <u>Non-compliant</u> : The SWMP (dated January 2018) doesn't describe how matters raised by EPA, DPI Water and WaterNSW have been addressed and any matters not resolved. * The RMP/MOP (dated March 2018) references how matters raised by DPE, DPI Water, OEH, DPI and Council have been addressed or resolved in the management plan. * <u>Non-compliant</u> : The Bushfire Management Plan (dated November 2017) doesn't reference how any matters raised during consultation have been addressed or resolved in the management plan. (d) include details of any outstanding issues raised by the authority and an explanation of disagreement between any public authority and the Applicant. * <u>Non-compliant</u> : The NMP (dated November 2017) doesn't include details of any outstanding issues raised by EPA and an explanation of disagreement between EPA and the Applicant. * <u>Non-compliant</u> : The SWMP (dated January 2018) doesn't include details of any outstanding issues raised by EPA, DPI Water and WaterNSW and an explanation of disagreement between any public authority and the Applicant. * The RMP/MOP (dated March 2018) includes details of any outstanding issues raised by DPE, DPI Water, OEH, DPI and Council and an explanation of disagreement between any public authority and the Applicant (Section 1.5.2). * <u>Non-compliant</u> : The Bushfire Management Plan (dated November 2017) doesn't include details of any outstanding issues raised by FCNSW and an explanation of disagreement between FCNSW and the applicant.	* Ensure NMP describes how matters raised by EPA have been addressed and any matters not resolved, and includes details of any outstanding issues raised by EPA and an explanation of any disagreement between EPA and Walker Quarries. * Ensure the SWMP describes how matters raised by EPA, DPI Water and WaterNSW have been addressed and any matters not resolved, and any details of any outstanding issues raised by EPA, DPI Water and WaterNSW and an explanation of any disagreement between any public authority and Walker Quarries. * Ensure the Bushfire Management Plan references how any matters raised during consultation have been addressed or resolved in the management plan, and how any matters raised during consultation have been addressed or resolved in the management plan. Also ensure the Bushfire Management Plan includes details of any outstanding issues raised by FCNSW and an explanation of any disagreement between FCNSW and Walker Quarries.
Management Plan Requirements				
3	The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include: (a) detailed baseline data; (b) a description of: • the relevant statutory requirements (including any relevant approval, licence or lease conditions);	Administrative Non-Compliance	(a) <u>Non-compliant</u> : Detailed baseline data is not provided in the AQMP (dated November 2017). <u>Non-compliant</u> : Detailed baseline data is not provided in the NMP (dated November 2017). <u>Non-compliant</u> : Detailed baseline data is not provided in the SWMP (dated January 2018). * The RMP/MOP (dated March 2017) provides baseline data in Plan 1B. (b) a description of: • the relevant statutory requirements (including any relevant approval, licence or lease conditions); - AQMP (Section 2); - BMP (Section 2); - NMP (Section 2); - SWMP (Section 3); - Bushfire Management Plan (Section 2); - RMP/MOP (Section 1.3).	* Ensure all Management Plans include baseline data, including the AQMP, NMP and SWMP.

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
3	<p>(b) a description of:</p> <ul style="list-style-type: none"> any relevant limits or performance measures/criteria; and the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; <p>(c) a description of the measures that to be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p>	Compliant	<p>(b) a description of:</p> <ul style="list-style-type: none"> any relevant limits or performance measures/criteria; and AQMP (Section 4); BMP (Section 4); NMP (Section 4); SWMP (Section 10.4); Bushfire Management Plan (Section 5); and RMP/MOP (Section 6). the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; AQMP (Sections 4 & 5); BMP (Sections 4 & 6); NMP (Sections 4 & 5); SWMP (Sections 10.4 and 6); Bushfire Management Plan (Section 4); and RMP/MOP (Sections 6). <p>(c) a description of the measures that to be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <ul style="list-style-type: none"> AQMP (Section 5); BMP (Section 6); NMP (Section 5); SWMP (Section 6); Bushfire Management Plan (Section 4); and RMP/MOP (Section 6). 	
3	<p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> impacts and environmental performance of the development; and effectiveness of any management measures (see (c) above); <p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p>	Compliant	<p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> impacts and environmental performance of the development; and AQMP (Sections 6 & 8.2); BMP (Sections 7 & 9.2); NMP (Sections 6 & 8.2); SWMP (Sections 10 and 12.2); Bushfire Management Plan (Section 2, 5 & 6); and RMP/MOP (Sections 8 & 10). effectiveness of any management measures; AQMP (Sections 6 & 8.2); BMP (Sections 7 & 9.2); NMP (Sections 6 & 8.2); SWMP (Sections 10 and 12.2); Bushfire Management Plan (Section 2, 5 & 6); and RMP/MOP (Sections 8 & 10). <p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <ul style="list-style-type: none"> AQMP (Section 7.2); BMP (Sections 5.2 & 6.2); NMP (Section 5.2); SWMP (Section 11.2); Bushfire Management Plan (Section 4.2.2); and RMP/MOP (Section 9.2). 	
3	<p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> incidents; complaints; 	Compliant	<p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <ul style="list-style-type: none"> AQMP (Section 9.3); BMP (Section 12); NMP (Section 11); SWMP (Sections 13.3); Bushfire Management Plan (Section 7.3); and RMP/MOP (Section 9.2). <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> incidents; AQMP (Section 7); BMP (Section 8); NMP (Section 7); SWMP (Sections 11); Bushfire Management Plan (Section 6); and RMP/MOP (Section 9.2 and 10). complaints; AQMP (Section 5.2.2); BMP (Section 6.2.2); NMP (Section 5.2.2); SWMP (Section 11.2.3); Bushfire Management Plan-N/A. RMP/MOP-N/A. 	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
3	<ul style="list-style-type: none"> • non-compliances with statutory requirements; and • exceedances of the impact assessment criteria and/or performance criteria; and (h) a protocol for periodic review of the plan. <p>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</p>	Compliant	<ul style="list-style-type: none"> • non-compliances with statutory requirements; and - AQMP (Section 7.2.1 and 8.2); - BMP (Section 8.2.1 and 9.2); - NMP (Section 7.2.1 and 8.2); - SWMP (Sections 11.2.1 and 12.2); - Bushfire Management Plan-N/A; and - RMP/MOP (Section 9.2). • exceedances of the impact assessment criteria and/or performance criteria; and - AQMP (Section 7.2.1 and 8.2); - BMP (Section 8.2.1 and 9.2); - NMP (Section 7.2.1 and 8.2); - SWMP (Sections 11.2.1 and 12.2); - Bushfire Management Plan-N/A; and - RMP/MOP (Section 9.2) (h) a protocol for periodic review of the plan. - AQMP (Section 9.3); - BMP (Section 12); - NMP (Section 11); - SWMP (Sections 13.3); - Bushfire Management Plan (Section 7.3); and - RMP/MOP (Section 11.1). 	
Application of Existing Management Plans				
4	The Applicant must continue to apply existing approved management plans, strategies or monitoring programs that have most recently been approved under this consent, until the approval of a similar plan, strategy or program under this consent.	Compliant	<ul style="list-style-type: none"> * As noted during the site inspection, generally, latest version of plans, strategies and programs are implemented. * Implementation of each plan, strategy and program referred noted against each document condition. 	
Revision of Strategies, Plans & Programs				
5	<p>Within 3 months of the submission of an:</p> <p>(a) incident report under condition 9 below;</p> <p>(b) Annual Review under condition 11 below;</p> <p>(c) audit report under condition 12 below; and</p> <p>(d) any modifications to this consent,</p> <p>the Applicant must review the strategies, plans and programs required under this consent, to the satisfaction of the Secretary. The applicant must notify the Department in writing of any such review being undertaken.</p> <p>Where this review leads to revisions in any such document, then within 6 weeks of the review the revised document must be submitted for the approval of the Secretary.</p> <p>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve environmental performance of the development.</p>	Administrative Non-Compliance	<p>(a) incident report under condition 9 below;</p> <p>* DPE was notified of the issue of clearing at the WSEA on 18 October 2016, by Walker Quarries. The action from the notification was that Walker Quarries was to update the RMP/MOP.</p> <p>* <u>Non-compliant:</u> The RMP/MOP was not revised and submitted within the required timeframe.</p> <p>(b) Annual Review under condition 11 below;</p> <p>* 2015/2016 Annual Review/AEMR submitted on 30/8/2016 notes that all Quarry MPs will be updated and submitted on 31/6/2016. Management plans were updated and submitted on 29/9/2016.</p> <p>* 2016/2017 Annual Review/AEMR submitted on 28/08/2017. All management plans revised and submitted to DPE by 24/11/2017.</p> <p>(c) audit report under condition 12 below; and</p> <p>The following new site Management Plans were submitted by Walker Quarries to DPE in September, 2016, and were approved on the 29th September, 2016:</p> <ul style="list-style-type: none"> - Environmental Management Strategy - Noise Management Plan - Blast Management Plan - Air Quality Management Plan - Flora and Fauna Management Plan - Water Management Plan - Environmental Monitoring Program 2016 - Bushfire Management Plan. <p>(d) any modifications to this consent,</p> <p>* All management plans have been revised and submitted by 24/11/2017, in accordance with the development consent modification (Mod 1).</p>	* Ensure all updates to relevant strategies, plans and programs required as a result of an incident report are undertaken within the 3 month timeframe.
Updating and Staging of Strategies, Plans or Programs				
6	<p>To ensure that strategies, plans or programs required under this consent are updated on a regular basis, and that they incorporate any appropriate additional measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis.</p> <p>The Secretary may approve a revised strategy, plan or program required under this consent, or the staged submission of any of these documents, at any time. With the agreement of the Secretary, the Applicant may prepare the revised or staged strategy, plan or program without undertaking consultation with all parties nominated under the applicable condition in this consent.</p> <p>While any strategy, plan or program may be submitted on a staged basis, the applicant will need to ensure that the operations associated with the development are covered by suitable strategies, plans or programs at all times.</p> <p>If the submission of any strategy, plan or program is to be staged; then the relevant strategy, plan or program must clearly describe the specific stage/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program.</p>	Note		
Adaptive Management				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
7	<p>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</p> <p>Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must as soon as becoming aware of any exceedance:</p> <p>(a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not reoccur;</p> <p>(b) consider all reasonable and feasible options for remediation (where relevant);</p> <p>(c) within 14 days of the exceedance occurring, submit a report to the Secretary describing these remediation options and any preferred remediation measures or other course of action; and</p> <p>(d) implement remediation measures as directed by the Secretary; to the satisfaction of the Secretary.</p>	Compliant	<p><u>Dust Exceedance:</u> Rolling 12 monthly average for depositional dust (4.58) for DG4 on July 2016 exceeded the set criteria, as reported in the 2016/2017 Annual Review/AEMR. Per the 2016/2017 Annual Review/AEMR the exceedance in the rolling average for depositional dust was caused by one spurious result of 19.5 g/m²/month, therefore no actions were undertaken, besides reporting the exceedance in the Annual Review/AEMR.</p> <p>- During site inspection dust mitigation measures implemented.</p> <p>- Dust monitoring continues to be implemented, with results posted on the company website.</p> <p><u>Water Quality Exceedance:</u> Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L) and 22/3/2017 (120 mg/L).</p> <p>* Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) on 22/3/2017 (58 mg/L).</p> <p>* Exceedance in the range of pH (6.5 - 8.5), with a reading of 8.53, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 22/3/2017.</p> <p>* pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016.</p> <p>- Section 7.2 of the 2015/2016 Annual Review noted exceedances in water quality criteria occurred during the reporting period but did not refer to any follow up actions.</p> <p>* Site inspection identified that site has just installed a sediment reclaim system, to reduce the sediment in processing water.</p> <p>* According to site comms an improved flocculant system is being investigated by site.</p> <p>* Water quality monitoring continues to be implemented, with results posted on the company website.</p> <p>c) Not triggered - No additional remediation measures identified</p> <p>d) Not triggered</p>	
by Consultative Committee				
8	<p>The Applicant must establish and operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Secretary. The CCC must be operated in general accordance with the Department's <i>Community Consultative Committee Guidelines, November 2016</i> (or later version).</p> <p>Notes:</p> <ul style="list-style-type: none"> * The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent. * In accordance with the guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, Council and the local community. 	Compliant	<ul style="list-style-type: none"> * The Community Consultative Committee (CCC) minutes provided on the Walker Quarried website. * According to site communications the last CCC meeting was held on 10/4/2018. * The EMS (Section 6.1.1) outlines the requirements of the CCC, in accordance with this condition. * According to meeting minutes, meetings held on 27/6/2016, 20/6/2107, 13/12/2017 and 10/4/2018. 	
Reporting				
Incident Reporting				
9	The Applicant must immediately notify the Secretary (using the contact name, email address and phone number provided by the Department from time to time) and any other relevant agencies of any incident.	Compliant	<ul style="list-style-type: none"> * DPE was notified of the issue of clearing at the WSEA on 18 October 2016, by Walker Quarries. No other reporting to DPE by Walker Quarries. * The 2015/2016 and 2016/2017 Annual Reviews do not mention notification to DPE. * <u>Observation:</u> Exceedances in dust and water criteria during the audit period should have been reported to DPE. This is an observation as the exceedances were before Mod 1 was approved and the original consent doesn't have such a condition. * <u>Observation:</u> The PIRMP does not include the telephone number/contact details of the DPE. 	<ul style="list-style-type: none"> * Ensure all incidents are reported to the DPE. * Update the PIRMP to include the telephone number/contact details of the DPE.
10	Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested. This report must include the time and date of the incident, details of the incident, measures implemented to prevent re-occurrence and must identify and non-compliance with this consent.	Compliant	<ul style="list-style-type: none"> * DPE was notified of the issue of clearing at the WSEA on 18 October 2016, by Walker Quarries. No other reporting to DPE by Walker Quarries. * <u>Observation:</u> Exceedances in dust and water criteria during the audit period should have been reported to DPE and other agencies. This is an observation as the exceedances were before Mod 1 was approved and the original consent doesn't have such a condition. 	* Ensure all exceedances are reported to the DPE and other agencies.
Regular Reporting				
11	The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	Compliant	<p>Regular reporting on the environmental performance of the development on its website includes:</p> <ul style="list-style-type: none"> * Annual Review/AEMR * Complaints Register * Monitoring Data. 	
Annual Review				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
12	<p>By the end of September each year, or other timing as may be agreed by the Secretary, the Applicant must submit a review to the Department reviewing the environmental performance of the development to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the development (including any progressive rehabilitation) that was carried out in the previous financial year, and the development that is proposed to be carried out over the current financial year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous financial year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • relevant statutory requirements, limits or performance measures/criteria; • requirements of any plan or program required under this consent; • monitoring results of previous years; and • relevant predictions in the documents listed in condition 2(a) of Schedule 2; <p>(c) identify any non-compliance over the past financial year, and describe what actions were (or are being) taken to ensure compliance;</p>	Administrative Non-Compliance	<p>* Word version of submission letter from RME indicates that the 2015/2016 Annual Review was submitted to DPE on 30/8/2016.</p> <p>Non-compliant: Correspondence from DPE relating to late submission of 2016/2017 Annual Review. The Annual Review was provided to the DPE on 30 October 2017 and not the required submission date of 31 August 2017.</p> <p>(a) The 2015/2016 & 2016/2017 Annual Reviews describe the development (including any progressive rehabilitation) that was carried out in the previous financial year (Section 4.0 & Section 8.0), and the development that is proposed to be carried out over the current financial year (Section 12.0);</p> <p>(b) The 2015/2016 & 2016/2017 Annual Reviews includes a comprehensive review of the monitoring results (Sections 6.0 & 7.0) and complaints records of the development over the previous financial year (Table 15 & Appendix IX), which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • relevant statutory requirements (Section 3.0), limits or performance measures/criteria (Section 6.0 & 7.0); • requirements of any plan or program required under this consent (Section 6.0 & 7.0); • monitoring results of previous years <p>- Observation: Surface water monitoring results of previous years not provided in the 2015/2016 and 2016/2017 Annual Reviews/AEMRs. Observation and not a non-compliance as the original consent does not have such a specific requirement.</p> <p>- Section 5.0 provides dust, blast and noise results of previous years.</p> <ul style="list-style-type: none"> • relevant predictions in the documents listed in condition 2(a) of Schedule 2; <p>- Non-compliant: Relevant predictions from the EIS have not been provided for surface water for the 2015/2016 and 2016/2017 Annual Reviews/AEMRs. Relates to the original consent Schedule 2, Condition 37d).</p> <p>- Section 5.0 provides dust, blast and noise EIS predictions.</p> <p>(c) 2015/2016 Annual Review/AEMR (Sections 1, 6 and 7) and 2016/2017 Annual Review/AEMR (Sections 1, 5 and 7) provide non-compliances over the past financial year, and what actions were taken to ensure compliance. identify trends in the monitoring data over the life of the development.</p>	<p>* Ensure all Annual Reviews/AEMRs are submitted on time.</p> <p>* Ensure surface water monitoring results of previous years are included in future Annual Reviews/AEMRs.</p> <p>* Ensure relevant predictions from the EIS are included in the Annual Review/AEMR for surface water.</p>
12	<p>(d) identify any trends in the monitoring data over the life of the development;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the current [financial/calendar] year to improve the environmental performance of the development.</p> <p>The Applicant must ensure that copies of the Annual Review are submitted to Council and are available to the Community Consultative Committee (see condition 7 of Schedule 5) and any interested person upon request.</p>	Compliant	<p>(d) 2015/2016 Annual Review/AEMR (Section 6) and 2016/2017 Annual Review/AEMR (Sections 6 and 7).</p> <p>(e) Section 6 identifies any discrepancies between the predicted and actual impacts of the development, and analyses the potential cause of any significant discrepancies.</p> <p>(f) Section 12 describes what measures will be implemented over the current [financial/calendar] year to improve the environmental performance of the development.</p> <p>* According to letter from RME (word version) to Council, 2015/2016 Annual Review/AEMR was submitted to Council on 4/10/2016.</p> <p>* According to letter from RME (word version) to Council, 2016/2017 Annual Review/AEMR was submitted to Council on 17/11/2017.</p> <p>* Annual Reviews are available via the site's website.</p> <p>* Observation: Annual Review incorrectly reports water quality monitoring data and exceedance of criteria for sample taken on 12/9/2016. Sample reported as being taken on 21/9/2016 instead of 12/9/2016 and exceedance of TSS incorrectly reported as 115 mg/L instead of 160 mg/L.</p>	<p>* Ensure all water quality monitoring data and exceedances are accurately reported in the Annual Review.</p>
Independent Environmental Audit				
13	<p>Within a year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission, commence and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>(a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies and the CCC;</p> <p>(c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals);</p> <p>(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals;</p> <p>(e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and</p> <p>(f) be conducted and reported to the satisfaction of the Secretary.</p>	Non-Compliant (Low Risk)	<p>* Non-compliant: According to DPE letter dated 13/12/2017 Walker Quarries were required to undertake an IEA by 28 February 2017 (in accordance with Condition 3.8 of Schedule 2 of Development Consent 344-11-2001 [original consent]).</p> <p>a) Audit team endorsed on 8/3/2018 by a letter from the nominee for the Secretary;</p> <p>(b) Prior to the audit EPA, DRG, DPI-Water, DPE, Council and the Chairperson of CCC were consulted via emails. Emails sent on 19 March 2018. Summary of responses from the DPEs and CCC is included in the audit report;</p> <p>(c) This set of protocols (spreadsheets) assesses the environmental performance of the development and whether it is complying with the relevant requirements in this consent and the EPL (EPL 13172), including any assessment, strategy, plan or program required under these approvals;</p> <p>(d) This set of protocols (spreadsheets) reviews the adequacy of strategies, plans or programs required under the abovementioned approvals;</p> <p>(e) This set of protocols (spreadsheets) recommends appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and</p> <p>(f) This audit will be submitted to the Secretary and is being undertaken in accordance with DPE's Independent Audit Guideline, dated October 2015.</p> <p>* Observation: A Warning Letter from DPE dated 18/4/2016 noted that monitoring of non-compliances from the 2015 IEA was not undertaken.</p>	<p>* Ensure all IEAs are undertaken within the required timeframe.</p> <p>* Ensure a status update of non-compliances is provided in future Annual Reviews/AEMRs.</p>
14	<p>Within 12 weeks of commencing this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of these recommendations as required. The Applicant must implement these recommendations, to the satisfaction of the Secretary.</p>	Non-Compliant (Low Risk)	<p>* The prior IEA Report and Action Plan and was submitted to DPE on March 2016.</p> <p>* The previous audit was required to have been undertaken by 28 February 2015 (1 year after commencement of construction).</p> <p>* Non-compliant: Site received warning letter from DPE on 17 April 2016 requesting a revised IEA Action Plan. RWC was engaged to prepare this in May 2-16 and submitted the IEA Action Plan on 17 May 2016. Prior to Mod 1 being approved but the original consent has a similar condition; Schedule 2 Condition 3.9.</p>	<p>* Ensure Action Plan is prepared and submitted within the required time.</p>
Access To Information				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
15	<p>Within 6 months of the date of this consent, until the completion of all works, including rehabilitation and remediation the Applicant must:</p> <p>(a) make the following information publicly available on its website:1</p> <ul style="list-style-type: none">• the documents listed in condition 2(a) of Schedule 2;• current statutory approvals for the development;• all approved strategies, plans and programs required under the conditions of this consent;• a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;• a complaints register, updated monthly;• the annual reviews of the development;• any independent environmental audit as described in condition 12 above, and the Applicant's response to the recommendations in any audit; and• any other matter required by the Secretary; and <p>(b) keep this information up-to-date, to the satisfaction of the Secretary.</p>	Administrative Non-Compliance	<p>(a) The following information is publicly available on the site's website:</p> <ul style="list-style-type: none">• the documents listed in condition 2(a) of Schedule 2 (EIS and EA [Mod 1]);• current statutory approvals for the development;• all approved strategies, plans and programs required under the conditions of this consent;• <u>Non-compliant</u>: A comprehensive summary of the monitoring results of the development is not included on the website. The surface water monitoring data for June 2016 and March 2017 is missing.• a complaints register, updated monthly.• <u>Non-compliant</u>: On the 18/6/2018 the site's website only provided the 2017 Annual Review and not the Annual Reviews for previous years.• The March 2016 IEA Report is included on the site's website.• <u>Non-compliant</u>: On the 18/6/2018 the site's website did not include the site's response to the recommendations of the March 2016 IEA Report findings. <p>(b) This information is kept up-to-date.</p>	<ul style="list-style-type: none">* Ensure all relevant monitoring data is provided on the site's website.* Ensure Annual Reviews for previous years are included on the site's website.* Ensure the site's response to the recommendations of the March 2016 IEA Report findings is included on the site's website.

Compliance Status
Compliant
Not verified
Non-Compliant (Low Risk)
Non-Compliant (Medium Risk)
Non-Compliant (High Risk)
Administrative Non-Compliance
Not Triggered
Observation
Note

Lithgow City Council (DA019/18)

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
Schedule A				
Conditions of Consent (consent Authority)				
<i>Please Note: It should be understood that this consent in no way relieves the owner or applicant from any obligation under any covenant affecting the land.</i>				
Administrative Conditions				
1	That the development be carried out in accordance with the application, Statement of Environmental Affects, accompanying information, plans listed in the approval and any further information provided during the process unless otherwise amended by the following conditions.	Not Triggered	* Construction of the development has not yet commenced.	
2	That the development be carried out in accordance with the application, Statement of Environmental Affects, accompanying information, plans listed in the approval and any further information provided during the process unless otherwise amended by the following conditions.	Not Triggered	* Construction of the development has not yet commenced.	
3	That minimal disturbance is caused to the site during construction works and any disturbed areas are to be generally made good and revegetated to the satisfaction of Council prior to the issue of the Occupation Certificate. Any excavated and filled areas are graded and drained and all constructed batters are to be topsoiled, turfed and shall comply with Part 3.1.1, Building Code of Australia, Volume 2, 2016. batters exceeding a ratio of 3 horizontal to 1 vertical must be retained with retaining walls prior to occupation.	Not Triggered	* Construction of the development has not yet commenced.	
Requirements Prior				
4	A Construction certificate to complete the buildings is required prior to the carrying out of any further building works. This certificate can be issued either by Council as the consent authority or by an accredited certifier.	Compliant	* Construction certificate 180143/01 obtained from BBAC.	
5	Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 are to be complied with: a) a Construction Certificate is to be obtained in accordance with section 81A(2)(b) of the Act, and b) a Principal Certifying Authority is to be appointed and council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act and Form 7 of the regulations, and c) Council is to be notified as least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.	Compliant	a) Construction Certificate 180143/01 obtained from BBAC and submitted to council on 5/6/2018. b) Principal Certifying Authority appointed David Richardson (per Construction Certificate 180143/01). * Notice of appointment of PCA issued 28/02/2018 and submitted to council on 5/6/2018. c) Notice of commencement of building work dated 5/6/2018.	
Sedimentation				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
6	To contain soil and sediment on the property, controls are to be implemented prior to clearing of the site vegetation and the commencement of site works. This will include: a) The installation of a sediment fence with returned ends across the low side of the site so that all water flows through. These shall be maintained until all disturbed areas are restored by turfing paving, revegetation.	Not Triggered	* Pre-construction works not commenced.	
Dust Minimisation				
7	Measures shall be implemented to minimise wild erosion and dust nuisance in accordance with the requirements of the manual "Soils and Construction" (2004) (Bluebook).	Not Triggered	* Pre-construction/construction works not commenced.	
Signage				
8	Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site: a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours. b. Stating that unauthorised entry to the work site is prohibited and c. Showing the name, address and telephone number of the principle certifying authority for the work. The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.	Not Triggered	* Pre-construction works not commenced.	
REQUIREMENTS DURING CONSTRUCTION				
Workers Toilet Facilities				
9	Before work starts, toilet facilities must be provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.	Not Triggered	* Pre-construction/construction works not commenced.	
Waste Disposal				
10	Prior to any building works commencing a suitable Waste Container for the deposit of all building rubbish and litter must be provided and emptied as soon as full at a waste management facility. Building rubbish and litter must be provided and emptied as soon as full at a waste management facility. Building rubbish and litter must be contained on the building site and the work site left clear of waste and debris at the completion of the works.	Not Triggered	* Pre-construction/construction works not commenced.	
Construction Hours				
11	All work on site shall only occur between the following hours: Monday to Friday - 7:00am to 6:00pm Saturday - 8:00am to 1:00pm Sunday and public holidays - No work	Not Triggered	* Construction works not commenced.	
Excavations				
12	All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.	Not Triggered	* Construction works not commenced.	
PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE				
Occupation Certificate				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
13	Prior to the use/occupation of the structure an Occupation Certificate must be issued by the principal Certifying Authority.	Not Triggered	* Construction works not commenced.	
14	The demountable office buildings shall only be used by the existing staff of the Wallerawang Quarry. No additional staff are to be employed as a result of this development consent.	Not Triggered	* Construction works not commenced.	
15	The existing sanitary facilities in the existing office building shall be available for use by the occupants of the demountable buildings.	Not Triggered	* Construction works not commenced.	
16	A structural engineer's certificate of adequacy for the demountable buildings shall be submitted to council prior to the issue of an occupation certificate.	Not Triggered	* Construction works not commenced.	
ADVISORY NOTES				
Building Code of Australia Compliance				
AN1	All building work must be carried out in accordance with the provisions of the Building Code of Australia.	Not Triggered	* Construction works not commenced.	
Inspection schedule				
Mandatory Building Inspection schedule				
AN2	<p>To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:</p> <p>a) pier holes/pad footings before filling with concrete</p> <p>a) Reinforcing steel in position and before concrete is poured (slab, footings, lintels, beams, columns, floors, walls and the like)</p> <p>b) Framing when external wall and roof cladding is in place and prior to internal linings.</p> <p>c) Wet area flashing prior to tiling or covering.</p> <p>d) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.</p> <p>e) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.</p> <p>At each inspection, erosion and sediment control measures and site management will be inspected.</p> <p>Note: <i>forty-eight (48) hours notice shall be given to Council prior to inspections.</i></p>	Not Triggered	* Construction works not commenced.	
AN3	Access and facilities for people with a disability must comply with Part D3 and Clause F2.4 of the Building Code of Australia (volume 1) and AS122.1. In this regard, plans to indicate the provision of an accessible car parking space and an accessible sanitary facility should be submitted with the Construction Certificate (CC) Application.	Not Triggered	* Construction works not commenced.	
AN4	A Section J Energy Efficiency Report from a suitably qualified person should be submitted with the Construction Certificate (CC) Application.	Compliant	* Construction certificate 180143/01 obtained from BBAC.	

Compliance Status
Compliant

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	Not verified			
	Non-Compliant (Low Risk)			
	Non-Compliant (Medium Risk)			
	Non-Compliant (High Risk)			
	Administrative Non-Compliance			
	Not Triggered			
	Observation			
	Note			

Environment Protection Licence - Licence 13172

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																
1. Administration 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.	Note																		
A1.2	<div>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.</div> <div>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.</div> <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 annual processing capacity</td></tr><tr><td>Extractive activities</td><td>Land-based extractive activity</td><td>> 100000 - 500000 T annual capacity to extract, process or store</td></tr><tr><td>Mining for minerals</td><td>Mining for minerals</td><td>> 100000 - 500000 T annual production capacity</td></tr></table>	Scheduled Activity	Fee Based Activity	Scale	Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity	Extractive activities	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store	Mining for minerals	Mining for minerals	> 100000 - 500000 T annual production capacity	Compliant	<div>* February 2017 average production report indicates 3995 tonnes produced during the month.</div> <div>* According to the 2015/2016 Annual Review 43,000 tonnes of material was extracted and processed.</div> <div>* According to the 2016/2017 Annual Review 60,714 tonnes of material was extracted and 85,000 tonnes of material was processed.</div> <div>* The amount of material trucked off-site, between 29/10/2015 and 13/4/2018, was 179,610 tonnes.</div>					
Scheduled Activity	Fee Based Activity	Scale																		
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity																		
Extractive activities	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store																		
Mining for minerals	Mining for minerals	> 100000 - 500000 T annual production capacity																		
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.	Note																		
A2 Premises or plant to which this licence applies																				
A2.1	<div>The licence applies to the following premises:</div> <table><tr><th>Premises Details</th></tr><tr><td>WALLERAWANG QUARRY</td></tr><tr><td>LOT 6 GREAT WESTERN HIGHWAY</td></tr><tr><td>WALLERAWANG</td></tr><tr><td>NSW 2785</td></tr><tr><td>PART LOT 6 DP 872230, LOT 7 DP 872230</td></tr><tr><td>PART LIDSDALE STATE FOREST (NO. 707)</td></tr></table>	Premises Details	WALLERAWANG QUARRY	LOT 6 GREAT WESTERN HIGHWAY	WALLERAWANG	NSW 2785	PART LOT 6 DP 872230, LOT 7 DP 872230	PART LIDSDALE STATE FOREST (NO. 707)	Note											
Premises Details																				
WALLERAWANG QUARRY																				
LOT 6 GREAT WESTERN HIGHWAY																				
WALLERAWANG																				
NSW 2785																				
PART LOT 6 DP 872230, LOT 7 DP 872230																				
PART LIDSDALE STATE FOREST (NO. 707)																				
A3 Information supplied to the EPA																				
A3.1	<div>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.</div> <div>In this condition the reference to "the licence application" includes a reference to: 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 b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</div>	Note																		
2 Discharges to Air																				
P1 Location of monitoring/discharge points and areas																				
P1.1	<div>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.</div> <table><tr><th colspan="4">Air</th></tr><tr><th>EPA identification no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr><tr><td>4</td><td>Air Monitoring</td><td></td><td>Final location to be confirmed by Walker Quarries Pty Limited</td></tr></table>	Air				EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	4	Air Monitoring		Final location to be confirmed by Walker Quarries Pty Limited	Compliant	<div>* Site inspection confirmed four dust monitoring sites at the site (refer to photo 5).</div> <div>* Depositional monitoring sites (D1, D2, D3 and D4) included in the AQMP and reported on in the 2015/2016 and 2016/2017 Annual Review/AEMRs.</div>					
Air																				
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																	
4	Air Monitoring		Final location to be confirmed by Walker Quarries Pty Limited																	
P1.2	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.	Note																		
P1.3	<div>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.</div> <table><tr><th colspan="4">Water and land</th></tr><tr><th>EPA identification no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr><tr><td>1</td><td>Discharge to waters; Discharge quality monitoring</td><td>Discharge to waters; Discharge quality monitoring</td><td>Overflow from final basin to unnamed tributary of Coxs River as shown by point "SD1" in Figure 4 "Surface Water Monitoring Locations" Wallerawang Quarry Soil and Water Management Plan Report No.949/02f - January 2018".</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 sediment basin to unnamed tributary of Coxs River as shown by point "SB2" in Figure 4 "Surface Water Monitoring Locations" Wallerawang Quarry Soil and Water Management Plan Report No.949/02f - January 2018".</td></tr></table>	Water and land				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 final basin to unnamed tributary of Coxs River as shown by point "SD1" in Figure 4 "Surface Water Monitoring Locations" Wallerawang Quarry Soil and Water Management Plan Report No.949/02f - January 2018".	2	Discharge to waters; Discharge quality monitoring	Discharge to waters; Discharge quality monitoring	Overflow from sediment basin to unnamed tributary of Coxs River as shown by point "SB2" in Figure 4 "Surface Water Monitoring Locations" Wallerawang Quarry Soil and Water Management Plan Report No.949/02f - January 2018".	Compliant	<div>* EPA monitoring points 1 and 2 identified in SWMP (Table 3.2).</div>	
Water and land																				
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 final basin to unnamed tributary of Coxs River as shown by point "SD1" in Figure 4 "Surface Water Monitoring Locations" Wallerawang Quarry Soil and Water Management Plan Report No.949/02f - January 2018".																	
2	Discharge to waters; Discharge quality monitoring	Discharge to waters; Discharge quality monitoring	Overflow from sediment basin to unnamed tributary of Coxs River as shown by point "SB2" in Figure 4 "Surface Water Monitoring Locations" Wallerawang Quarry Soil and Water Management Plan Report No.949/02f - January 2018".																	
3 Limit Conditions																				
L1 Pollution of waters																				

2025-01-11 3:58 PM

\\000

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																																				
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.	Non-compliant (low-risk)	<p>* <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L) and 22/3/2017 (120 mg/L).</p> <p>* <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) on 22/3/2017 (58 mg/L).</p> <p>* <u>Non-compliant</u>: Exceedance in the range of pH (6.5 - 8.5), with a reading of 8.53, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 22/3/2017.</p> <p>* <u>Non-compliant</u>: pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2018.</p> <p><u>Observation</u>: The water quality monitoring data for the Annual Return reporting period did not provide data that showed the 20/6/2018 exceedance. This exceedance was included in the data provided in Section B2 of the Annual Return but was not included in Section C1.</p>	<p>* Implement a more effective Flocculant system at the main storage dam to keep TSS levels down.</p> <p>* Ensure all Annual Returns are correctly completed.</p>																																				
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.	Non-compliant (low-risk)	<p>* <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L) and 22/3/2017 (120 mg/L).</p> <p>* <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) on 22/3/2017 (58 mg/L).</p> <p>* <u>Non-compliant</u>: Exceedance in the range of pH (6.5 - 8.5), with a reading of 8.53, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 22/3/2017.</p> <p>* <u>Non-compliant</u>: pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2018.</p> <p><u>Observation</u>: The water quality monitoring data for the Annual Return reporting period did not provide data that showed the 20/6/2018 exceedance. This exceedance was included in the data provided in Section B2 of the Annual Return but was not included in Section C1.</p>	<p>* Implement a more effective Flocculant system at the main storage dam to keep TSS levels down.</p> <p>* Ensure all Annual Returns are correctly completed.</p>																																				
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	Non-compliant (low-risk)	<p>* <u>Non-compliant</u>: pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016. Exceedance prior to Mod 1 Approval, but exceedance still occurred against the original consent criteria (Schedule 2, Condition 2.23).</p>	<p>* Ensure mitigation measures are implemented at the site to obtain compliant water quality discharge results.</p>																																				
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.	Note																																						
L2.4	Water and/or Land Concentration Limits <table><tr><th colspan="6">POINT 1,2</th></tr><tr><th>Pollutant</th><th>Units of Measure</th><th>50 percentile concentration limit</th><th>90 percentile concentration limit</th><th>3DGM concentration limit</th><th>100 percentile concentration limit</th></tr><tr><td>Oil and Grease</td><td>milligrams per litre</td><td></td><td></td><td></td><td>10</td></tr><tr><td>pH</td><td>pH</td><td></td><td></td><td></td><td>6.5 - 8.5</td></tr><tr><td>Sulfate</td><td>milligrams per litre</td><td></td><td></td><td></td><td>250</td></tr><tr><td>Total suspended solids</td><td>milligrams per litre</td><td></td><td></td><td></td><td>30</td></tr></table>	POINT 1,2						Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	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	Non-compliant (low-risk)	<p>* <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L) and 22/3/2017 (120 mg/L).</p> <p>* <u>Non-compliant</u>: Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) on 22/3/2017 (58 mg/L).</p> <p>* <u>Non-compliant</u>: Exceedance in the range of pH (6.5 - 8.5), with a reading of 8.53, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 22/3/2017.</p> <p>* <u>Non-compliant</u>: pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2018. The water quality monitoring data for the Annual Return reporting period did not provide data that showed this exceedance. This exceedance was included in the data provided in Section B2 of the Annual Return but was not included in Section C1.</p> <p>* According to the EPA website the EPA wrote to the quarry in regards to the exceedance of water concentration limits, including 20/6/2018 exceedance of pH and turbidity.</p>	<p>* Implement a more effective Flocculant system at the main storage and the bottom working dam to keep TSS levels down.</p> <p>* Ensure all Annual Returns are correctly completed.</p> <p>* Ensure all relevant monitoring data is included on the Walker Quarry website.</p>
POINT 1,2																																								
Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																																			
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																																			
L2.5	The concentration limits stipulated by condition L2.4 for EPA identification points 1 and 2 are deemed not to apply when the discharge from the stormwater control structures (sediment dams) occurs solely as a result of rainfall measured at the premises which exceeds: a) a total of 56 millimetres of rainfall over any consecutive 5 day period. Note: A 56mm rainfall event is defined by the EPA endorsed publication "Managing urban stormwater: soils and construction" (Landcom 2004; 6-24) as the rainfall depth in millimetres for a 95th percentile 5 day rainfall event for "Lithgow" which is also consistent with the storage capacity (recommended minimum design criteria) for Type D sediment basins for mines and quarries (see "Managing urban stormwater: soils and construction, Volume 2E, mines and quarries" (DECC, 2008).	Note																																						
L2.6	The concentration limit for total suspended solids stipulated by condition L2.4 for EPA identification points 1 and 2 are deemed not to have been breached where: a) the water discharged is covered by condition L2.5; OR b) when not covered by condition L2.5, the water discharged (in accordance with conditions O5.1 and O5.2) is within pH range 6.5 - 8.5 and has a turbidity (as measured in nephelometric turbidity units (NTU) using a hand held turbidity meter) of 25 NTU or less at the time of the discharge; and c) the EPA is advised within 3 working days of the completion of the sample testing and analysis as required by condition M2.2 of any results above the licence discharge limits specified under condition L2.4. Note: The purpose of condition L2.6 is to expedite the assessment and subsequent discharge of the clarified water from the stormwater control structures (sediment basins).	Note																																						
L3 Waste																																								

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
L3.1	<p>The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.</p> <p>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.</p> <p>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.</p> <p>This condition does not limit any other conditions in this licence.</p>	Not Triggered	<p>* Site inspection verified waste is not received at site for storage, treatment, processing, reprocessing or disposal.</p> <p>* The 2015/2016 and 2016/2017 Annual Review/AEMR did not identify any waste that is received at the site.</p>	

L4 Noise limits				
L4.1	<p>Noise from the premises must not exceed:</p> <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>	Compliant	<p>Noise assessment reports results:</p> <p>* Atkins Acoustics Site Attended Noise Audit, dated 20 July 2016 (attended noise measurements).</p> <p>- Monitoring undertaken during the day. Estimated quarry contribution to noise below 43 dB(A); N1 (<34), N2 (<38) and N3 (<33).</p> <p>* Muller Acoustic Consulting Pty Ltd (MAC) Noise Monitoring Assessment, dated 23 January 2017 (attended noise measurements).</p> <p>- Monitoring undertaken on 12/1/2017, during the day. Estimated quarry contribution to noise below 43 dB(A); N1 (quarry inaudible), N2 (quarry inaudible) and N3 (quarry inaudible).</p> <p>* MAC Noise Monitoring Assessment, dated September 2017.</p> <p>- Monitoring undertaken on 19/9/2017 and 20/9/2017, during the day. Estimated quarry contribution to noise below 43 dB(A); N1 (quarry inaudible), N2 (quarry inaudible) and N3 (quarry inaudible), for both days. A sound power assessment of quarry was also undertaken on 19/9/2017 and 20/9/2018.</p> <p>* MAC Noise Monitoring Assessment, dated May 2018.</p> <p>- Monitoring undertaken on 4/4/2018, during the day. Estimated quarry contribution to noise below 43 dB(A); N1 (quarry inaudible), N2 (quarry inaudible) and N3 (quarry inaudible), for both days. A sound power assessment of quarry was also undertaken on 4/4/2018.</p> <p>* <u>Observation</u>: Monitoring undertaken over two days 19/9/2017 and 20/9/2017, instead of a single day, in accordance with the NMP (Section 6.3.5) states that "Monitoring will take place over a single day".</p>	* Ensure noise monitoring is undertaken over a single day.
L4.2	Noise from the premises is to be measured at the nearest or most affected residence to determine compliance with this condition.	Compliant	<p>* NMP (Figure 2) confirms that noise is measured at the nearest residence (N2).</p> <p>* Noise monitoring undertaken during the audit period confirms noise monitoring undertaken at N2.</p>	
L4.3	<p>The noise emission limits identified in this licence apply under all meteorological conditions except:</p> <p>a) during rain and wind speeds (at 10m height) greater than 3m/s; and</p> <p>b) under "non-significant weather conditions".</p> <p>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.</p>	Note		

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.	Compliant	<p>* The airblast overpressure level from blasting operations at the premises did not exceed 120dB (Lin Peak) at any time at any noise sensitive locations, according to blasting reports dated 07/12/2015, 04/05/2016, 18/07/2016, 06/02/2017, 23/10/2017 & 21/02/2018.</p>	
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.	Compliant	<p>* The airblast overpressure level from blasting operations at the premises did 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, according to blasting reports dated 07/12/2015, 04/05/2016, 18/07/2016, 06/02/2017, 23/10/2017 & 21/02/2018.</p>	
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.	Compliant	<p>* Ground vibration peak particle velocity from the blasting operations at the premises did not exceed 10mm/sec at any time at any noise sensitive locations, according to blasting reports dated 07/12/2015, 04/05/2016, 18/07/2016, 06/02/2017, 23/10/2017 & 21/02/2018.</p>	
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.	Compliant	<p>* Ground vibration peak particle velocity from the blasting operations at the premises did not exceed 5 mm/sec for more than five percent of the total number of blasts over each reporting period, according to blasting reports dated 07/12/2015, 04/05/2016, 18/07/2016, 06/02/2017, 23/10/2017 & 21/02/2018.</p>	
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.	Compliant	<p>* 2015-2016 & 2016-2017 AEMR/Annual Reviews indicate blasting was carried within permitted hours and days.</p>	

4 Operating Conditions				
O1 Activities must be carried out in a competent manner				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
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.	Non-Compliant (Medium Risk)	a) <u>Non-compliant</u> : Material was processed at the site that was not in accordance with the DA Approval. Letter from DPE requesting information on sand washing on-site, dated 23/11/2016. Letter from Hicksons Lawyers to DPE re: sand washing, dated 2/12/2016. Formal letter from DPE re: non-compliance of sand washing, dated 21/12/2016. DPE confirmation of extension to timeframe (23/12/2016). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017). DA Mod 1 approved 25 August 2017. * Material being processed is wet down, along with roads. * Trucks go through a wheel wash and are covered before they leave site with material. * Diesel is stored on-site in a self-bunded tank (refer to photo 13). * Oil is stored on-site in a shipping container and on bund (refer to photo 14). b) Waste is not processed, reprocessed or transported from site. * Site inspection verified waste generated by the development is appropriately stored, handled, and disposed of. Waste is stored in flip top bins before being collected on a monthly basis by Suez. * <u>Observation</u> : Some litter around the site (refer to photo 15).	* Ensure processing in the future is undertaken in accordance to DA 344_11_2001 Mod 1. * Undertake general clean-up of rubbish around the site.
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.	Compliant	a) Site inspection indicated that plant and equipment seemed to have been maintained. * During site inspection minimal dust and noise identified from dozers, trucks and processing equipment (refer to photo 2). * Maintenance reports (pre-start and operational safety check sheet) for equipment. b) Onsite/offsite training conducted to ensure plant and equipment operated in a proper and efficient manner. Training files viewed during site inspection.	
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.	Compliant	Emission of dust from the premises is minimised by: * The Air Quality Management Plan (AQMP) includes best practice management and mitigation measures for the site to ensure dust emissions are minimised. * From the site inspection: - Minimal dust seen at the site (refer to photo 2); - Unsealed roads and working areas watered down by water truck (refer to photo 3); - Water tank with hose set-up next to processing area, ready to water down material being processed; - Rehabilitation being undertaken at cleared and exposed areas (refer to photo 4).	
O3.2	Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.	Compliant	* Site inspection verified trucks exiting the site that were carrying loads had their loads covered.	
O4 Other operating conditions				
O4.1	The stormwater control structures (sediment dams) identified at condition L2.4 EPA identification point 1 and 2 must be drained or pumped out as necessary to maintain each basins design storage capacity within 5 days following rainfall.	Compliant	* Site inspection confirmed that stormwater control structures (sediment dams) identified at condition L2.4 EPA identification point 1 and 2 stored water within there capacity. * According to site comms and diary note, stormwater control structures (sediment dams) are inspected daily, and are drained or pumped out as required to maintain each basins design storage capacity. This includes within 5 days following rainfall. * During site inspection noted pumps located near to the stormwater control structures (sediment dams). Water was not being pumped out at time of inspection. * According to water monitoring results, water was discharged from the dams on 20/6/2016, 12/9/2016 and 22/3/2017.	
O4.2	Water discharged to comply with condition O5.1 may only be discharged to waters from those stormwater control structures (sediment dams) identified at EPA identification point 1 and 2 where the discharged water complies with the discharge limits stipulated at condition L2.4 (and taking into consideration condition L2.6).	Non-compliant (low-risk)	* <u>Non-compliant</u> : Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L) and 22/3/2017 (120 mg/L). * <u>Non-compliant</u> : Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) on 22/3/2017 (58 mg/L). * <u>Non-compliant</u> : Exceedance in the range of pH (6.5 - 8.5), with a reading of 8.53, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 22/3/2017. * <u>Non-compliant</u> : pH was below the EPL range of 6.5 - 8.5, with a reading of 5.72, in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2018. <u>Observation</u> : The water quality monitoring data for the Annual Return reporting period did not provide data that showed the 20/6/2018 exceedance. This exceedance was included in the data provided in Section B2 of the Annual Return but was not included in Section C1.	* Implement a more effective Flocculant system at the main storage dam to keep TSS levels down. * Ensure all Annual Returns are correctly completed.
O4.3	The licensee must undertake maintenance as necessary to desilt any storage basin identified at EPA identification points 1 and 2 in order to retain each storage basins design storage capacity (the capacity to store 56mm of rainfall over any consecutive 5 day period).	Compliant	* According to site comms storage basins identified at EPA identification points 1 and 2 have not been desilted prior to the audit. * Site inspection determined that the dams were in working order and appeared maintained. * Section 5.1 (Table 5.1) of the SWMP provides the storage capacity of SB1 (2,100 m3) and SB2 (2,800 m3). The required storage volume under 5-day 95th %ile conditions are provided in Section 9.3 (Table 9.1), with SB1 (2,030 m3) and SB2 (2,002 m3). SB1 and SB2 therefore meet their design requirements.	* Ensure storage basins identified at EPA identification points 1 and 2 are desilted on a regular basis.
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.	Note		

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																								
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.	Non-compliant (low-risk)	a) Noise, blast, dust and water discharge monitoring results are maintained on Walker Quarries website in a legible form. b) Walker Quarries website provides data. * <u>Non-compliant</u> : Monitoring data for dust only goes back to June 2014. Data prior to this data and up to April 2014 not available from site. Data from April 2014 to May 2014 was provided during the prior audit. * <u>Non-compliant</u> : Monitoring data for noise only goes back to July 2016. Data prior to this data and up to April 2014 not available from site. Also missing April to June 2016 data. * <u>Non-compliant</u> : Monitoring data for water only goes back to July 2014. According to Annual Return for the period 21 Oct 2009 to 20 Oct 2010 water monitoring commenced May 2011 and therefore data going back to April 2014 should be available. Missing June 2016 and March 2017 from the website but available from Walker quarries once requested. * According to site communications missing data is a result of the prior quarry operator shredding data . * According to the prior IEA dust, water, blast and noise monitoring data was provided to the auditor. * Monitoring data for blasting only goes back to September 2014, however the first blast was undertaken on 3/9/2014. c) No authorised officer of the EPA has asked for records produced in a legible form.	* Ensure all monitoring results for Walker Quarry are retained on the company's website for a minimum of 4 years or on-site.																								
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.	Administrative Non-Compliance	a) Blast, noise, dust and water results available from the Walker Quarry website had the date on which each sample was taken; b) Noise and water results available from the Walker Quarry website had the time(s) at which the sample was collected; * <u>Non-compliant</u> : All blast monitoring results available from the Walker Quarry website did not have the time the sample was collected. * <u>Non-compliant</u> : Dust monitoring results available from the Walker Quarry website did not have the time the sample was collected. c) Blast, noise, dust and water monitoring results available from the Walker Quarry website had the point at which the sample was taken; d) Noise monitoring results available from the Walker Quarry website had the name of the person who collected the sample. * <u>Non-compliant</u> : All blast monitoring results available from the Walker Quarry website did not clearly provide the person who collected the sample. * <u>Non-compliant</u> : Dust and water monitoring results between October 2015 and September 2017 refer to "ALS staff" and not the persons name.	* Ensure blast and dust monitoring results include the time at which the sample was collected. * Ensure blast, dust and water monitoring results include the name of the person who collected the sample.																								
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:	Compliant	* According to water discharge monitoring results from the Walker Quarries website water samples were taken on 20/6/2016 and 22/3/2017. * Samples taken on 20/6/2016 and 22/3/2017 were tested for conductivity, oil and grease, pH, sulfate and TSS. * <u>Sampling method</u> : According to water samples sampling method was in accordance with "Standard Methods for the Examination of Water & Wastewater" APHA, AWWA, and Water & Wastewater Examination Manual (V. Dean Adams). * <u>Units of measure</u> : Analysed samples used the correct units of measure. * <u>Sample frequency</u> : Sampling was undertaken when the site was discharging. According to the 2015/2016 and 2016/2017 Annual Reviews/AEMRs there was three discharge events; in June 2016, September 2016 and March 2017. All these discharges were sampled.																									
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>Total suspended solids</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</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 solids	milligrams per litre	Monthly during discharge	Grab sample	Compliant	* Water monitoring requirements included in Table 3.2 of the SWMP (dated January 2018).	
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 solids	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.	Compliant	According to ALS water samples sampling method was in accordance with "Standard Methods for the Examination of Water & Wastewater" APHA, AWWA, and Water & Wastewater Examination Manual (V. Dean Adams).																									
M4 Weather monitoring																												

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																																			
M4.1	<p>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.</p> <p>Point 4</p> <table><tr><th>Parameter</th><th>Units of Measure</th><th>Frequency</th><th>Averaging Period</th><th>Sampling Method</th></tr><tr><td>Air temperature</td><td>°C</td><td>Continuous</td><td>1 hour</td><td>AM-4</td></tr><tr><td>Wind direction</td><td>°</td><td>Continuous</td><td>15 minute</td><td>AM-2 & AM-4</td></tr><tr><td>Wind speed</td><td>m/s</td><td>Continuous</td><td>15 minute</td><td>AM-2 & AM-4</td></tr><tr><td>Sigma theta</td><td>°</td><td>Continuous</td><td>15 minute</td><td>AM-2 & AM-4</td></tr><tr><td>Rainfall</td><td>mm</td><td>Continuous</td><td>15 minute</td><td>AM-4</td></tr><tr><td>Relative humidity</td><td>%</td><td>Continuous</td><td>1 hour</td><td>AM-4</td></tr></table>	Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method	Air temperature	°C	Continuous	1 hour	AM-4	Wind direction	°	Continuous	15 minute	AM-2 & AM-4	Wind speed	m/s	Continuous	15 minute	AM-2 & AM-4	Sigma theta	°	Continuous	15 minute	AM-2 & AM-4	Rainfall	mm	Continuous	15 minute	AM-4	Relative humidity	%	Continuous	1 hour	AM-4	Non-compliant (low-risk)	<p>* During site inspection viewed met. station set-up on the western boundary of the site, near to the adjacent highway. This was in accordance with the site location for the met. station designated in the AQMP (November 2017).</p> <p>* According to the AQMP (November 2017) the met. station is set-up in accordance with the <i>Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales</i> guideline.</p> <p>* <u>Non-compliant</u>: According to the Compliance Statement in the 2015/2016 AEMR/Annual Review "Monitoring not done due to breakdown of monitor. A more suitable weather monitoring station has been installed".</p> <p>* According to the 2016/2017 AEMR/Annual Review Section 6.20 "Meteorological monitoring was done during the reporting period from a weather station"</p>	* Ensure the existing meteorological station at the site is operated and maintained at the site at all times.
Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method																																			
Air temperature	°C	Continuous	1 hour	AM-4																																			
Wind direction	°	Continuous	15 minute	AM-2 & AM-4																																			
Wind speed	m/s	Continuous	15 minute	AM-2 & AM-4																																			
Sigma theta	°	Continuous	15 minute	AM-2 & AM-4																																			
Rainfall	mm	Continuous	15 minute	AM-4																																			
Relative humidity	%	Continuous	1 hour	AM-4																																			
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.	Compliant	* Legible record of all complaints is maintained on the Walker Quarries website.																																				
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.	Administrative Non-Compliance	<p>A register of complaints is maintained on the company website.</p> <p>a) The date of the complaint is included in the register.</p> <p><u>Non-compliant</u>: The time of the complaint isn't included in the register.</p> <p>b) <u>Non-compliant</u>: The method by which the complaint was made isn't included in the register.</p> <p>c) <u>Non-compliant</u>: Personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect, isn't included in the register.</p> <p>d) The nature of the complaint is included in the register.</p> <p>e) <u>Non-compliant</u>: The action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant isn't included in the register.</p> <p>f) <u>Non-compliant</u>: If no action was taken by the licensee and the reasons why no action was taken isn't included in the register.</p>	* The complaints register must include all details per EPL 13172 condition M5.2																																			
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Compliant	Complaint records going back to January 2014 are maintained on the Walker Quarry website.																																				
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Not Triggered	Walker Quarries not asked by an authorised officer of the EPA to produced any form of record.																																				
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.	Compliant	<p>* Complaints telephone line advertised on the Walker Quarry website.</p> <p>* Complaints telephone line included in Section 6.2.1 of the EMS.</p> <p>* <u>Observation</u>: The complaints telephone line in the EMS is different to the telephone advertised on the Walker Quarry Website.</p>	* Update either the Walker Quarry website or EMS to include the correct complaints telephone line.																																			
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.	Compliant	<p>* Complaints telephone line advertised on the Walker Quarry website.</p> <p>* Complaints telephone line included in Section 6.2.1 of the EMS.</p> <p>* <u>Observation</u>: The complaints telephone line in the EMS is different to the telephone advertised on the Walker Quarry Website.</p>	* Update either the Walker Quarry website or EMS to include the correct complaints telephone line.																																			
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Note																																					
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.	Compliant	<p>(a) According to Figure 3 of the Blast Management Plan (dated November 2017) Air blast overpressure and ground vibration levels is measured at the most affected residence or noise sensitive location that is not owned by the licensee.</p> <p>(b) According to Blast Monitor Calibration Certificates dated 27 February 2018 and 1 March 2018 instrumentation used to measure the air blast overpressure and ground vibration levels meets the requirements of Australian Standard 2187.2 of 2006.</p> <p><u>Observation</u>: Blast Management Plan doesn't refer to Australian Standard 2187.2 of 2006.</p>	* Include appropriate reference to Australian Standard 2187.2 of 2006 in the next version of the Blast Management Plan.																																			
6 Reporting Conditions																																							
R1 Annual return documents																																							
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. 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.	Compliant	<p>2015/2016 and 2016/2017 Annual Returns included:</p> <ol style="list-style-type: none">1. A Statement of Compliance.2. A Monitoring and Complaints Summary.3. A Statement of Compliance - Licence Conditions.4. A Statement of Compliance - Load based Fee (Calculation Worksheets).5. A Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan.6. A Statement of Compliance - Requirement to Publish Pollution Monitoring Data.7. A Statement of Compliance - Environmental Management Systems and Practices. <p>The EPA form has been completed and returned to the EPA.</p> <p><u>Observation</u>: An exceedance in pH was included in Section B2 of the 2015/2016 Annual Return but was not included in Section C1.</p>	* Ensure all Annual Returns are correctly completed.																																			
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below. 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.	Note																																					
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. Note: An application to transfer a licence must be made in the approved form for this purpose.	Not Triggered	The licence was not transferred to a new licensee.																																				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
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.	Not Triggered	This licence was not surrendered by the licensee or revoked by the EPA or Minister.	
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or 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').	Administrative Non-Compliance	<u>Non-compliant:</u> The 2015/2016 Annual Return was sent to the EPA on 22/12/2016, according to an letter from Rangott's dated 22/12/2016. The Annual Review was due to the Department on 19/12/2016. <u>Non-compliant:</u> The 2016/2017 Annual Return was received by the Department on 20/12/2016, according to the EPA website.	* Ensure all future Annual Returns are submitted within the required 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.	Administrative Non-Compliance	<u>Non-compliant:</u> The licensee had not retained copies of Annual Returns supplied to the EPA for a period of at least 4 years after the Annual Returns were supplied to the EPA. Walker Quarries had not retained copies of the 2013/2014 and 2014/2015 Annual Returns at site.	* Ensure copies of Annual Returns dating back 4 years from the date of submission are retained on site.
R1.7	Within the Annual Return, the Statements 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.	Compliant	* 2015/2016 and 2016/2017 Annual Returns signed and certified by the licence holder (Company Director and Secretary).	

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.*

R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Non-Compliant (Medium Risk)	* According to site communications there were no notification of environmental harm to the EPA during the audit period. * Table 5 of the PIRMP includes the telephone number of the EPA. Section 4.0 of the PIMP includes notification requirements. * According to the 2015/2016 and 2016/2017 Annual Returns the PIRMP wasn't activated i.e. no notification to the EPA. * The 2015/2016 and 2016/2017 Annual Reviews do not mention notification of harm to environment to the EPA. * <u>Non-compliant:</u> Exceedances in dust and water criteria during the audit period should have been reported to the EPA.	* Ensure all exceedances in criteria are reported to the EPA.
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	Non-Compliant (Medium Risk)	* <u>Non-compliant:</u> Exceedances in dust and water criteria during the audit period should have been reported to the EPA.	* Ensure all exceedances in criteria are reported to the EPA.

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.	Not Triggered	* An authorised officer of the EPA has not requested a written report of any event, during the audit period.	
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.	Not Triggered	* As above (R3.1).	
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.	Not Triggered	* As above (R3.1).	
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.	Not Triggered	* As above (R3.1).	

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.	Compliant	* Copy of the EPL retained onsite.	
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Not Triggered	* An authorised officer of the EPA has not asked to see the EPL.	
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Compliant	* Copy of the EPL retained onsite.	

Compliance Status
Compliant
Not verified
Non-Compliant (Low Risk)
Non-Compliant (Medium Risk)
Non-Compliant (High Risk)
Administrative Non-Compliance
Not Triggered
Observation
Note

Mining Lease - Mining Act 1992 No 279 Dated: 15 July 2009

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
Notice to Landholders				
1	<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>	Not Triggered	* Mining lease granted on 15/07/2009.	
Environmental Harm				
2	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.	Non-Compliant (Medium Risk)	* During the audit period exceedances in surface water and dust criteria occurred (refer to Condition 12, Schedule 3 and Condition 17, Schedule 3). * During the audit period unauthorised clearing (a new, undocumented area of disturbance) was undertaken (refer to Condition 13(e), Schedule 3.	* Ensure harm to the environment (that may result from the construction, operation or rehabilitation of the development) is minimised as far as possible.
Mining Operations Plan				
3	<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> <p>i) identify areas that will be disturbed by mining operations;</p> <p>ii) detail the staging of specific mining operations;</p> <p>iii) identify how the mine will be managed to allow mine closure;</p> <p>iv) identify how mining operations will be carried out on site in order to prevent and or minimise harm to the environment;</p> <p>v) reflect the conditions of approval under:</p> <p>- the Environmental Planning and Assessment Act 1979</p> <p>- the Protection of the Environment Operations Act 1997</p> <p>- and any other approvals relevant to the development including the conditions of this lease; and</p> <p>vi) have regard to any relevant guidelines adopted by the Director-General.</p> <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> <p>i) the operations constituting the breach were necessary to comply with a lawful order o direction given under the Mining Act 1992, the Environmental I Planning and Assessment Act 1979, Protection of the Environment Operations Act 1997 or the Occupational Health and Safety Act 2000; and</p> <p>ii) 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> <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>	Non-Compliant (Medium Risk)	<p><u>Preparation:</u></p> <p>(a) Email transmission confirms revised RMP/MOP submitted to DPE on 29 March 2018.</p> <p>* Letter from DPE dated 4/4/2018 confirmed RMP (MOP) was administratively complete.</p> <p>b) The MOP:</p> <p>i) Plan 2 and text (Section 1.2 and 5.1) of the RMP/MOP identifies areas of disturbance.</p> <p>ii) Section 1.2 of the RMP/MOP details the staging of specific mining operations.</p> <p>iii) Section 4 and 5 identifies how the mine will be managed to allow mine closure.</p> <p>iv) Section 3 identifies how mining operations will be carried out on site in order to prevent and or minimise harm to the environment.</p> <p>v) Reflect the conditions of approval under:</p> <p>- Table 12 includes the measures to be implemented to ensure compliance with the conditions of DA 344_11_2001.</p> <p>- Section 1.3 of the RMP/MOP reflects the conditions of approval under the Protection of the Environment Operations Act 1997 i.e. conditions of the EPL.</p> <p>- Section 1.4 and Table 12 includes the requirements of this lease.</p> <p>vi) The RMP/MOP is prepared in accordance with the DRG Guideline.</p>	
			<p><u>Implementation:</u></p> <p>* <u>Non-compliant:</u> Letter from DRG dated 4 October 2016 noted that during the 16 August 2016 inspection DRG noticed there was "a new, undocumented area of disturbance" and requested that additional details were provided of this area. R.W. Corkery & Co. (Corkery) provided a response letter (dated 18 October 2016) on the behalf of Walker Quarries, providing details of the disturbance. DPE issued a letter (dated 19/10/2016) of impending enforcement action and opportunity to "show cause". On the behalf of Walker Quarries Corkery issued a letter to "show cause" for vegetation clearing. DPE issued a penalty notice of \$15,000 issued on 21/12/2016. Receipt indicates payment of General Penalty Notice on 22/12/2016. Final Order issued by DPE re: unauthorised clearing PIN, dated 31/1/2017. Approval of extension to resolve non-compliance (through modification to DA) (8/3/2017). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017).</p> <p>* From the site inspection progressive rehabilitation being undertaken at the site.</p> <p>* Rehabilitation in the form of planting seedlings and spraying hydroseeding undertaken at the site. Such areas include the newly constructed visual bund and the WSEA.</p> <p>* RMP is generally complied with, although drying cell area appears to be larger (according to 2018 google satellite maps) that indicated on the Plan.</p>	* Ensure future disturbance at site is in accordance with the site's RMP/MOP, including the Vegetation Clearing Protocol.
Environment Management Reporting				
4	The lease holder must lodge Environmental Management Reports (EMR) with the Director General annually or at dates otherwise directed by the Director-General.	Compliant	* Letter from DRG (formerly DRE) dated 7/9/2016 refers to the submission of the 2015/2016 Annual Review/AEMR on 30/8/2016. * 2016/2017 Annual Review/AEMR submission letter to DRG from RME Rangott Mineral Exploration Pty. Ltd., dated 28/08/2017.	
The EMR must:				

5	a) report against compliance with the MOP; b) report on progress in respect of rehabilitation completion criteria; c) report on the extent of compliance with regulatory requirements; and d) have regard to any relevant guidelines adopted by the Director-General;	Administrative Non-Compliance	* Approval letter from DRG dated 12 April 2018 for the 2016/2017 Wallerawang Quarry Annual Review/AEMR. The 2015/2016 and 2016/2017 Annual Reviews: a) Report against compliance with the MOP (Section 4.0). b) <u>Non-compliant</u> : Does not report on progress against rehabilitation completion criteria. c) Report on the extent of compliance with regulatory requirements (Section 1.0). d) The 2015/2016 and 2016/2017 Annual Review/AEMRs have been prepared generally in accordance with the DPE <i>Annual Review Guidelines</i> (dated October 2015).	* Ensure future Annual Reviews/AEMR's report on progress against rehabilitation completion criteria.
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.	Compliant	* Letter from DRG dated 4 October 2016 noted that during the 16 August 2016 inspection DRG noticed there was "a new, undocumented area of disturbance" and requested that additional details were provided of this area. R.W. Corkery & Co. (Corkery) provided a response letter (dated 18 October 2016) on the behalf of Walker Quarries, providing details of the disturbance. DPE issued a letter (dated 19/10/2016) of impending enforcement action and opportunity to "show cause". On the behalf of Walker Quarries Corkery issued a letter to "show cause" for vegetation clearing. DPE issued a penalty notice of \$15,000 issued on 21/12/2016. Receipt indicates payment of General Penalty Notice on 22/12/2016. Final Order issued by DPE re: unauthorised clearing PIN, dated 31/1/2017. Approval of extension to resolve non-compliance (through modification to DA) (8/3/2017). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017). * The response to this PIN was updating the MOP.	
Rehabilitation				
7	Disturbed land must be rehabilitated to a sustainable/agreed end land use to the satisfaction of the Director-General.	Compliant	* Letter from DRG dated 4/4/2018 stating that the amended MOP (dated 21/12/2017) was administratively complete.	
Working Requirement				
9	The lease holder must: (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, OR (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. 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.	Compliant	* Timesheets verify that at least 2 competent people are efficiently employed on the lease area on each week day. * Site inspection verified that there were more than 2 competent people on-site.	
Control of Operations				
10	(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:- (i) cease working the lease; or (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. (b) The lease holder must comply with any direction given. The Director-General may confirm, vary or revoke any such direction. (c) A direction referred to in this condition may be served on the Mine Manager.	Compliant	* Letter from DRG dated 4 October 2016 noted that during the 16 August 2016 inspection DRG noticed there was "a new, undocumented area of disturbance" and requested that additional details were provided of this area. R.W. Corkery & Co. (Corkery) provided a response letter (dated 18 October 2016) on the behalf of Walker Quarries, providing details of the disturbance. DPE issued a letter (dated 19/10/2016) of impending enforcement action and opportunity to "show cause". On the behalf of Walker Quarries Corkery issued a letter to "show cause" for vegetation clearing. DPE issued a penalty notice of \$15,000 issued on 21/12/2016. Receipt indicates payment of General Penalty Notice on 22/12/2016. Final Order issued by DPE re: unauthorised clearing PIN, dated 31/1/2017. Approval of extension to resolve non-compliance (through modification to DA) (8/3/2017). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017). * The response to this PIN was updating the MOP. The MOP was amended (dated 21/12/2017) and approved by DRG.	
Reports				
11	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.	Administrative Non-Compliance	* 2015/2016 Annual Exploration Report submitted to DRG (formerly DRE) on 12/8/2016. * <u>Non-compliant</u> : 2016/2017 Annual Exploration Report submitted to DRG (formerly DRE) on 14/8/2017. Not submitted within the required timeframe of 28 days. * Exploration Progress Report for the period 12 January 2017 to 11 January 2018. * Annual Exploration Report for the period 15 July 2015 to 15 July 2016. * Annual Exploration Report for the period 15 July 2016 to 15 July 2017. * The Annual Exploration Reports provided: (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; and (e) Plans, maps and other data necessary to satisfactorily interpret the report.	* Ensure the Annual Exploration Report is submitted to DRG by 12 August of each year.
Licence to Use Reports				
12	(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. (b) The non-exclusive licence will operate as a consent for the purposes of section 365 of the Mining Act1992.	Note		
Confidentiality				
13	(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: (i) the lease holder has agreed that specified reports may be made non-confidential. (ii) reports deal the exploration conducted exclusively on areas that have ceased to be part of the lease. (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. (c) The Director-General may extend the period of confidentiality.	Note		
Terms of the non-exclusive licence				


14	<p>The terms of the non-exclusive copyright licence granted under condition 12 are:</p> <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>	Note		
Blasting				
15	<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>	Compliant	<p>* Blasting reports dated 07/12/2015, 04/05/2016, 18/07/2016, 06/02/2017, 23/10/2017 & 21/02/2018 indicate that blasting on site does not cause any exceedance of the blast criteria.</p> <p>* Letter from DPE, dated 19/10/2016, RE: the Wallerawang Quarry AEMR/Annual Review stated that blast monitoring was only undertaken at Monitoring Point 2 since 3 September 2014. The letter stated that a response was requested by 4/11/2016 advising why monitoring was not undertaken at Monitoring Point 2.</p> <p>* Letter from DPE, dated 21/12/2016, RE: Blast Monitoring at Lake Wallace Dam Wall referred to response email from RME Rangott Mineral Exploration Pty Ltd (on the behalf of the Walker quarries) to the DPE dated 17/11/2016, and how the Blasting Monitoring Program and the Blasting/Vibration Management Protocol did not specifically identify Monitoring Point 2 as a monitoring point, even though Monitoring Point 2 was incorrectly referred to in the Annual Review. DPE noted that monitoring at Point 2 be undertaken in the future in accordance with the recently submitted Blast Management Plan.</p> <p>* Since 17/11/2016 monitoring at all 3 blast monitoring sites has been undertaken.</p>	
Safety				
16	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.	Compliant	<p>* Fence around the site.</p> <p>* A safety bund is constructed around the open cut.</p> <p>* Gates are locked each night.</p>	
Exploratory Drilling				
17	<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 groundwater's;</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>	Administrative Non-Compliance	<p>* <u>Non-compliant</u>: DPI Water was advised of upcoming drilling program on 23/06/2017. The proposed commencement of drilling was the 3/7/2017. DPI Water was not provided at least twenty eight days advance notice of the proposed commencement of drilling operations.</p>	* Ensure DPI Water is provided at least twenty eight days advance notice of the proposed commencement of drilling operations.
Prevention of Soil Erosion and Pollution				
18	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 groundwater's. The lease holder must observe and perform any instructions given by the Director-General in this regard.	Non-Compliant (Medium Risk)	<p>* During the audit period exceedances in surface water and dust criteria occurred.</p> <p>* During the audit period unauthorised clearing (a new, undocumented area of disturbance) was undertaken.</p>	* Operations must be carried out in a manner so that they do not cause or aggravate air pollution, water pollution (including sedimentation) or soil contamination or erosion
Transmission lines, Communication lines and Pipelines				
19	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.	Compliant	<p>* 50 m exclusion zone from transmission line.</p> <p>* Site inspection confirmed that there was no interference with any transmission line, communication line, pipeline or any other utility on the lease area.</p>	
Fences, Gates				
20	<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>	Compliant	<p>* Site inspection confirmed that there was no interference with or damage to fences.</p> <p>* Site inspection confirmed that gates were left closed.</p>	
Roads and Tracks				
21	<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>	Compliant	<p>* Site inspection confirmed no roads were affected.</p> <p>* MOP amendment (dated 21/12/2017) does not include any interference with roads.</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.	Compliant	<p>* The site inspection confirmed roads and tracks were well maintained and graded.</p> <p>* Sediment controls have been installed along the side of tracks.</p>	
Trees and Timber				
23	<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>	Non-Compliant (Medium Risk)	<p>* <u>Non-compliant</u>: Letter from DRG dated 4 October 2016 noted that during the 16 August 2016 inspection DRG noticed there was "a new, undocumented area of disturbance" and requested that additional details were provided of this area. R.W. Corkery & Co. (Corkery) provided a response letter (dated 18 October 2016) on the behalf of Walker Quarries, providing details of the disturbance. DPE issued a letter (dated 19/10/2016) of impending enforcement action and opportunity to "show cause". On the behalf of Walker Quarries Corkery issued a letter to "show cause" for vegetation clearing. DPE issued a penalty notice of \$15,000 issued on 21/12/2016. Receipt indicates payment of General Penalty Notice on 22/12/2016. Final Order issued by DPE re: unauthorised clearing PIN, dated 31/1/2017. Approval of extension to resolve non-compliance (through modification to DA) (8/3/2017). Environmental Assessment and application to modify DA 344-11-2001 to resolve non-compliances submitted (4/5/2017).</p>	* Ensure all future disturbance at site is in accordance with the site's RMP/MOP, including the Vegetation Clearing Protocol.
Resource Recovery				

25	(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. (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. (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. (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. (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. (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.	Not Triggered	* No such notification received.	
Indemnity				
26	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.	Note		
Security				
27	(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. (b) The lease holder must provide the security required by sub-clause (a) in one of the following forms: (i) cash, (ii) a security certificate in a form approved by the Minister and issued by an authorised deposit-taking institution	Compliant	* A security certificate from NAB Bank (undated) refers to this security and the sum of \$434,000	

Compliance Status
Compliant
Not verified
Non-Compliant (Low Risk)
Non-Compliant (Medium Risk)
Non-Compliant (High Risk)
Administrative Non-Compliance
Not Triggered
Observation
Note

APPENDIX C

Audit Certification Form

Independent Audit Certification Form	
Development Name	Wallerawang Quarry
Development Consent No.	DA 344-11-2001 Mod 1 and DA019/18
Description of Development	Quartzite Quarry
Development Address	Lot 6, Great Western Highway Wallerawang NSW 2845
Operator	Walker Quarries Pty Ltd
Operator Address	Lot 6, Great Western Highway Wallerawang NSW 2845
Independent Audit	
Title of Audit	Wallerawang Quarry 2018 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> <p><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></p> <p><i>The findings of the audit are reported truthfully, accurately and completely;</i></p> <p><i>I have exercised due diligence and professional judgement in conducting the audit;</i></p> <p><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></p> <p><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></p> <p><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></p> <p><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></p> <p><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> <p><i>Note.</i></p> <p><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><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	Tracey Ball
Address	10 Kings Road, New Lambton NSW 2305, Australia
Email Address	tball@slrconsulting.com
Auditor Certification (if relevant)	Principal Environmental Auditor
Date:	29 June 2018

APPENDIX D

Endorsement of SLR



Contact: Chris Schultz
Phone: 02 4224 9478
Fax: 02 4224 9470
Email: chris.schultz@planning.nsw.gov.au

Mr David Murray
Walker Quarries Pty Ltd
Level 1
191 Main Street
LITHGOW NSW 2790

Dear Mr Murray

**Wallerawang Quarry – DA 344-11-2001
Independent Environmental Audit**

I refer to the email dated 7 March 2018 from Alex Irwin on behalf of Walker Quarries Pty Ltd (Walker Quarries) seeking the Secretary's endorsement for an audit team to undertake the Independent Environmental Audit (audit) under Development Consent 344-11-2001 as modified (the consent) for Wallerawang Quarry.

Having considered the qualifications and experience of the SLR Consulting audit team, namely;

- Tracey Ball (Lead Auditor)
- Chris Jones (Auditor)

the Secretary endorses the appointment of this team to undertake the audit in accordance with Condition 13 of Schedule 5 of the consent. This approval is conditional on the audit team being independent of the development.

The audit is to be conducted in accordance with AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing and the *Post-approval requirements for State significant developments – Independent Audit Guideline* dated October 2015.

The audit report is to:

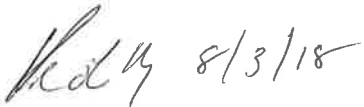
- include a compliance table indicating the compliance status of each condition of approval, the Environmental Protection Licence and any water licences;
- not use the term "partial compliance";
- recommend actions in response to non-compliances and opportunities for improvement;
- review the adequacy of plans and programs required under this consent; and
- identify opportunities for improved environmental management and performance.

Within 12 weeks of commencing the audit, or otherwise as agreed by the Secretary, Walker Quarries is to submit a copy of the audit report to the Secretary together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations.

Prior to submitting the audit report to the Secretary, it is recommended that Walker Quarries review the report to ensure it complies with the relevant consent condition.

Should you wish to discuss this matter please contact Chris Schultz on the details above.

Yours sincerely

Handwritten signature of Katrina O'Reilly, dated 8/3/18.

Katrina O'Reilly
Team Leader Compliance
as nominee for the Secretary

ASIA PACIFIC OFFICES

BRISBANE

Level 2, 15 Astor Terrace
Spring Hill QLD 4000
Australia
T: +61 7 3858 4800
F: +61 7 3858 4801

MELBOURNE

Suite 2, 2 Domville Avenue
Hawthorn VIC 3122
Australia
T: +61 3 9249 9400
F: +61 3 9249 9499

SYDNEY

2 Lincoln Street
Lane Cove NSW 2066
Australia
T: +61 2 9427 8100
F: +61 2 9427 8200

AUCKLAND

68 Beach Road
Auckland 1010
New Zealand
T: +64 27 441 7849

CANBERRA

GPO 410
Canberra ACT 2600
Australia
T: +61 2 6287 0800
F: +61 2 9427 8200

NEWCASTLE

10 Kings Road
New Lambton NSW 2305
Australia
T: +61 2 4037 3200
F: +61 2 4037 3201

TAMWORTH

PO Box 11034
Tamworth NSW 2340
Australia
M: +61 408 474 248
F: +61 2 9427 8200

NELSON

5 Duncan Street
Port Nelson 7010
New Zealand
T: +64 274 898 628

DARWIN

5 Foelsche Street
Darwin NT 0800
Australia
T: +61 8 8998 0100
F: +61 2 9427 8200

PERTH

Ground Floor, 503 Murray Street
Perth WA 6000
Australia
T: +61 8 9422 5900
F: +61 8 9422 5901

TOWNSVILLE

Level 1, 514 Sturt Street
Townsville QLD 4810
Australia
T: +61 7 4722 8000
F: +61 7 4722 8001

NEW PLYMOUTH

Level 2, 10 Devon Street East
New Plymouth 4310
New Zealand
T: +64 0800 757 695

MACKAY

21 River Street
Mackay QLD 4740
Australia
T: +61 7 3181 3300

ROCKHAMPTON

rockhampton@slrconsulting.com
M: +61 407 810 417