



ABN: 82 003 061 890

# Independent Environmental Audit Action Plan

for the

## Wallerawang Quarry



5 July 2018

*Prepared by:*



**R.W. CORKERY & CO. PTY. LIMITED**





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# Independent Environmental Audit Action Plan

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## Wallerawang Quarry

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# CONTENTS

	<b>Page</b>
1. INTRODUCTION.....	1
2. SUMMARY OF IEA OUTCOMES.....	2
3. ACTION PLAN.....	6
4. MANAGEMENT.....	43
5. REFERENCES.....	43

## TABLES

Table 1	IEA Risk Ratings .....	2
Table 2	Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Development Consent DA 344-11-2001 .....	7
Table 3	Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Environment Protection Licence 13172 .....	25
Table 4	Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Mining Lease 1633 .....	33
Table 5	Additional IEA and DPE Compliance Audit Recommendations .....	41



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## 1. INTRODUCTION

In accordance with *Condition 13 (of Schedule 5)*<sup>1</sup> of Development Consent DA 344-11-2001<sup>2</sup>, an Independent Environmental Audit (IEA) was completed for the Wallerawang Quarry operated by Walker Quarries Pty Ltd (Walker Quarries) by SLR Consulting Australia Pty Ltd (SLR). This Action Plan outlines the findings of the IEA and provides the commitments of the Walker Quarries to the correction of any non-compliances the proposed timing to implement or complete these commitments.

The audit was commenced on 12 April 2018 and completed in accordance with the Department of Planning and Environment (DPE) Independent Audit Guidelines (of October 2015). The IEA comprised a site inspection, interviews with key personnel of Walker Quarries Pty Ltd, RW Corkery & Co. Pty Limited and Rangott Minerals Exploration Pty Limited, and review of documentation supplied by these companies or available on the Walker Quarries Pty Ltd website. The IEA assessed compliance against the conditions and commitments contained within the following documents.

- DA 344-11-2001, both as originally issued by the Minister for Infrastructure and Planning on 19 October 2004 and as subsequently modified (under delegation for the Minister for Planning) on 25 August 2017;
- DA 019/18 issued by Lithgow City Council for the construction of two demountable office buildings on the Quarry Site;
- Management Plans prepared as conditional requirements of DA 344-11-2001;
- Environment Protection Licence (EPL) 13172 issued by the NSW Environment Protection Authority; and
- Mining Lease (ML) 1633 issued for the period 15 July 2009 to 15 July 2019.

As relevant, information contained within the following documents was referenced.

- The Environmental Impact Statement (EIS) (and supporting and supplementary documents) prepared by Pacrim Environmental (November 2001) to support the initial application by Sitegoal Pty Ltd for the Wallerawang Quarry.
- The Environmental Assessment for Modification to Operations at the Wallerawang Quarry (DA 344-11-2001) prepared by RW Corkery & Co. Pty Limited; and

A copy of the IEA, which includes a more detailed summary of the IEA, is supplied separately to this Action Plan.

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<sup>1</sup> Conditions of DA 344-11-2001 are hereafter referenced as follows Schedule(Condition), i.e. Condition 13 of Schedule 5 will read Condition 5(13).

<sup>2</sup> Previously *Condition 3.8* prior to the modification of DA 344-11-2001 on 25 August 2017.

## 2. SUMMARY OF IEA OUTCOMES

For each condition or commitment, SLR determined Walker Quarries to be either compliant or non-compliant. Where a requirement has an activation or timing trigger that had not been met at the time of the audit inspection, compliance was noted as ‘not triggered’.

Where non-compliances were identified by SLR, the risk of environmental harm or consequences was assessed in accordance with **Table 1**.

**Table 1**  
**IEA Risk Ratings**

Risk Level	Colour Code	Description
<b>High</b>		Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence.
<b>Medium</b>		Non-compliance with: <ul style="list-style-type: none"> <li>• potential for serious environmental consequences, but is unlikely to occur; or</li> <li>• potential for moderate environmental consequences but is likely to occur.</li> </ul>
<b>Low</b>		Non-compliance with: <ul style="list-style-type: none"> <li>• potential for moderate environmental consequences, but is unlikely to occur; or</li> <li>• potential for low environmental consequences but is likely to occur.</li> </ul>
<b>Administrative Non-Compliance</b>		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).

Source: SLR (Modified after DPE, 2015)

It is noted that no guidance is included in the IEA as to how environmental consequences are determined, i.e. the thresholds between low, moderate, serious and significant consequence. The identification of non-compliance and categorisation of risk is understood to be based on the judgement and experience of SLR as to the consequence attached to specific matters. Walker Quarries accepts this, however, argues against the assessment of non-compliances or risk rating in some instances. This is discussed in the summary below as well as in the Action Plan tables which follow in Section 3.

In summary, SLR assessed compliance at the Wallerawang Quarry as follows.

- The operations at Wallerawang Quarry were compliant with all relevant (triggered) conditions of DA 019/18:
- The operations at Wallerawang Quarry were compliant with the majority of conditions. Non-compliance against 19 of the 71 conditions of DA 344-11-2001 was identified, of which:
  - six were assessed to be administrative non-compliance;
  - 10 assessed to be low risk; and
  - three to be medium risk.

As is discussed below and in **Table 2**, Walker Quarries argues that the results of dust deposition monitoring was compliant with the criteria nominated by *Condition 3(12)* and commitments of the Air Quality Management Plan (*Condition 3(13)*). Hence, Walker Quarries argues against the assessment of low risk non-compliance against these criteria.

Walker Quarries has also queried the medium risk rating assigned by the IEA as follows.

- The three conditions assigned a medium risk rating (*Conditions 2(3), 3(13)* and *3(31)*). The medium risk rating has been applied on the basis that the unauthorised clearing resulted in a moderate environmental consequence. Walker Quarries argues that as this clearing has since been assessed and approved by Modification 1 to DA 344-11-2001, the environmental consequence is low and therefore the risk rating should also be low.
- The low risk rating assigned to *Conditions 3(4)* and *3(5)*. The non-compliance was assigned on the basis that the last noise monitoring was undertaken more than 6 months after the preceding noise monitoring without the approval of the Secretary. As is discussed below and in **Table 2**, the noise monitoring was delayed once to ensure it captured all operating equipment on-site and again due to high wind conditions during March 2018. The noise monitoring demonstrated compliance once completed and Walker Quarries argues that it should be considered an administrative non-compliance.
- The operations at Wallerawang Quarry were assessed to be non-compliant with 13 conditions of the 61 Environment Protection Licence 13172, of which:
  - five were assessed to be administrative non-compliances;
  - seven assessed to be low risk; and
  - one to be medium risk.

As is identified also in **Table 3**, Walker Quarries has queried the medium risk rating assigned to *Condition O1.1* is identified as a medium risk on the basis of non-compliant processing operations undertaken at the Quarry Site. The medium risk rating has been applied on the basis that this processing resulted in a moderate environmental consequence. Walker Quarries argues that as this processing was effectively an extension to crushing and screening operations and resulted in minimal additional environmental impacts. These activities have subsequently been assessed and approved by Modification 1 to DA 344-11-2001. Based on the preceding, the environmental consequence Walker Quarries argues the environmental consequence is low and therefore the risk rating should also be low.

- The operations at Wallerawang Quarry were assessed to be non-compliant with seven of the 27 conditions of ML 1633, of which:
  - three were assessed to be administrative non-compliance; and
  - four to be medium risk.

As is also identified in **Table 4**, Walker Quarries has queried the medium risk rating assigned to *Conditions 2, 3, 18 and 23*. The risk rating has been assigned on the basis of a moderate environmental consequence of this clearing. As noted above, Walker Quarries argues that as this clearing has since been assessed and approved by Modification 1 to DA 344-11-2001, the environmental consequence is low and therefore the risk rating should also be low.

For each of the nominated non-compliances, SLR recommended actions to correct the non-compliance. Walker Quarries has nominated an action and date for completion to address each recommendation (refer to Section 3 and **Tables 2 to 4**).

It is noted that in a number of cases, non-compliances have been recorded where Walker Quarries could demonstrate compliance on most occasions, or with the majority of sub-conditions. As there is no allowance for identification of partial compliance or majority compliance, the nature of the auditing process requires that a non-compliance is recorded against these conditions.

On review of the IEA, it is noted that many of the non-administrative non-compliances recorded for DA 344-11-2001, EPL 13172 and ML 1633 reflect common matters associated with several specific occurrences or incidents at the Quarry. These are discussed briefly below.

### **Unauthorised Clearing**

In October 2016, the Division of Resources and Geoscience (DRG), which is now referred to as the Compliance Division of the Resources Regulator, queried "*a new, undocumented area of disturbance*" and requested that additional details were provided of this area. On review, it was identified that the quarrying contractor of the day had cleared areas of the Quarry Site beyond that nominated in the original EIS and therefore outside the consented area.

Walker Quarries was subsequently issued with a Penalty Infringement Notice (PIN) for this clearing and has since rectified this non-compliance through modification to DA 344-11-2001 (as approved on 25 August 2017). Walker Quarries notes that the contractor was removed from the Quarry and Walker Quarries now operates the Quarry itself. A Vegetation Clearance Protocol has been implemented, with this to be reviewed as a commitment of this Action Plan.

The unauthorised clearing generated or contributed to the risk rating of the following non-compliances.

- DA 344-11-2001: *Condition 2(1), Condition 3(13) and Condition 3(31)*.
- ML 1633: *Condition 2, Condition 3, Condition 18 and Condition 23*.

### **Deposited Dust Measurement of Dust Gauge DG4 (July 2016)**

The IEA identifies an exceedance of the 12 month average dust deposition criteria at one gauge and failure to undertake Total Suspended Particulates (TSP) and particulate matter as nominated in the Air Quality Management Plan (AQMP) as a source of non-compliance (should the rolling 12 month average dust deposition level exceed 3.5g/m<sup>2</sup>/month).

As noted above, Walker Quarries disputes the audit finding of non-compliance. As noted in the IEA, the both criteria exceedances are "*due to a potentially contaminated sample from July*

2016, with a depositional dust reading of 19.5 g/m<sup>2</sup>/month". Exclusion of the July 2016 result reduces the rolling average dust deposition concentration to <3.5g/m<sup>2</sup>/month. As discussed with the auditor, the July 2016 result was investigated at the time and deemed a consequence of activities on the property where the dust gauge was located (motorbike riding in the vicinity of the dust gauge during school holidays). Notably, the gauge was subsequently moved to avoid future contamination.

As the 12 month average (and rolling average) dust deposition concentration should be calculated after exclusion of the July 2016 result, the non-compliances related to 12 month average dust deposition concentration and requirement to monitor airborne particulate matter are removed.

It is further noted that the reference to the 12 month rolling average dust deposition concentration as a trigger for airborne particulate matter monitoring commenced in September 2016. This considered the July 2016 as anomalous and therefore excluded from consideration.

The matter of the elevated July 2016 deposited dust measurement and subsequent effect on the rolling 12 month average generated or contributed to the risk rating of the following non-compliances.

- DA 344-11-2001: *Condition 2(1), Condition 3(12), Condition 3(13), Condition 3(14) and Condition 4(1).*
- EPL 13172: *Condition R 2.1.*
- ML 1633: *Condition 2 and Condition 18.*

### **Water Quality Criteria Exceedance**

Walker Quarries report that water was only discharged from the Quarry Site on 20 June 2016 and 23 March 2017. On both occasions, the rainfall was understood to have exceeded the 5 day 95<sup>th</sup> percentile rainfall level for Lithgow (55.6mm). Under such conditions, Walker Quarries was of the understanding that the water criteria of EPL 13172 did not apply. The IEA notes that this exemption from water quality criteria only applies following the most recent variation to EPL 13172 and was not applicable at the time of the two discharges.

Rainfall data collected from the Quarry Site rain gauge confirms rainfall of the 5 days preceding the discharge on 23 March 2017 exceeded 55.6mm. Site rainfall data for the 20 June 2016 event, however, is not available and regional rainfall data (Lidsdale BOM Station) does not support this claim.

The two isolated water discharge events generated or contributed to the risk rating of the following non-compliances.

- DA 344-11-2001: *Condition 2(1), Condition 3(17) and Condition 3(18).*
- EPL 13172: *Conditions L2.1 to L2.4, Condition O4.2, Condition M2.1, Condition R2.1 and Condition R2.2.*
- ML 1633: *Condition 2 and Condition 18.*

### Noise Monitoring

The IEA notes that the period between the (19/20) September 2017 and (4) April 2018 noise monitoring exceeded the 6 months nominated by the Noise Management Plan. It is noted that noise monitoring originally planned for March 2018 was delayed due to a period of reduced operational activity during March 2018 and periods of high winds.

This minor delay in the completion of noise monitoring has generated the following non-compliances.

- DA 344-11-2001: *Condition 3(4)* and *Condition 3(5)*.

The IEA and Compliance Audit findings and recommendations form the basis for the **Action Plan** of Section 3.

## 3. ACTION PLAN

**Tables 2 to 4** presents the IEA Action Plan. The Action Plan identifies the relevant non-compliant conditions, risk level, comments on the nature of the non-compliances, IEA recommendations, comments (where relevant) to the assessment of the IEA (in **blue** text), and the planned corrective actions and nominated completion date (in **green** text).

**Table 5** provides the additional recommendations of SLR following the IEA, proposed actions and completion dates.

**Table 2**  
**Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Development Consent DA 344-11-2001**

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date
Schedule 2	Medium	<p>The audit of DA 344-11-2001 reports:</p> <ul style="list-style-type: none"> <li>• exceedances in surface water and dust criteria (refer to Schedule 3, Conditions 12 and Condition 17); and</li> <li>• unauthorised clearing (a new, undocumented area of disturbance) (refer to Schedule 3, Condition 13(e));</li> </ul> <p>during the audit period.</p>	<p>REC 1</p> <ul style="list-style-type: none"> <li>• Ensure harm to the environment (that may result from the construction, operation or rehabilitation of the development) is minimised as far as possible.</li> </ul>	<p><b>Dust Criteria</b></p> <p>Walker Quarries disputes the audit finding of non-compliance with respect to air quality exceedances of criteria. As the audit (of DA 344-11-2001) notes, exclusion of the July 2016 result reduces the rolling average dust deposition concentration to &lt;3.5g/m<sup>2</sup>/month. The July 2016 result was investigated at the time and deemed a consequence of activities on the property where the dust gauge was located. The gauge was subsequently moved to avoid future contamination.</p> <p>As the 12 month rolling average dust deposition concentration should be calculated after exclusion of the July 2016 result, the non-compliances related to 12 month average dust deposition concentration and requirement to monitor airborne particulate matter are removed.</p> <p><b>Water Quality Criteria</b></p> <p>The exceedance of water quality criteria is noted, however, water was only discharged from the Quarry Site on 20 June 2016 and 23 March 2017. On both occasions, the rainfall was understood to have exceeded the 5 day 95<sup>th</sup> percentile rainfall level for Lithgow (55.6mm).</p> <p>Rainfall data collected from the Quarry Site rain gauge confirms rainfall of the 5 days preceding the discharge on 23 March 2017 exceeded 55.6mm. Site rainfall data for the 20 June 2016 event is not available and regional rainfall data (Lidsdale BOM Station) does not support this claim.</p> <p><b>Unauthorised Clearing</b></p> <p>Walker Quarries notes the non-compliant clearing was undertaken by a former quarrying contractor whose contract has subsequently been terminated.</p> <p>Walker Quarries has accepted the penalties imposed by the Department for this breach of the development consent and rectified this through modification to DA 344-11-2001.</p> <p>Walker Quarries has included a Vegetation Clearing Protocol (VCP) in the Quarry Flora and Fauna Management Plan (FFMP). The VCP is referenced by the Quarry Mining Operations Plan (incorporating a Rehabilitation Management Plan).</p>	
				<p>All management plans and associated procedures and protocols will be reviewed, updated (as necessary) and implemented.</p>	<p>Within 3 months of IEA submission (5 October 2018) and ongoing</p>
Schedule 2	Low	<p>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.</p>	<p>REC 2</p> <ul style="list-style-type: none"> <li>• Ensure that all structures are constructed in accordance with the requirements of the BCA.</li> <li>• Ensure occupation certificates are acquired for the works.</li> <li>• Ensure the building works comply with DA 019/18.</li> </ul>	<p>Walker Quarries management noted they had understood the structures were approved by DA 344-11-2001.</p> <p>On advice from Lithgow City Council to the contrary, Development DA 019/18 was obtained for the two demountable office buildings on 28 February 2018.</p>	
				<p>Construction and Occupation Certificates will be obtained.</p>	<p>Within 3 months of IEA submission (5 October 2018)</p>



Table 2 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Development Consent DA 344-11-2001

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date																		
<b>Condition 4</b> The Applicant must: (a) implement best practice management to minimise the construction, operational and road transportation noise of the development; (b) minimise the noise impacts of the development during meteorological conditions when the noise criteria in this consent do not apply (see Appendix 3); (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 (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. Note: Required frequency of noise monitoring may be reduced if approved by the Secretary.	Low	Current NMP deemed compliant. Monitoring was not undertaken as frequently as nominated in the applicable Noise Management Plan (NMP) on two occasions. <ul style="list-style-type: none"> <li>Warning letter from DPE dated 18/4/2016 indicated that attended monitoring was not undertaken each month in accordance with the original NMP and Condition 2.5 of the original development consent.</li> <li>Monitoring was undertaken on the 19/9/2017 &amp; 20/9/2017, and 4/4/2018. The period between 20/9/2017, and 4/4/2018 exceeds 6 months.</li> </ul>	REC 3 <ul style="list-style-type: none"> <li>Ensure noise monitoring is undertaken in accordance with the development consent and NMP.</li> </ul>	It is noted monthly noise monitoring is no longer required by the Noise Management Plan (since September 2016). It is noted that noise monitoring originally planned for March 2018 was delayed due to a period of reduced operational activity during March 2018 and periods of high winds. Walker Quarries argues that these should be categorised as administrative non-compliances given the noise monitoring was delayed for legitimate reasons and the results ultimately demonstrated compliance.																			
				<b>Condition 5</b> The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Secretary. ... The Applicant must implement the Noise Management Plan as approved from time to time by the Secretary.	Low			The Noise Management Plan will be reviewed in consultation with an acoustic consultant to ensure factors such as operational activity and wind conditions are considered in the scheduling of noise monitoring.	Within 3 months of IEA submission (5 October 2018)														
				<b>Condition 12</b> Table 4: Air quality criteria <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>Annual</td> <td>a,d 25 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>24 hour</td> <td>b 50 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 2.5 µm (PM<sub>2.5</sub>)</td> <td>Annual</td> <td>a,d 8 µg/m<sup>3</sup></td> </tr> <tr> <td>Total suspended particulates (TSP)</td> <td>Annual</td> <td>a,d 90 µg/m<sup>3</sup></td> </tr> <tr> <td><sup>a</sup> Deposited dust</td> <td>Annual</td> <td>b 2 g/m<sup>2</sup>/month      a,d 4 g/m<sup>2</sup>/month</td> </tr> </tbody> </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 <sub>10</sub> )	Annual	a,d 25 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	b 50 µg/m <sup>3</sup>	Particulate matter < 2.5 µm (PM <sub>2.5</sub> )	Annual	a,d 8 µg/m <sup>3</sup>	Total suspended particulates (TSP)	Annual	a,d 90 µg/m <sup>3</sup>	<sup>a</sup> Deposited dust	Annual	b 2 g/m <sup>2</sup> /month      a,d 4 g/m <sup>2</sup> /month	Low
Pollutant	Averaging Period	Criterion																					
Particulate matter < 10 µm (PM <sub>10</sub> )	Annual	a,d 25 µg/m <sup>3</sup>																					
Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	b 50 µg/m <sup>3</sup>																					
Particulate matter < 2.5 µm (PM <sub>2.5</sub> )	Annual	a,d 8 µg/m <sup>3</sup>																					
Total suspended particulates (TSP)	Annual	a,d 90 µg/m <sup>3</sup>																					
<sup>a</sup> Deposited dust	Annual	b 2 g/m <sup>2</sup> /month      a,d 4 g/m <sup>2</sup> /month																					
				The Air Quality Management Plan will be reviewed and updated as required. Dust bottle collection will be undertaken by Quarry personnel, not outsourced to external contractor.	Complete																		



Table 2 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Development Consent DA 344-11-2001

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date
Schedule 3	Medium	The audit reports that dust monitoring not undertaken in accordance with the AQMP (dated November 2017, and prior versions) as Total Suspended Particulates (TSP) and particulate matter not measured at the site.	REC 6 <ul style="list-style-type: none"> <li>Ensure dust monitoring is undertaken in accordance with the AQMP (dated November 2017).</li> </ul>	Walker Quarries disputes the audit finding of non-compliance. As noted in the audit, exclusion of the July 2016 result reduces the rolling average dust deposition concentration to <3.5g/m <sup>2</sup> /month. As discussed with the auditor, the July 2016 result was investigated at the time and deemed a consequence of activities on the property where the dust gauge was located (motorbike riding in the vicinity of the dust gauge during school holidays), skews the results. Notably, the gauge was subsequently moved to avoid future contamination.  As the 12 month rolling average dust deposition concentration should be calculated after exclusion of the July 2016 result, the non-compliances related to 12 month average dust deposition concentration and requirement to monitor airborne particulate matter are removed.  It is further noted that the reference to the 12 month rolling average dust deposition concentration as a trigger for airborne particulate matter monitoring commenced in September 2016. This considered the July 2016 as anomalous and therefore excluded from consideration.	
				The Air Quality Management Plan will be reviewed and updated as required.	Within 3 months of IEA submission (5 October 2018)
				Condition 13 The Applicant must: ... (e) minimise the area of surface disturbance and undertake progressive rehabilitation of the site, to the satisfaction of the Secretary.	Medium
A Biodiversity Management Plan is to be prepared to replace the FFMP and will include a review and update to the Vegetation Clearing Protocol to include an internal Ground Disturbance Permitting process.	Within 3 months of IEA submission (5 October 2018)				
Condition 14 The Applicant must prepare an Air Quality Management Plan for the development to the satisfaction of the Secretary. ... The Applicant must implement the approved Air Quality Management Plan as approved from time to time by the Secretary.	Low	The audit reports that dust monitoring not undertaken in accordance with the AQMP (dated November 2017, and prior versions) as: <ul style="list-style-type: none"> <li>Total Suspended Particulates (TSP) and particulate matter not measured at the site.</li> </ul> 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 D62 & D64 available from October 2015 to February 2016. No other dust results available for this time.	Refer to REC 4 and REWC 6	The results of Occupational Health and Safety quartzite dust monitoring was completed during the audit period (April 2018) and the results are retained on-site.  The Air Quality Management Plan will be reviewed and updated as required.  Future monitoring to be undertaken in accordance with the AQMP.	Within 3 months of IEA submission (5 October 2018)  Ongoing.



Table 2 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Development Consent DA 344-11-2001

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date
Schedule 3	Low	<p>Condition 15</p> <p>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 Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales guideline.</p> <p>Condition 17</p> <p>The Applicant must comply with the discharge limits in any EPL, or with section 120 of the POEO Act.</p> <p>Exceedance in Total Suspended Solids (&gt;30 mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 20/6/2016 (75 mg/L).</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>Observation: 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.</p>	<p>REC 8</p> <ul style="list-style-type: none"> <li>Ensure the existing meteorological station at the site is operated and maintained at the site at all times.</li> </ul>	<p>The meteorological station is currently operating.</p>	<p>Complete</p>
			<p>REC 9</p> <ul style="list-style-type: none"> <li>Implement a more effective Flocculant system at the main storage dam to keep TSS levels down.</li> </ul>	<p>Water was only discharged from the Quarry Site on 20 June 2016 and 23 March 2017. On both occasions, the rainfall was understood to have exceeded the 5 day 95th percentile rainfall level for Lithgow (55.6mm).</p> <p>Rainfall data collected from the Quarry Site rain gauge confirms rainfall of the 5 days preceding the discharge on 23 March 2017 exceeded 55.6mm.</p> <p>Site rainfall data for the 20 June 2016 event, however, is not available and regional rainfall data (Lidsdale BOM Station) does not support this claim.</p>	<p>Within 3 months of IEA submission (5 October 2018)</p>
			<p>REC 10</p> <ul style="list-style-type: none"> <li>Ensure all Annual Returns are correctly completed.</li> </ul>	<p>Ensure Annual Returns are assessed by an independent reviewer prior to submission to confirm accuracy.</p>	<p>Prior to submission of next Annual Return</p>



Table 2 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Development Consent DA 344-11-2001

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date
<p><b>Condition 18</b></p> <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>(d) include a:</p> <ul style="list-style-type: none"> <li>• Site Water Balance that includes:</li> <li>• details of: <ul style="list-style-type: none"> <li>– sources and security of water supply;</li> <li>– water use and management on site;</li> <li>– any off-site water transfers; and</li> <li>– reporting procedures; and</li> </ul> </li> <li>• measures to be implemented to minimise clean water use on site;</li> <li>• Surface Water Management Plan, that includes:</li> <li>• a program for obtaining detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development;</li> <li>• a detailed description of the surface water management system on site including the: <ul style="list-style-type: none"> <li>– clean water diversion system;</li> <li>– erosion and sediment controls;</li> <li>– dirty water management system; and</li> <li>– water storages; and</li> </ul> </li> <li>• a program to monitor and report on: <ul style="list-style-type: none"> <li>– any surface water discharges;</li> <li>– the effectiveness of the water management system,</li> <li>– the quality of water discharged from the site to the environment;</li> <li>– surface water flows and quality in local watercourses;</li> </ul> </li> <li>• Groundwater Management Plan includes: <ul style="list-style-type: none"> <li>– 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</li> <li>– 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"> <li>○ methodology for determining threshold water level criteria;</li> <li>○ contingency measures in the event of a breach of thresholds;</li> <li>○ a program to regularly report on monitoring.</li> </ul> </li> </ul> </li> </ul> <p>The Applicant must implement the approved Soil and Water Management Plan as approved from time to time by the Secretary.</p>	<p><b>Low</b></p>	<p>Security of water supply is not discussed.</p> <p>The SWMP does not include a specific program to monitor and report on the effectiveness of the water management system.</p> <p>The SWMP does not include a specific program to monitor and report on surface water flows and quality in local watercourses.</p> <p>Observation: 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.</p> <p>As discussed for Condition 3(17)</p> <p>Monitoring of Cox's River 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).</p> <p>Samples from the main storage dam (160mg/L) and the bottom working dam (64mg/L) on 12/9/2016 indicate that TSS exceeded 30mg/L.</p> <p>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 (<a href="http://walkerquarries.com.au/statutory-information/">http://walkerquarries.com.au/statutory-information/</a>). However, results from June 2016 and March 2017 were missing from the website (when exceedances in water quality data occurred).</p> <p>Warning letter from the DPE dated 18/4/2016 noted the failure to undertake surface water monitoring.</p> <p>Observation: One small sediment basin (at the top of extraction area) had a small blow-out.</p> <p>Observation: Inspection of the WSEA identified additional sediment and erosion controls should be put in place to control erosion &amp; sedimentation, particularly where the access road and the bund meet.</p>	<p>As per REC 9 and 10</p> <p>REC 11</p> <ul style="list-style-type: none"> <li>• Include security of water supply in the SWMP.</li> <li>• Ensure all references included in Table 3.1. of the SWMP are correct.</li> <li>• 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.</li> <li>• Include in the SWMP a specific program to monitor and report on the effectiveness of the water management system.</li> <li>• Include in the SWMP a specific program to monitor and report on surface water quality in local watercourses.</li> <li>• 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.</li> <li>• Include Plans in the SWMP that reflect that the crushing plant is located in the pit.</li> </ul> <p>REC 12</p> <ul style="list-style-type: none"> <li>• Ensure all surface water monitoring data is included on the Walker Quarry website.</li> <li>• Repair sediment control basin with the small blowout.</li> <li>• Install additional sediment and erosion controls (i.e. rock lined drains) in place at the WSEA to control erosion &amp; sedimentation, particularly where the access road and the bund meet.</li> <li>• Ensure that a pipe be installed at the WSEA to convey dirty water to SB1.</li> </ul>	<p>Water was only discharged from the Quarry Site on 20 June 2016 and 23 March 2017. On both occasions, the rainfall was understood to have exceeded the 5 day 95<sup>th</sup> percentile rainfall level for Lithgow. Site rainfall data for the 20 June 2016 event is not available and regional rainfall data does not support this claim.</p> <p>Walker Quarries notes that monitoring of water quality within the Coxs River is no longer included in the surface water monitoring program.</p>	<p>Within 3 months of IEA submission (5 October 2018)</p>
				<p>Update the Soil and Water Management Plan to incorporate all recommendations of the IEA.</p> <p>Implement the recommended repairs and upgrades to erosion and sediment controls (of REC 12).</p> <p>The SWMP update will revise section on the publication of monitoring results to restrict to results of monitoring required by the development consent or other regulatory approvals.</p>	



Table 2 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Development Consent DA 344-11-2001

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date
<p><b>Condition 31</b> 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; (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; (c) be prepared in accordance with any relevant DRG Guideline; (d) 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; (e) include a detailed soil and growing medium balance for the development; (d) 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; (e) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and for triggering remedial action (if necessary); (f) 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; (g) include procedures for the use of interim stabilisation and temporary vegetation strategies, where reasonable to minimise the area exposed for dust generation; (h) 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 (i) build on to the maximum extent practicable and integrate with the other Management Plans required under this consent.</p>	Medium	<p>Current RMP/MOP deemed compliant.</p> <p>During the audit period it was confirmed that "a new, undocumented area of disturbance" was cleared and developed on the Quarry Site.</p> <p>Section 2.3 of the RMP/MOP dated 21/12/2017 (MOP Amendment B) identifies these areas of disturbance.</p>	REC 7	A Biodiversity Management Plan is to be prepared to replace the FFMP and will include a review and update to the Vegetation Clearing Protocol to include an internal Ground Disturbance Permitting process.	Within 3 months of IEA submission (5 October 2018)
<p><b>Condition 1</b> As soon as practicable, and no longer than 7 days, after obtaining monitoring results showing:</p> <p>(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).</p>	Admin	<p>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.</p> <p>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.</p>	<p>REC 13</p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul>	<p>Walker Quarries maintains that there were no exceedances during the audit period attributable to the Quarry operations (refer to comments on Conditions 3[13] and 3[14]) and as such notification in the form of distribution of the NSW Health fact sheet entitled "Mine Dust and You" was required</p> <p>The Air Quality Management Plan will be reviewed and updated to include more prescriptive instruction and procedures to be followed on receipt of monitoring results which exceed the dust deposition criteria (including distribution of the noted NSW Health fact sheet).</p>	<p>Within 3 months of IEA submission (5 October 2018)</p>



Table 2 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Development Consent DA 344-11-2001

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date	
Schedule 5	<b>Condition 2</b> 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.	<b>Admin</b> The NMP (dated November 2017) doesn't: <ul style="list-style-type: none"> <li>describe how matters raised by EPA have been addressed and any matters not resolved; or</li> <li>include details of any outstanding issues raised by EPA and an explanation of disagreement between EPA and the Applicant</li> </ul> The SWMP (dated January 2018) doesn't: <ul style="list-style-type: none"> <li>describe how matters raised by EPA, DPI Water and WaterNSW have been addressed and any matters not resolved; or</li> <li>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.</li> </ul> The Bushfire Management Plan (dated November 2017) doesn't: <ul style="list-style-type: none"> <li>reference how any matters raised during consultation have been addressed or resolved in the management plan; or</li> <li>include details of any outstanding issues raised by FCNSW and an explanation of disagreement between FCNSW and the applicant.</li> </ul>	REC 14 <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> </ul>	Walker Quarries maintain that approval of the nominated management plans illustrates the matters raised by the relevant agencies have been resolved to the satisfaction of the Secretary (of the relevant department).  All management plans will be reviewed and updated (with updated reference to consultation and illustration as to how any matters raised are addressed).	Within 3 months of IEA submission (5 October 2018)	
	<b>Condition 3</b> 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: <ul style="list-style-type: none"> <li>the relevant statutory requirements (including any relevant approval, licence or lease conditions);</li> </ul>	<b>Admin</b>	Detailed baseline data is not provided in the AQMP (dated November 2017), NMP (dated November 2017) or SWMP (dated January 2018).	REC 15 <ul style="list-style-type: none"> <li>Ensure all Management Plans include baseline data, including the AQMP, NMP and SWMP.</li> </ul>	Noise, Air Quality and Soil & Water Management Plans will be reviewed and updated to include available baseline data.	Within 3 months of IEA submission (5 October 2018)
	<b>Condition 5</b> Within 3 months of the submission of an: (a) incident report under condition 9 below; (b) Annual Review under condition 11 below; (c) audit report under condition 12 below; and (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. 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.	<b>Admin</b>	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. The RMP/MOP was not revised and submitted within the required timeframe.	REC 16 <ul style="list-style-type: none"> <li>Ensure all updates to relevant strategies, plans and programs required as a result of an incident report are undertaken within the 3 month timeframe.</li> </ul>	Water Quarries notes the non-compliance reflects a failure to submit a revision to the MOP/RMP following the identified non-compliant clearing.  All management plans will be reviewed and updated following this audit (with specific issues as noted in preceding comments to be addressed).	Within 3 months of IEA submission (5 October 2018)



Table 2 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Development Consent DA 344-11-2001

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date
<p><b>Condition 12</b></p> <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"> <li>relevant statutory requirements, limits or performance measures/criteria;</li> <li>requirements of any plan or program required under this consent;</li> <li>monitoring results of previous years; and</li> <li>relevant predictions in the documents listed in condition 2(a) of Schedule 2;</li> </ul>	Admin	<p>The 2016/2017 Annual Review was provided to the DPE on 30 October 2017 and not the required submission date of 31 August 2017.</p> <p>Observation: Surface water monitoring results of previous years not provided in the 2015/2016 and 2016/2017 Annual Reviews/AEMRs.</p> <p>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>REC 17</p> <ul style="list-style-type: none"> <li>Ensure all Annual Reviews/AEMRs are submitted on time.</li> <li>Ensure surface water monitoring results of previous years are included in future Annual Reviews/AEMRs.</li> <li>Ensure relevant predictions from the EIS are included in the Annual Review/AEMR for surface water.</li> </ul>	The recommendations of the audit will be incorporated into the next Annual Review	30 September 2018
<p><b>Condition 13</b></p> <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>	Low	<p>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>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>REC 18</p> <ul style="list-style-type: none"> <li>Ensure all IEAs are undertaken within the required timeframe.</li> <li>Ensure a status update of non-compliances is provided in future Annual Reviews/AEMRs.</li> </ul>	<p>The current IEA to be submitted within 12 weeks of audit commencement (12 April 2018).</p> <p>Future Annual Reviews will include updates on status against non-compliances identified in this audit.</p>	<p>Complete</p> <p>30 September 2018</p>
<p><b>Condition 14</b></p> <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>	Low	<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>Site received warning letter from DPE on 17 April 2016 requesting a revised IEA Action Plan.</p>	<p>REC 19</p> <ul style="list-style-type: none"> <li>Ensure Action Plan is prepared and Submitted within the required time.</li> </ul>	<p>RWC was engaged to prepare this in May 2016 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>The current IEA to submitted within 12 weeks of audit commencement (12 April 2018).</p>	<p>Complete</p>



Table 2 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Development Consent DA 344-11-2001

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date
<p><b>Condition 15</b> 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"> <li>the documents listed in condition 2(a) of Schedule 2;</li> <li>current statutory approvals for the development;</li> <li>all approved strategies, plans and programs required under the conditions of this consent;</li> <li>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;</li> <li>a complaints register, updated monthly;</li> <li>the annual reviews of the development;</li> <li>any independent environmental audit as described in condition 12 above, and the Applicant's response to the recommendations in any audit; and</li> <li>any other matter required by the Secretary; and</li> </ul> <p>(b) keep this information up-to-date, to the satisfaction of the Secretary.</p>	<b>Admin</b>	<p>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.</p> <p>On the 18/6/2018 the site's website only provided the 2017 Annual Review and not the Annual Reviews for previous years.</p> <p>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>	<p>REC 20</p> <ul style="list-style-type: none"> <li>Ensure all relevant monitoring data is provided on the site's website.</li> </ul> <p>REC 21</p> <ul style="list-style-type: none"> <li>Ensure Annual Reviews for previous years are included on the site's website.</li> <li>Ensure the site's response to the recommendations of the March 2016 IEA Report findings is included on the site's website.</li> </ul>	The recommendations of the audit will be implemented.	Within 3 months of IEA submission (5 October 2018)



**Table 3**  
**Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Environment Protection Licence 13172**

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date																														
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.	Low	Exceedance in Total Suspended Solids (>30mg/L) in water discharged from Main Storage Dam (SD-1) (monitoring point 1) on 9/6/2016 (150mg/L), 20/6/2016 (75mg/L) and 22/3/2017 (120mg/L).  Exceedance in Total Suspended Solids (>30 mg/L) in water discharged from Top Working Dam (SD-2) (monitoring point 2) on 22/3/2017 (58mg/L).		Water was only discharged from the Quarry Site on 20 June 2016 and 23 March 2017. On both occasions, the rainfall was understood to have exceeded the 5 day 95 <sup>th</sup> percentile rainfall level for Lithgow (55.6mm).  Rainfall data collected from the Quarry Site rain gauge confirms rainfall of the 5 days preceding the discharge on 23 March 2017 exceeded 55.6mm. Site rainfall data for the 20 June 2016 event is not available and regional rainfall data (Lidsdale BOM Station) does not support this claim.																															
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.	Low	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.  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.  Observation: 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.	As per REC 9 and REC 10 (refer to Table 2)	Ensure site based rainfall data is reviewed and recorded at the time of any discharge. Review and update the Soil and Water Management Plan to ensure this procedural requirement is included.  Investigate the use of a flocculant within the Quarry Site water storages and, subject to compliance with EPA requirements, include any commitments and procedural requirements in an updated Soil and Water Management Plan.  Ensure Annual Returns are assessed by an independent reviewer prior to submission to confirm accuracy.	Within 3 months of IEA submission (5 October 2018)																														
L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	Low		REC 20 <ul style="list-style-type: none"><li>Ensure all monitoring data is included on the Walker Quarry website</li></ul>	Upload monitoring data to the Walker Quarries website within 14 days of the analysis being received by Walker Quarries for last sample for that period being collected (or as specific in the Soil and Water Management Plan).	Prior to submission of next Annual Return																														
L2.4 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\&s.  POINT 1.2 <table border="1"> <thead> <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> </thead> <tbody> <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> </tbody> </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	Low	As above (Conditions L1.1, L2.1 and L2.2).  The EPA website reports that the EPA wrote to the quarry in regards to the exceedance of water concentration limits, including 20/6/2018 exceedance of pH and turbidity.	REC 22 <ul style="list-style-type: none"><li>Ensure mitigation measures are implemented at the site to obtain compliant water quality discharge results.</li></ul>	Update the Soil and Water Management Plan to incorporate all recommendations of the IEA.  Implement the recommended repairs and upgrades to erosion and sediment controls (of REC 12).  The SWMP update will revise section on the publication of monitoring results to restrict to results of monitoring required by the development consent or other regulatory approvals.	Within 3 months of IEA submission (5 October 2018) and ongoing
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																														
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.	Medium	Material was processed at the site that was not in accordance with the DA Approval.  Operations deemed non-compliant based on DPE determination (Formal letter from DPE re: non-compliance of sand washing, dated 21/12/2016) that material was processed at the site that was not in accordance with DA 344-11-2001.  DPE determination based on reduced size fractions produced by washing which were not specifically referenced in the original EIS.  Observation: Some litter around the site.	REC 23 <ul style="list-style-type: none"><li>Ensure processing in the future is undertaken in accordance to DA 344_11_2001 Mod 1.</li><li>Undertake general clean-up of rubbish around the site.</li></ul>	Walker Quarries queries the medium risk rating which has been applied on the basis that this processing resulted in a moderate environmental consequence. Walker Quarries argued that this was a reasonable type of approved 'processing' operations and. These activities, which resulted in minimal additional environmental impacts, have subsequently been assessed and approved by Modification 1 to DA 344-11-2001.  An application to modify DA 344-11-2001, to allow for sand washing and production of reduced sized fraction aggregates and sand, submitted on 4 May 2-178 and approved on 25 August 2017.  The Quarry has therefore been compliant since washing was suspended in February 2017.  Site inspections to be undertaken regularly by the Quarry Manager. Rubbish clean-ups to be ordered as required.	Ongoing																														



Table 3 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Environment Protection Licence 13172

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date
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).	Low	As above (Conditions L1.1, L2.1 and L2.2). Observation: 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.	As per REC 9 and REC 10 (refer to Table 2)	Water was only discharged from the Quarry Site on 20 June 2016 and 23 March 2017. On both occasions, the rainfall was understood to have exceeded the 5 day 95 <sup>th</sup> percentile rainfall level for Lithgow (55.6mm). Rainfall data collected from the Quarry Site rain gauge confirms rainfall of the 5 days preceding the discharge on 23 March 2017 exceeded 55.6mm. Site rainfall data for the 20 June 2016 event is not available and regional rainfall data (Lidsdale BOM Station) does not support this claim.  Ensure site based rainfall data is reviewed and recorded at the time of any discharge. Review and update the Soil and Water Management Plan to ensure this procedural requirement is included. Investigate the use of a flocculant within the Quarry Site water storages and, subject to compliance with EPA requirements, include any commitments and procedural requirements in an updated Soil and Water Management Plan.  Ensure Annual Returns are assessed by an independent reviewer prior to submission to confirm accuracy.	Within 3 months of IEA submission (5 October 2018)  Prior to submission of next Annual Return
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.	Low	Dust monitoring: data only goes back to June 2014. Data from April 2014 to May 2014 was provided during the prior audit. Noise monitoring: data for noise only goes back to July 2016. Water 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. <ul style="list-style-type: none"><li>According to site communications missing data is a result of the prior quarry operator shredding data.</li><li>According to the prior IEA dust, water, blast and noise monitoring data was provided to the auditor.</li></ul> Blast monitoring: data for blasting only goes back to September 2014. First blast undertaken on 3/9/2014.	REC 24 <ul style="list-style-type: none"><li>Ensure all monitoring results for Walker Quarries are retained on the website for a minimum of 4 years or on-site.</li></ul>	As noted in IEA comments, some data collected by the former Quarry contractor has been destroyed and is not available to Walker Quarries  All available monitoring data to be uploaded to the Walker Quarries website. Note to be included on the Walker Quarries website identifying any missing data points.	Within 3 months of IEA submission (5 October 2018) and ongoing
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.	Admin	Blast and dust monitoring results did not include the time the sample was collected. Blast monitoring results do not clearly provide the person who collected the sample. Dust and water monitoring results between October 2015 and September 2017 refer to "ALS staff" and not the persons name.	REC 25 <ul style="list-style-type: none"><li>Ensure blast and dust monitoring results include the time at which the sample was collected.</li><li>Ensure blast, dust and water monitoring results include the name of the person who collected the sample.</li></ul>	Walker Quarries disputes the audit findings . The website only displays a summary of the information collected.  All management plans will be reviewed and updated (as required).	Within 3 months of IEA submission (5 October 2018)



Table 3 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Environment Protection Licence 13172

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date																																			
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:	Low	The audit refers to water discharge monitoring results of 9/6/2016, 20/6/2016 and 22/3/2017.  The audit refers to a non-compliance associated with the sample taken on 9/6/2016 which was only analysed for TSS. The sample was not analysed for conductivity, oil and grease, pH and sulfate.	REC 26 • Ensure samples are analysed for all pollutants.	Walker Quarries maintains there was no discharge from the Quarry on 9 June 2016, hence the non-inclusion of conductivity, oil and grease, pH and sulfate is not considered a non-compliance.  Review and update the Soil and Water Management Plan (as necessary) to ensure sampling requirements are clear and understood.	Within 3 months of IEA submission (5 October 2018)																																			
M4.1 For each monitoring point specified in the table below the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.  Point 4 <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 &amp; AM-4</td> </tr> <tr> <td>Wind speed</td> <td>m/s</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 &amp; AM-4</td> </tr> <tr> <td>Sigma theta</td> <td>°</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 &amp; 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	Low	The meteorological station of the Quarry was not operated for the entirety of the audit period as (reported in 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".	REC 8 • Ensure a weather station is operated and maintained at the site at all times.	The meteorological station, which had been damaged by lightning strike, has been replaced and relocated to the northwestern corner of the Quarry Site.	Ongoing
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																																				
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Rainfall	mm	Continuous	15 minute	AM-4																																				
Relative humidity	%	Continuous	1 hour	AM-4																																				
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.	Admin	A register of complaints is maintained on the company website.  The time of the complaint isn't included in the register.  The method by which the complaint was made isn't included in the register.  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.  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.  If no action was taken by the licensee and the reasons why no action was taken isn't included in the register.	REC 27 • The complaints register must include all details per EPL 13172 condition M5.2	Walker Quarries notes that the 'complaints register' provided on the Companies website is a summary of the complaints received. The register maintained at the Quarry (which includes the nominated details of the EPL condition).  The complaints register will be reviewed and updated (as required) to ensure all details required by the EPL are included.	Within 3 months of IEA submission (5 October 2018)																																			
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').	Low	The Annual Review was due to the Department on 19/12/2016.  • 2015/2016 Annual Return was sent to the EPA on 22/12/2016.  • 2016/2017 Annual Return was received by the Department on 20/12/2016.	REC 28 • Ensure all future Annual Returns are submitted within the required timeframe.	Walker Quarries suggests this is an administrative non-compliance only.  All future Annual Returns are submitted within the required timeframe.	19 December each year.																																			
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.	Low	Walker Quarries had not retained copies of the 2013/2014 and 2014/2015 Annual Returns at site.	REC 29 • Ensure copies of Annual Returns dating back 4 years from the date of submission are retained on site.	Walker Quarries note that many records were destroyed by a former contractor when this contractor was removed from the Quarry due to breach of contract matters.  Attempts will be made to recover copies of the Annual Returns.	Within 3 months of IEA submission (5 October 2018)																																			



Table 3 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Environment Protection Licence 13172

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date
R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.	Medium	Exceedances in dust and water criteria during the audit period should have been reported to the EPA.		Walker Quarries maintains that there have been no non-compliant dust deposition results after exclusion of an anomalous, non-Quarry related result. Walker Quarries note discharge on 20 June 2016 occurred following rainfall exceeding 55mm over preceding 5 days. Walker Quarries accepts that site based rainfall data is not available for those dates and regional rainfall data does not support this claim.	
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	Medium	Exceedances in dust and water criteria during the audit period should have been reported to the EPA.	REC 30 • Ensure all exceedances in criteria are reported to the EPA.	Ensure site based rainfall data is reviewed and recorded at the time of any discharge. Review and update the Soil and Water Management Plan to ensure this procedural requirement is included. Investigate the use of a flocculant within the Quarry Site water storages and, subject to compliance with EPA requirements, include any commitments and procedural requirements in an updated Soil and Water Management Plan. Ensure Annual Returns are assessed by an independent reviewer prior to submission to confirm accuracy.	Within 3 months of IEA submission (5 October 2018)  Prior to submission of next Annual Return



**Table 4**  
**Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Mining Lease 1633**

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date
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.	<b>Medium</b>	<p>The audit of DA 344-11-2001 reported</p> <ul style="list-style-type: none"> <li>• exceedances in surface water and dust criteria (refer to Schedule 3, Conditions 12 and Condition 17); and</li> <li>• unauthorised clearing (a new, undocumented area of disturbance) (refer to Schedule 3, Condition 13(e));</li> </ul> <p>during the audit period.</p>	<p>REC 1</p> <ul style="list-style-type: none"> <li>• Ensure harm to the environment (that may result from the construction, operation or rehabilitation of the development) is minimised as far as possible.</li> </ul>	<p><b>Dust Criteria</b></p> <p>Walker Quarries disputes the audit finding of non-compliance with respect to air quality exceedances of criteria. As the audit (of DA 344-11-2001) notes, exclusion of the July 2016 result reduces the rolling average dust deposition concentration to &lt;3.5g/m<sup>2</sup>/month. The July 2016 result was investigated at the time and deemed a consequence of activities on the property where the dust gauge was located. The gauge was subsequently moved to avoid future contamination.</p> <p>As the 12 month rolling average dust deposition concentration should be calculated after exclusion of the July 2016 result, the non-compliances related to 12 month average dust deposition concentration and requirement to monitor airborne particulate matter are removed.</p> <p><b>Water Quality Criteria</b></p> <p>The exceedance of water quality criteria is noted, however, water was only discharged from the Quarry Site on 20 June 2016 and 23 March 2017. On both occasions, the rainfall was understood to have exceeded the 5 day 95th percentile rainfall level for Lithgow (55.6mm).</p> <p>Rainfall data collected from the Quarry Site rain gauge confirms rainfall of the 5 days preceding the discharge on 23 March 2017 exceeded 55.6mm. Site rainfall data for the 20 June 2016 event is not available and regional rainfall data (Lidsdale BOM Station) does not support this claim.</p> <p><b>Unauthorised Clearing</b></p> <p>Walker Quarries notes the non-compliant clearing was undertaken by a former quarrying contractor whose contract has subsequently been terminated.</p> <p>Walker Quarries has accepted the penalties imposed by the Department for this breach of the development consent and rectified this through modification to DA 344-11-2001.</p> <p>Walker Quarries has included a Vegetation Clearing Protocol (VCP) in the Quarry Flora and Fauna Management Plan (FFMP). The VCP is referenced by the Quarry Mining Operations Plan (incorporating a Rehabilitation Management Plan).</p>	<p>Within 3 months of IEA submission (5 October 2018)</p> <p>Within 3 months of IEA submission (5 October 2018)</p>



Table 4 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Mining Lease 1633

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date
<p>3 (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> <ul style="list-style-type: none"> <li>o the Environmental Planning and Assessment Act 1979</li> <li>o the Protection of the Environment Operations Act 1997</li> <li>o and any other approvals relevant to the development including the conditions of this lease; and</li> </ul> <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 or 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 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>	<b>Medium</b>	<p>The audit notes the MOP is prepared in accordance with the DRG Guideline.</p> <p>During the audit period the Quarry was non-compliant as a result of "a new, undocumented area of disturbance" as identified in a letter from DRG dated 4 October 2016 which followed an inspection by DRG on 16 August 2016.</p> <p>DA 344-11-2001 was subsequently modified (as of 25 August 2017) to rectify the non-compliance.</p>	As per REC 7 (refer to <b>Table 2</b> )	<p>Walker Quarries has queried the medium risk rating has been applied on the basis that the unauthorised clearing resulted in a moderate environmental consequence. Walker Quarries argues that as this clearing has since been assessed and approved by Modification 1 to DA 344-11-2001, the environmental consequence is low and therefore the risk rating should also be low.</p> <p>A Biodiversity Management Plan is to be prepared to replace the FFMP and will include a review and update to the Vegetation Clearing Protocol to include an internal Ground Disturbance Permitting process.</p> <p>The MOP/Rehabilitation Management Plan is to be reviewed and updated as required.</p>	<p>Within 3 months of IEA submission (5 October 2018)</p>
<p>5 The EMR must:</p> <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>	<b>Admin</b>	<p>The 2015/2016 and 2016/2017 Annual Reviews do not report on progress against rehabilitation completion criteria.</p>	<p>REC 30</p> <ul style="list-style-type: none"> <li>• Ensure future Annual Reviews/AEMR's report on progress against rehabilitation completion criteria.</li> </ul>	<p>The most recent MOP/RMP includes more detailed rehabilitation completion criteria.</p> <p>Annual Reviews (now to be completed by RW Corkery &amp; Co. Pty Limited) to report on progress against rehabilitation completion criteria.</p>	<p>30 September (annually)</p>



Table 4 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Mining Lease 1633

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date
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. ...	Admin	The 2016/2017 Annual Exploration Report was submitted to DRG (formerly DRE) on 14/8/2017 (2 days outside the required timeframe of 28 days).	REC 31 • Ensure the Annual Exploration Report is submitted to DRG by 12 August of each year.	Walker Quarries disputes the non-compliance. Walker Quarries note that 12 August 2017 was a Saturday and 14 August 2017 represented the first business day after this date.  Annual Exploration Report is submitted to DRG by 12 August of each year.	12 August (annually)
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 the proposed holes. ...	Admin	DPI Water was not provided at least twenty eight days advance notice of the proposed commencement of drilling operations. • DPI Water was advised of upcoming drilling program on 23/06/2017. • The proposed commencement of drilling was the 3/7/2017.	REC 32 • Ensure DPI Water is provided at least twenty eight days advance notice of the proposed commencement of drilling operations	Provide Dol-Lands & Water with at least twenty eight days advance notice of the proposed commencement of drilling operations.	Ongoing
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.	Medium	As discussed for Condition 2. The audit of DA 344-11-2001 reported • exceedances in surface water and dust criteria (refer to Schedule 3, Conditions 12 and Condition 17); and • unauthorised clearing (a new, undocumented area of disturbance) (refer to Schedule 3, Condition 13(e)); during the audit period.	REC 33 • 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.	<b>Dust Criteria</b> Walker Quarries disputes the audit finding of non-compliance with respect to air quality exceedances of criteria. As the audit (of DA 344-11-2001) notes, exclusion of the July 2016 result reduces the rolling average dust deposition concentration to <3.5g/m <sup>2</sup> /month. The July 2016 result was investigated at the time and deemed a consequence of activities on the property where the dust gauge was located. The gauge was subsequently moved to avoid future contamination.  As the 12 month rolling average dust deposition concentration should be calculated after exclusion of the July 2016 result, the non-compliances related to 12 month average dust deposition concentration and requirement to monitor airborne particulate matter are removed.  <b>Water Quality Criteria</b> The exceedance of water quality criteria is noted, however, water was only discharged from the Quarry Site on 20 June 2016 and 23 March 2017. On both occasions, the rainfall was understood to have exceeded the 5 day 95th percentile rainfall level for Lithgow (55.6mm). Rainfall data collected from the Quarry Site rain gauge confirms rainfall of the 5 days preceding the discharge on 23 March 2017 exceeded 55.6mm. Site rainfall data for the 20 June 2016 event is not available and regional rainfall data (Lidsdale BOM Station) does not support this claim.  <b>Unauthorised Clearing</b> Walker Quarries notes the non-compliant clearing was undertaken by a former quarrying contractor whose contract has subsequently been terminated. Walker Quarries has accepted the penalties imposed by the Department for this breach of the development consent and rectified this through modification to DA 344-11-2001. Walker Quarries has included a Vegetation Clearing Protocol (VCP) in the Quarry Flora and Fauna Management Plan (FFMP). The VCP is referenced by the Quarry Mining Operations Plan (incorporating a Rehabilitation Management Plan).  All management plans will be reviewed and updated (as required) following this audit (with specific issues as noted in the Action Plan for DA 344-11-2001 [Table 2] to be addressed).	Within 3 months of IEA submission (5 October 2018)



Table 4 (Cont'd)  
Walker Quarries Analysis and Action Plan for Identified Non-Compliances of Mining Lease 1633

Condition	Risk Level	IEA Comments / Evidence	Audit Recommendation	Walker Quarries Response(s) / Corrective and/or Preventative Action(s)	Completion Date
23 (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. (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. (c) The lease holder must obtain all necessary approvals or licences before using timber from any Crown land within the lease area.	Medium	During the audit period the Quarry was non-compliant as a result of "a new, undocumented area of disturbance" as identified in a letter from DRG dated 4 October 2016 which followed an inspection by DRG on 16 August 2016.	As per REC 7 (refer to <b>Table 2</b> )	Walker Quarries notes the non-compliant clearing was undertaken by the former quarrying contractor whose contract has subsequently been terminated. Walker Quarries has accepted the penalties imposed by the Department for this breach of the development consent and rectified this through modification to DA 344-11-2001.  A Biodiversity Management Plan is to be prepared to replace the FFMP and will include a review and update to the Vegetation Clearing Protocol to include an internal Ground Disturbance Permitting process.	Within 3 months of IEA submission (5 October 2018)



**Table 5**  
**Additional IEA and DPE Compliance Audit Recommendations**

Aspect	Recommendation	Proposed Action	Completion Date
Annual quarry production data	REC 34 <ul style="list-style-type: none"> <li>Attach a copy of S1 Forms to future AEMR/Annual Reviews.</li> </ul>	REC 34 will be implemented	30 September (annually)
Employee awareness of the conditions of DA Mod 1	REC 35: <ul style="list-style-type: none"> <li>Include up-to-date versions of the EMS and EMP in training folders.</li> </ul>	REC 35 will be implemented	Within 3 months of IEA submission (5 October 2018)
Noise monitoring	REC 36: <ul style="list-style-type: none"> <li>Ensure noise monitoring is undertaken over a single day.</li> </ul>	The Noise Management Plan will be reviewed in consultation with an acoustic consultant.	Within 3 months of IEA submission (5 October 2018)
Signage displayed on trucks	REC 37: <ul style="list-style-type: none"> <li>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.</li> </ul>	This is impractical as Walker Quarries cannot stipulate signage on the vehicles of third parties.	
Waste management	REC 38: <ul style="list-style-type: none"> <li>The site should provide opportunities/incentives to minimise waste generated at the site, such as installing recycling bins.</li> <li>In future Annual Reviews/AEMRs include details regarding how many kilograms/tonnes of waste are produced/removed from site on an annual basis.</li> </ul>	Walker Quarries will review the practicality of the measures proposed and report on approach in the next Annual Review.	30 September 2018
Dangerous goods	REC 39: <ul style="list-style-type: none"> <li>Update the Hazardous Substance Control Plan so that it reflects the current development consent (Mod 1).</li> </ul>	REC 39 will be implemented	Within 3 months of IEA submission (5 October 2018)
Bushfire Management Plan	REC 40: <ul style="list-style-type: none"> <li>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.</li> </ul>	The bushfire management plan will be reviewed and consideration given to the inclusion of the suggested commitment (following review of safety and legal implications).	Within 3 months of IEA submission (5 October 2018)
Incident reporting	REC 41: <ul style="list-style-type: none"> <li>Update the PIRMP to include the telephone number/contact details of the DPE.</li> </ul>	REC 41 will be implemented.	Within 3 months of IEA submission (5 October 2018)
	REC 42: <ul style="list-style-type: none"> <li>Ensure all exceedances are reported to the DPE and other agencies.</li> </ul>	REC 42 will be implemented.	In accordance with incident reporting protocols of the Environmental Management Strategy and relevant management plan(s)
Sediment basin	REC 43: <ul style="list-style-type: none"> <li>Ensure storage basins identified at EPA identification points 1 and 2 are desilted on a regular basis.</li> </ul>	Rec 44 will be implemented. The Soil and Water Management Plan will be reviewed and updated (as required) to provide protocol for desilting.	Within 3 months of IEA submission (5 October 2018)
Complaints telephone line	REC 44: <ul style="list-style-type: none"> <li>Update either the Walker Quarry website or EMS to include the correct complaints telephone line.</li> </ul>	The website will be updated.	31 July 2018
		The EMS will be reviewed and updated.	Within 3 months of IEA submission (5 October 2018)
Blast Management Plan	REC 45: <ul style="list-style-type: none"> <li>Include appropriate reference to Australian Standard 2187.2 of 2006 in the next version of the Blast Management Plan.</li> </ul>	The Blast Management Plan will be reviewed and updated.	Within 3 months of IEA submission (5 October 2018)
Dust sample analysis	REC 46: <ul style="list-style-type: none"> <li>Obtain lab analysis on percentage of contaminated material within dust deposition results.</li> </ul>	The Air Quality Management Plan will be reviewed and updated to include a protocol for review following monthly exceedance of dust deposition concentration.	Within 3 months of IEA submission (5 October 2018)



## 4. MANAGEMENT

The completion of the actions identified in **Tables 2 to 5** will be undertaken by various personnel and/or consultants under the management of:

- Mr Paul Hensley: Managing Director;
- Mr Trevor Hoffman: Operations Director; and
- Mr Ray Sharwood: Quarry Manager.

## 5. REFERENCES

SLR Consulting Australia Pty Ltd (SLR) (2018). Independent Environmental Audit Wallerawang Quarry, July 2018.

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