

WALLERAWANG QUARRY

INDEPENDENT ENVIRONMENTAL
AUDIT

for Walker Quarries

19 August 2024



DOCUMENT CONTROL

Document Status

Version	Description	Reviewed By	Approved By	Date Issued
01	Independent Environmental Audit	DW	JB	19/08/24

Document Details

Project Name	Wallerawang Quarry
Document Title	Independent Environmental Audit
Client	Walker Quarries
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Our Reference	240819 Wallerawang IEA Main Report

LIMITATIONS OF REPORT

In preparing this Independent Environmental Audit on behalf of Walker Quarries Pty Ltd, James Bailey and Associates has assessed all activities appropriate and necessary to evaluate the environmental status of the site during the audit period. James Bailey and Associates has addressed all technical matters which might reasonably be considered to be relevant to such an audit conducted to standards which apply in New South Wales. Based on discussions with appropriate staff and a review of available documentation, it is James Bailey and Associates' opinion that the potential critical environmental issues associated with the site and operations are those discussed in this report. However, James Bailey and Associates can only advise on the basis of the information available to them and therefore cannot dismiss absolutely the possibility that parts of the site, or adjacent properties, may give rise to additional issues.

The conclusions presented in this report are professional opinions based solely upon James Bailey and Associates' interpretation of the documentation reviewed, interviews and conversations with personnel knowledgeable about the site and other available information, as referenced in this report. These conclusions are intended exclusively for the purposes stated herein, at the site listed, and for the project indicated.

This report does not, and does not purport to, give legal advice on the actual or potential environmental liabilities of any individual or organisation, or to draw conclusions as to whether any particular circumstances constitute a breach of relevant legislation.

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1. INTRODUCTION

1.1 BACKGROUND

James Bailey & Associates (JBA) has been commissioned by Walker Quarries Pty Ltd (WQ) to conduct an Independent Environmental Audit (IEA) of Wallerawang Quarry (DA 344-11-2001).

Wallerawang Quarry (the Project) is located approximately 2.5 km southeast of Wallerawang and 8 km northwest of Lithgow, on the southern side of the Great Western Highway. It is within the Lithgow City Council (LCC) Local Government Area (LGA) and is owned by WQ.

Wallerawang Quarry produces quarry products from a hard rock quarry with a life expectancy to July 2040. Extraction commenced in 2014 with annual production between 150,000 - 500,000 tonnes per annum (tpa), dependent on market demand.

DA 344-11-2001 has been modified on three occasions since it was initially determined, including:

- For consolidation of several constructed components of the quarry and to formalise the approval of production for additional quarry products (MOD 1). MOD1 was approved by DPIE (now Department of Planning, Housing and Infrastructure (DPHI) on 25 August 2017;
- For an extension of Wallerawang Quarry site operations (MOD2). MOD2 was approved by DPHI on 7 December 2018; and
- For further development of Wallerawang Quarry extraction areas, increase in the area available for stockpiling to the south-west and south of the approved Western Stockpile Area and extension of the operational life of Wallerawang Quarry to 15 July 2040 (MOD3). MOD3 was approved on 26 February 2020.

Figure 1 shows the layout of the Project as approved under DA 344-11-2001.

The IEA has been conducted generally in accordance with the NSW DPHI 'Independent Audit Post Approval Requirements May 2020' (IEA Guidelines).

1.2 AUDIT TEAM

The IEA was completed by Dorian Walsh (Certified Auditor Certificate Number: 201881) and Tegan Brown of JBA. No technical specialists were required to assist with the IEA.

A copy of the Department of Planning, Housing and Infrastructure (DPHI) endorsement of the IEA team is included in **Appendix A**. The Independent Environmental Audit Report Declaration for this IEA is included as **Appendix B**.

1.3 AUDIT OBJECTIVES

The IEA assesses WQ activities during the audit period (see **Section 1.5**) and compliance with key regulatory approvals for the Project. The IEA assessed the status of conditions and commitments from:

- DA 344-11-2001; and
- DA 344-11-2001 management plans, strategies and programs.

1.4 AUDIT SCOPE

The IEA scope is defined under Schedule 5, Condition 13 which is reproduced below in **Table 1**.

1.5 AUDIT PERIOD

The IEA covers the period from 28 April 2021 to 16 April 2024, the date of the audit site visit (the audit period).

Table 1 DA 344-11-2001 IEA Requirements

Condition	Requirement	Report Section
Schedule 5, Condition 13	Prior to the end of June 2021, and every three years after, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:	This IEA report
Schedule 5, Condition 13 (a)	be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Secretary	Section 1.2 and Appendix A
Schedule 5, Condition 13 (b)	be conducted by a suitably qualified, experienced and independent team of experts (including any expert in field/s specified by the Secretary) whose appointment has been endorsed by the Secretary	Appendix B
Schedule 5, Condition 13 (c)	be carried out in consultation with the relevant agencies and CCC	Section 2.5 and Appendix D
Schedule 5, Condition 13 (d)	assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licences and mining leases for the development (including any assessment, strategy, plan or program required under these approvals)	Section 3 and Appendix C
Schedule 5, Condition 13 (e)	review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent	Section 3.6.2 and Appendix C
Schedule 5, Condition 13 (f)	recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent	Section 4 and Appendix C
Schedule 5, Condition 13 (g)	be conducted and reported to the satisfaction of the Secretary.	This IEA report
Schedule 5, Condition 14	Within 12 weeks of commencing this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of these recommendations as required. The Applicant must implement these recommendations, to the satisfaction of the Secretary.	N/A; WQ to complete

Figure 1 DA 344-11-2001 Project Layout

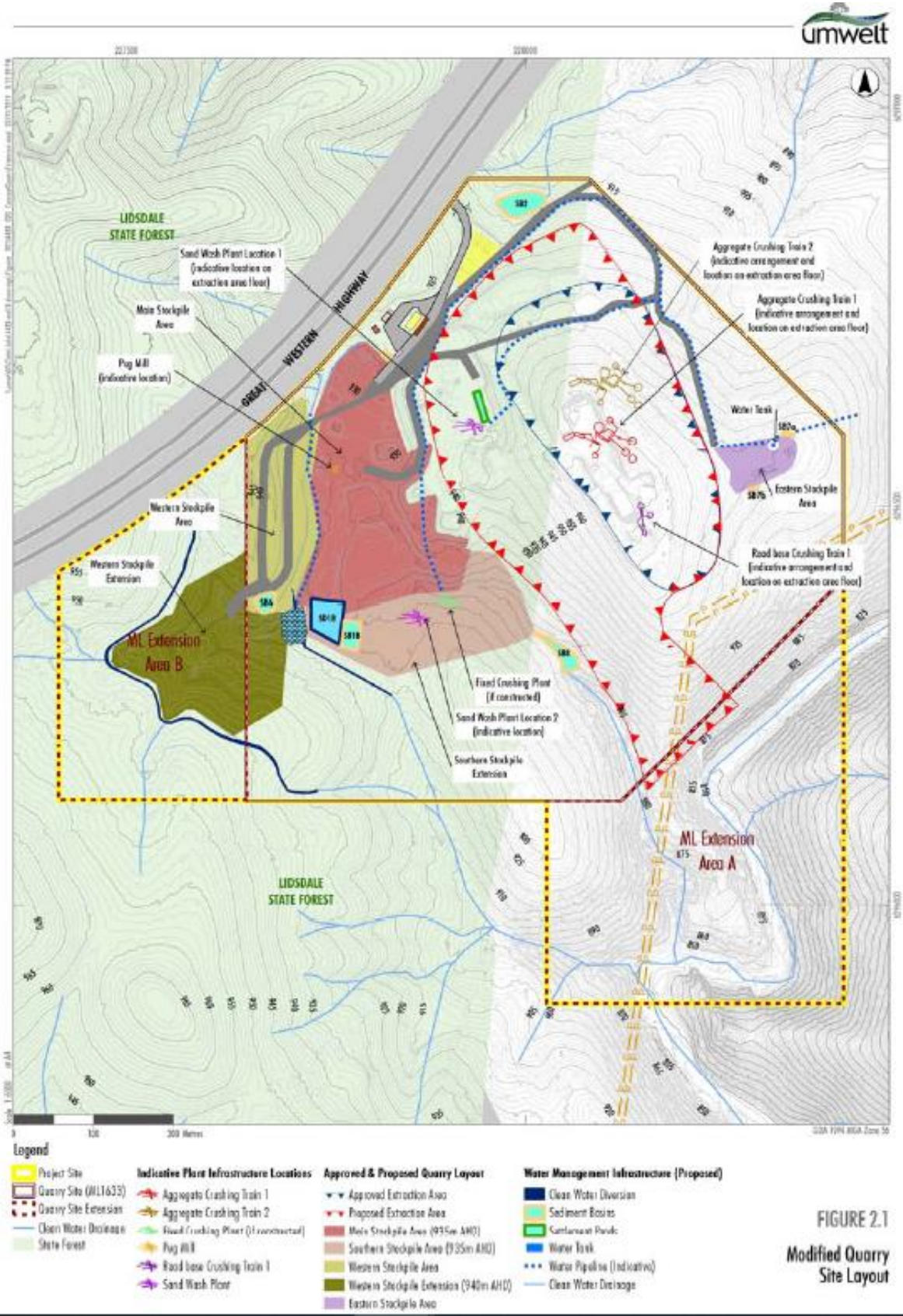


FIGURE 2.1
Modified Quarry Site Layout

2. AUDIT METHODOLOGY

2.1 OVERVIEW

This IEA was undertaken in accordance with the requirements of DA 344-11-2001 (see **Section 1.4**) and the IEA Guidelines. **Appendix A** includes a copy of DPHI endorsement for the IEA team (see **Section 1.2**) and confirmation of audit requirements.

The compliance status of Project activities during the audit period was determined by assessment of key approval documents regulating site activities (see **Section 3.1**) and a desktop review of all plans, strategies, programs, monitoring data and correspondence relevant to the audit period. The desktop review was used as a basis for this IEA report and identified potential compliance issues that were verified during the Project site inspection and in interviews with key WQ personnel.

The audit methodology also included consultation with NSW DPHI, Environment Protection Authority (EPA), and LCC to seek any specific environmental issues that should be a focus of the IEA (see **Section 2.5**).

2.2 IEA PREPARATION

Preparation of the IEA involved:

- Submission of an information request to WQ for the provision of evidence to verify the compliance status of Project activities during the audit period;
- Engagement with key regulatory agencies for the Project regarding any specific issues that should be a particular focus of the IEA;
- Submission of an audit agenda to WQ (see **Appendix E**) and confirmation over the scope of the site inspection component of the IEA;
- Desktop review of documentation provided by WQ to determine the compliance status of approval and licencing conditions, identify good site practice and opportunities for improvement, in accordance with the requirements of the IEA Guidelines; and
- Preparation of compliance tables and protocols for the site inspection, including a checklist of specific regulatory requirements obtained from documents provided.

2.3 COMPLIANCE EVALUATION

The IEA consisted of a detailed desktop review of approval documentation and a site inspection. The findings of this IEA were based on verifiable evidence collected by:

- Review of documentation provided by WQ (including document reference, revision numbers, dates and authors);
- Interviews with key site personnel; and
- Inspection of the Project site, activities and processes on 16 April 2024, with selected images taken during the site inspection included as **Appendix F**.

Wayne Chapman was the primary contact for the audit and was present during the audit site inspection.

A list of the key documentation reviewed for the IEA is found in **Section 3.1**. The evidence that was used to determine the compliance status with respect to each condition has been documented in the tables provided in **Appendix C**, along with relevant observations, notes and recommended opportunities for improvement.

2.4 SITE INSPECTION

A physical site inspection of the Project Site as reflected in DA 344-11-2001 was conducted on 16 April 2024 and undertaken to ensure that all aspects of environmental management and performance of the Project were reviewed.

2.4.1 Opening Meeting

The IEA site inspection commenced with an opening meeting; attendees included Dorian Walsh (JBA), Tegan Brown (JBA), Wayne Chapman (WQ), and Kelsy Sammons (Umwelt). The briefing included clarification of the audit objectives, scope, resources required and the methodology of the IEA.

2.4.2 Site Overview and Orientation Session

An orientation session was conducted by WQ site personnel to provide JBA with a general overview of the Project during the audit period, an indication of the environmental setting, near neighbours, safety and emergency requirements and known environmental issues.

2.4.3 IEA Interviews

The IEA included interviews with key WQ personnel involved with the management and operation of the Project. The IEA interviews during the site inspection were conducted to assist with verifying the compliance status of the Project. WQ and Project personnel interviewed as part of the IEA included:

- Wayne Chapman (Quarry Manager); and
- Kelsy Sammons (Senior Environmental Consultant).

2.4.4 Focused Site Inspection

A focused site inspection was conducted following the initial site overview and opening meeting. The purpose of the site inspection was to review specific operation and environmental aspects of the Project and to assess WQ environmental management systems and performance in detail.

2.4.5 Site Documentation Review

Relevant site documentation was reviewed with WQ personnel during the site inspection interviews to verify compliance. Key documents reviewed included DA 344-11-2001, monitoring results, correspondence with regulatory agencies, Environmental Management Plans and procedures.

2.4.6 Follow Up Auditing

Follow up interviews and document reviews were conducted to clarify any outstanding compliance issues to be resolved prior to inclusion in the final IEA report.

2.4.7 Exit Briefing

An exit briefing was conducted prior to JBA departure from the site. Attendees of exit briefing included Dorian Walsh, Tegan Brown, Kelsy Sammons and Wayne Chapman. The exit meeting included findings of the preliminary audit, recommendations and explanation of actions required by WQ and by JBA to complete the audit process required under the IEA Guidelines.

2.5 AUDIT CONSULTATION

Correspondence was sent to the DPHI, EPA and LCC requesting their input into the scope of the IEA. Responses were received from EPA and LCC (see **Appendix D**), with comments provided in **Table 2**.

Table 2 Feedback from Regulatory Consultation

Comment	Response
LCC	
<p>After attending many Community Consultative Committee meetings, concerns are still raised to rehabilitation works and visual impacts.</p> <p>In April 2023, Transport for NSW conducted Highway construction activities and removed the trees providing a visual screen along the Great Western Highway, immediately outside of the north-western quarry site boundary (within the road reserve).</p> <p>As such it appears that the Quarry may have relied on these trees to minimise visual impacts; therefore the rehabilitation works and visual impacts may not be satisfactory as per the conditions on the consent and as per the vegetation management plan.</p> <p>Council requests if the independent audit could focus on these concerns and provide Council with a brief update following the audit review.</p>	<p>Comments on rehabilitation and visual management measures are describes in Section 3 and Appendix C. Recommendations are included in Section 4.</p>
EPA	
<p>Thank you for your email. The EPA has had a particular interest in the management of dust at the site including the tracking of dirt/ mud from the premises. We would appreciate a review on the adequacy of the dust management/ mitigation equipment and procedures across the site.</p>	<p>Comment on dust management and mitigations are included in Section 3 and Appendix C.</p>

2.6 COMPLIANCE STATUS DESCRIPTORS

The compliance status of each condition reviewed during the IEA was assessed based on evidence provided and determined in accordance with the descriptors provided in the IEA Guidelines. No other terms have been used to describe the compliance status of conditions within this IEA.

3. AUDIT FINDINGS

3.1 APPROVAL AND DOCUMENT LIST

WQ documentation for the IEA was sighted during a detailed desktop review and the audit site inspection of 16 January 2024. Approvals and documents assessed during the audit were related to:

- DA 344-11-2001 approval conditions;
- DA 344-11-2001 environmental management plans and procedures;
- WQ environmental monitoring data;
- WQ correspondence with regulatory agencies and other records of consultation; and
- WQ response to the findings and recommendations in the previous IEA.

The tables included in **Appendix C** discuss the documentation that was used to determine compliance with the conditions of DA 344-11-2001 assessed during the IEA.

3.2 COMPLIANCE PERFORMANCE

Table 3 provides a summary of compliance for key WQ approvals and licensing during the audit period. A description of each identified non-compliance is provided in **Section 3.5** and **Appendix C**.

Table 3 Summary of Compliance

Document	C	NC	NT	Note	Total
DA 344-11-2001	57	8	25	3	89
ML 1633	19	1	5	-	25
EL 4473	18	0	15	2	35

3.3 SUMMARY OF AGENCY NOTICES AND ORDERS

Table 4 provides a summary of agency notices and orders received throughout the audit period.

Table 4 Summary of Agency Notices or Orders

Document	Document Summary	Status
NSW EPA Formal Warning Letter dated 31 March 2023	<ul style="list-style-type: none"> • On 22 November 2022, EPA officers observed dust leaving the WQ premises; • At approximately 11:00 am on 22 November 2022, the EPA contacted the licensee to advise that dust was being generated from equipment operating onsite and was drifting offsite from the premises. The EPA advised that a crusher on top of a stockpile visible from the highway would need to either cease operations or its activity be modified to mitigate dust generation. The EPA advised that 	Dust management and mitigation measures are described in Section 3 .

Document	Document Summary	Status
	<p>a report in accordance with R₃ of the licence would be required. The licensee informed the EPA that immediate action had been taken and that site activities had been suspended;</p> <ul style="list-style-type: none"> • On 2 December 2022, the EPA received a report from WQ in accordance with condition R₃ of the licence, which provided the details relating to the dust incident which occurred on 22 November 2022. The WQ Dust Master Pro real-time particulate monitoring unit recorded PM₁₀ levels at greater than 50 µg/m³ for PM₁₀ and 25 µg/m³ for PM_{2.5}, exceeding the development consent air quality limits referred to in the sites Air Quality Management Plan (AQMP); • Wind speeds data was provided from WQ on site Meteorological station and from the Bureau of meteorology Marangaroo weather station for 22 November 2022. The onsite weather station reported wind speeds of 4.843m/s or 17.4 km/h at the time of the incident, and the Marangaroo weather station reported 17km/h within an hour of the incident. The maximum recorded wind speed on 22 November 2022 was 44km/h at 12:45 pm; • The WQ Air Quality Management Plan Version 4.0 November 2021 (AQMP): <ul style="list-style-type: none"> – states in relation to proactive controls to minimise dust from the activity, “the mobile crushing units will be operated within the extraction area below ground level where actively shielded from wind.” – describes the ‘Visual Indicator System,’ which is the method used for determining the level of response required to address dust emissions. The response of suspending operations is listed for when supplementary controls are unable to prevent dust leaving the site. • On 30 January 2023, the EPA received a response from WQ to the “show cause” letter issued by the EPA on 12 January 2023. The WQ response 	

Document	Document Summary	Status
	<p>included:</p> <ul style="list-style-type: none"> – a review of the Air quality compliance history and monitoring, including real time particulate data, meteorological data, actions conducted by Walker Quarries in response to the alleged incident, including the reasons why the positioning of the crushing plant was not being operated within the extraction area below ground level; – air quality monitoring results, recorded by Real Time Particulate Matter Monitor (RTPM) which showed that the 1 hourly concentration was above 50 µg/m³ concentration value on two occasions for PM₁₀ at 08:00am and 10:00am, for 22 November 2022. The 24-hour average PM₁₀ criteria was not exceeded over the time period. – The wind speed for these exceedances was found to have occurred at 10:00 am and 10:50 am for the 1 hourly PM₁₀ average concentration. Walker Quarries commented in the response that 'In both cases there had been a period of relative calm conditions which were suitable for quarry operations to continue without significant risk of generating excessive dust.' – that at the time of the incident that the crushing plant was protected by a bund wall and in the best position to enable quarrying operations to continue, given the available space in the extraction area. – That Walker Quarries has developed and received approval for a Strategic Mining Plan (SMP) in consultation with the Department of Planning and Environment (DPE) to relocate the crushing plant within the extraction area by mid-2023. <p>Following their review, the EPA issued WQ with a formal warning in relation to breaches of section 64 of the Act for the failure to comply with licence conditions O1.1, 03.1 and 5.128 of the Act.</p>	

Document	Document Summary	Status
	The EPA noted that WQ is currently in the final stages of relocating the crushing plant. In order to further prevent such an incident from occurring in the future the EPA recommends WQ review its air quality management system and refine the trigger action response for the premises, especially in relation to system notifications for wind speeds above 4.0 m/s.	

3.4 ACTIONS FROM PREVIOUS AUDIT

A summary of the actions arising from the previous DA 344-11-2001 IEA (JBA, July 2021) is provided in **Table 5**. Actions that have not been completed by WQ at the time of this audit have been retained in **Section 3.5** and **Section 4** below.

3.5 NON-COMPLIANCES DURING THE AUDIT PERIOD

Table 6 lists the non-compliances identified during the audit period. Recommendations made in relation to these non-compliances are provided in **Section 4**, with further context provided in **Appendix C**.

Table 5 Status of Actions Arising from Previous IEA

Ref	Previous IEA Findings	Completion Date	2024 IEA Status
DA 344-11-2001 Non-Compliances & Recommendations			
Schedule 2, Condition 2(a)	Some non-conformances against the conditions of DA 344-11-2001 were noted during the audit period.	N/A	Not Compliant. Comments on Non-compliances during the current audit period are included in Section 3.5
Schedule 3, Condition 3B	WQ were not able to verify that DPHI have been advised that a noise agreement is in place with the owner of property 'N2'.	30 September 2021	Not triggered. Noise agreements were made during the audit period.
Schedule 3, Condition 4 (c)	The Noise Management Plan (NMP) allows for bi-annual noise monitoring. A period greater than six months had elapsed between the noise monitoring events in August 2018 and April 2019. This was reported as a non-compliance in the 2018-19 AR.	Complete and ongoing	Compliant. Six monthly noise reporting has been approved by DPHI. Recommendations for noise monitoring are included in Section 4 .
Schedule 3, Conditions 11,13	Four depositional dust samples were not collected within 30+/-2 days required under the relevant administrative standard. November and December 2019 and February and March 2020 samples were collected after 33,	Complete and ongoing	Compliant. The frequency of depositional dust monitoring during the period was completed in accordance with the WQ Air Quality Management Plan.

Ref	Previous IEA Findings	Completion Date	2024 IEA Status
	35, 27 and 33 days, respectively.		
Schedule 3, Condition 23C(a)	DPHI endorsement of OzArk as a suitable party to prepare the AHCMP could not be verified at the time of audit, however it is noted that the ACHMP was approved by DPHI.	October 2021	Compliant. The Department has approved the appointment of Mr Ben Churcher - Principal Archaeologist and Mr Harrison Rochford – Archaeologist as suitably qualified persons to prepare the ACHMP. Further comments on the ACHMP are included in Appendix C .
Schedule 3, Condition 25	Suitable long-term securities for WQ offsets were not confirmed and approved by DPIE prior to 31/12/18, as required under DA 344-11-2001.	26 May 2020	Compliant. Payment into the Biodiversity Conservation Fund was made by WQ on 26/05/20 to provide long-term security for the project Biodiversity Offset Strategy.
Schedule 3, Condition 31 (c)	The submission date of the Mining Operations Plan for the period July 2020 to July 2025 to DPIE-RR was 29/05/20, which was outside of the three-month period from the approval of MOD3.	N/A	Compliant. Comment and recommendations on the RMP are included in Appendix C .
Schedule 3, Condition 37	Waste oil drums and other containers were found to be stored outside of bunded pallets during the audit site inspection.	October 2021	Compliant. No chemicals were sighted outside of bunds during the site inspection for the 2024 IEA.
Schedule 5, Condition 5 (b) and (c)	Evidence was not available to verify WQ review of plans strategies and programs following submission of relevant Annual Review (AR) documents and the 2018 IEA report.	30 September 2021	Compliant. Comments and recommendations on the review of plans, strategies and programs following submission of AR documents is included in Appendix C .
Schedule 5, Condition 8	The 2018-2019 WQ AR noted a non-compliance as at the time of publishing the AR; the meeting minutes from 5 June 2019 CCC meeting was not publicly available on the WQ website.	Within 10 days of CCC meeting	Compliant. A CCC has been established and continued to meeting during the audit period. Sighted copies of CCC meeting minutes dated 30 May 2023 and 22 November 2022.
Schedule 5, Condition 12	Evidence was not available to confirm that copies of the 2018-19 and 2019-20 AR documents were provided to LCC.	Complete and ongoing	Not Compliant. Evidence that the 2020 – 2021 and 2021 – 2022 AR documents were provided to LCC was not available at the time of audit.
Schedule 5, Condition 17	Environmental Assessment documentation listed in Schedule 2, Condition 2(c) of DA 344-11-2001 was not available on the WQ website.	30 September 2021	Compliant. A copy of the Soil and Water Management Plan was not available on the WQ website at the time of the IEA. Recommendations have been included in Section 4 .

Table 6 IEA Non-Compliances

Ref	Non-Compliance
DA 344-11-2001	
Schedule 2, Condition 2(a)	Some non-conformances against the conditions of DA 344-11-2001 were noted during the audit period. These non-conformances are summarised below in this table, with further detail provided in Appendix C .
Schedule 2, Condition 14	Evidence of WQ payment of Modification 3 contributions to LCC was not available at the time of audit.
Schedule 3, Condition 11	Exceedances of 24-hour average particulate matter were reported in 2022 due to a sensor fault in Dust Master Pro monitor ID PM1 located on lot DP872230 for the period from 24 October and 24 November:
	Due to calibration and technical issues, air quality monitoring data was not considered representative of quarry operations. Therefore, it was not possible to report on compliance with the airborne particulate matter criteria of during the period from May 2021 – June 2021.
Schedule 3, Condition 17	Water sampling was not undertaken in August 2021 during a discharge event as required under the WQ Environment Protection Licence (EPL).
Schedule 3, Condition 28A	WQ commenced vegetation clearing within portions of Stage A and Stage D of the project as identified in DA 344-11-2001 prior retiring the required biodiversity credits.
Schedule 5, Condition 11	Evidence that the 2022-2023 AR was submitted to DPHI by the end of September 2023 was not available at the time of audit.
Schedule 5, Condition 12	Evidence was not available at the time of audit to confirm that copies of the 2020 – 2021 and 2021 – 2022 AR documents were submitted to Council.
Schedule 5, Condition 17	A copy of the required Soil and Water Management Plan was not available on the Walker Quarries website at the time of the IEA
Mining Lease (ML) 1633	
Condition 6	A revised Rehabilitation Management Plan (RMP) was not lodged with DPHI for approval after the determination of DA 344-11-2001 Mod 3, determined in February 2020.

3.6 ENVIRONMENTAL PERFORMANCE

3.6.1 Site Inspection Summary

The site inspection of the Project was undertaken on 16 April 2024. Selected images taken during the site inspection are included as **Appendix F**. Non-compliances identified during the site inspection are described in **Table 6**.

3.6.2 Environmental Management Documents

The adequacy of WQ environmental management documents for the Project and the implementation of these plans was reviewed as a component of this IEA. In general, the review of the environmental management documentation found the Project is operated in accordance with the environmental procedures and systems required under DA 344-11-2001.

Management plans reviewed as part of this IEA included the WQ Air Quality Management Plan (AQMP), Aboriginal Cultural Heritage Management Plan (ACHMP), Biodiversity Management Plan (BMP), Bushfire

Management Plan, Environmental Management Strategy (EMS), Noise Management Plan (NMP), Soil and Water Management Plan (SWMP) and Rehabilitation Management Plan (RMP).

During the desktop review it was identified that a copy of the SWMP was not publicly available on the WQ website.

Non-compliances identified in relation to Project management plans are listed in **Table 6**.

3.6.3 Air Quality

The desktop review confirmed that WQ has prepared an Air Quality Management Plan for the Project. Schedule 3, Condition 11 of DA 344-11-2001 requires WQ to ensure that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 4 of the consent at any residences on privately owned land. Non-compliances identified in relation to air quality are included in **Table 6**.

Schedule 3, Condition 13 of DA 344-11-2001 requires WQ to implement best practice management to minimise the dust emissions of the development. Dust mitigation measures observed during the IEA site inspection included the use of a water cart, water sprays on conveyors and the covering of loads and use of the site wheel wash by heavy vehicles leaving site (see Plate 1 – Plate 5 of **Appendix F**). No excessive dust emissions were observed during the site inspection.

The desktop review confirmed that WQ has prepared a Dust TARP which describes triggers and actions / responses for different work areas and equipment on the site.

The entry road to the Project site was free from dust at the time of the IEA site inspection.

3.6.4 Noise

The desktop review confirmed that there has been no breaches of criteria for noise and blast during the audit period. The desktop review and conversations with key WQ personnel confirmed that one complaint was received via the EPA, however this was investigated and confirmed the site was compliant with blast criteria.

3.6.5 Water Management

The desktop review confirmed that a Soil and Water Management Plan is in place which includes a program to monitor and report on any surface water discharges, the effectiveness of the water management system, the quality of water discharged from the site to the environment and surface water flows and quality in local watercourses.

Schedule 3, Condition 16 requires WQ to ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of operations under the consent to match its available water supply. Discussions with key WQ personnel confirmed that the majority of process water used on site is recycled.

The desktop review confirmed that water usage and water licences are summarised in the Annual Reviews for the audit period and that water use is managed in accordance with the Soil and Water Management Plan.

3.6.6 Waste Management

Schedule 3, Condition 35 of DA 344-11-2001 requires WQ to manage on-site sewage treatment and disposal in accordance with the requirements of its EPL, and to the satisfaction of the EPA and LCC. The desktop review confirmed that site sewage is pumped out every month and that waste service dockets are retained.

Schedule 3, Condition 35 of DA 344-11-2001 also requires WQ to ensure waste generated by the development is appropriately stored, handled and disposed of. The site inspection confirmed that segregated waste bins are available on site to manage waste streams (see Plate 7 and Plate 8 of **Appendix F**).

3.6.7 Aboriginal Heritage

The desktop review confirmed that WQ has developed an Aboriginal Cultural Heritage Management Plan (ACHMP) for the project.

Discussions with key WQ personnel has confirmed that the development has not caused any direct or indirect impact on any identified heritage items located outside the approved disturbance area during the audit period. Discussions also confirmed that there is one known Aboriginal Site located within the site boundary, recorded in AHIMS as site #45-1-2802 (WQ site reference: WQ1), however, this site was salvaged outside of the audit period.

3.6.8 Rehabilitation

The desktop review confirmed that a Rehabilitation Management Plan (RMP) has been prepared for the project. Recommendations against the RMP are included in **Table 7**.

Schedule 3, Condition 30 of DA 344-11-2001 requires WQ to rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance and that all reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Discussions with key WQ personnel confirmed that no rehabilitation has been completed during the audit period due to lack of areas being available outside of operational and infrastructure footprints.

3.6.9 Biodiversity

The desktop review confirmed that Biodiversity at WQ is managed in accordance with the Biodiversity Management Plan. Discussions with key WQ personnel and the desktop review confirmed that weed and pest control is completed at WQ every 6 months on site by an external contractor. The site inspection confirmed that erosion and sediment control measures in accordance with the Biodiversity Management Plan were implemented at the time of the audit.

The desktop review confirmed that the DPHI sent a request for information dated 9 April 2024 for WQ to review project requirements for retirement of biodiversity credits. On May 2024, WQ became aware of a non-compliance with Schedule 3, Condition 28A of DA 344-11-2001. Clearing has commenced in portions of Stage A and Stage D. In accordance with Condition 28A, credits associated with Stage A and Stage D must be retired prior to commencing clearing. It is understood that clearing associated with Stage A was undertaken in 2020 following approval of Modification 3 and clearing associated with Stage D was in 2022/2023. On 9 May 2024 WQ reported that 193 biodiversity credits have not been retired prior to commencing vegetation clearing in Stages A and D. Following further enquiry from DPHI on 9 April 2024, WQ representatives liaised with EcoPlanning (WQ Ecological Consultants) regarding works completed to investigate the feasibility of a Biodiversity Stewardship Site Agreement. It is understood that this is not feasible. It is noted that WQ acknowledges the non-compliance and have requested support from EcoPlanning to assist in addressing the issue. It is recommended that WQ liaise with EcoPlanning and regulatory agencies regarding the process to source and retire the required ecosystem credits associated with Stages A and D.

It is also recommended that the Biodiversity Management Plan is revised and updated to reflect the changes to biodiversity credit liabilities as soon as possible once the non-compliance has been resolved.

Biodiversity non-compliances are included in **Section 3.5** and associated recommendations are included in **Section 4**.

3.6.10 Visual

Schedule 3, Condition 32 requires WQ to implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development to the satisfaction of the Secretary.

Discussions with key WQ personnel confirmed that in April 2023 Transport for NSW conducted highway construction and removed the trees that were previously providing visual screening of the site from views along the Great Western Highway. The IEA site inspection confirmed that trees have been planted along the Great

Western Highway, although they have not yet grown to a size that provides visual screening of the site from passing motorists (see Plate 6 of **Appendix F**). As the vegetation established by WQ on the visual amenity bund continues to mature, it is expected to progressively reduce the visual impact left by the removal of established trees beyond the site boundary. It is noted that vegetation development of the replacement plantings is visually inspected and documented in photos by environmental consultants at least annually.

3.6.11 Environmental Incidents

No environmental incidents requiring notification to regulatory agencies were recorded during the audit period.

3.6.12 Environmental Complaints

Discussions with WQ employees found that no community complaints were received regarding Project activities during the audit period.

3.6.13 Environmental Impact Comparison

The Environmental Impact Statement (EIS) prepared by Pacrim Environmental dated 2001 notes that in relation to air quality, operational safeguards will include watering of haul roads and machinery manoeuvring areas, keeping stockpiles in a dampened state, a wheel wash facility, sealing of the access road from the wheel wash to the Great Western Highway and the covering of all loads. The site visit for the IEA confirmed that a wheel wash facility is in place at the site and that sealing of the access road from the wheel wash to the Great Western Highway has been completed (see Plates 2 and 4 of **Appendix F**). Water carts were also sighted watering haul roads at the time of the site inspection (see Plate 1 of **Appendix F**).

The EIS notes that in the event of excessive dust generation due to adverse wind conditions, activities will be modified or ceased during that period. It also notes that the retention of extensive tree cover around the entire site should minimise this occurrence by sheltering the site from unfavourable conditions. Discussions with key WQ personnel confirmed that operational activities are modified or ceased during any events of adverse wind conditions, however no records have been retained to support this (see **Section 4**).

The EIS notes that modelling of predicted noise levels for potential receptors in the vicinity of the quarry site indicates that under calm atmospheric conditions, all noise assessment goals will be complied with. During adverse conditions (wind and temperature inversion) noise assessment goals may be exceeded at some receptor locations. The EIS notes that operational safeguards have been incorporated to reduce the risk of noise impacts on the receiving environment, including restricting or ceasing quarry activity during adverse weather conditions, retaining a 6-8 m highwall at the northern end of the quarry to act as a noise buffer, periodic noise monitoring and retaining extensive tree cover around the entire quarry site. As previously mentioned, Transport for NSW conducted Highway construction activities and removed the trees along the Great Western Highway, which have now been replanted by WQ. The desktop review confirmed that noise monitoring has been conducted at six monthly intervals throughout the audit period. Non-compliances and recommendations made in relation to noise monitoring are described in **Section 3.5** and **Section 4**.

The EIS describes that views of the eastern quarry highwall are likely from the elevated western approached of the Great Western Highway and that rehabilitation east of the Stage 2 trench will commence in Year 3 of the quarry program and will soften this outlook considerably. The site inspection and discussions with key WQ personnel confirmed that rehabilitation and screening prior to this audit period has been completed on the western side. Discussions with key WQ personnel confirmed that no rehabilitation has been completed during the audit period due to lack of areas being available outside of operational and infrastructure footprints.

The EIS notes that the principal objective of water management will be the maintenance of existing water quality within Coxs River, and this will be achieved by ensuring that there are no discharges from the site in the majority of circumstances, and that unavoidable site discharges are treated sufficiently in compliance with EPA requirements. The desktop review identified one discharge event in August 2021 following an 88 mm rain event, EPL 13172 notes that the water criteria of Condition L2.4 do not apply under these rainfall conditions although Condition M2.2 requires a sample to be taken monthly during discharge. It is noted that no sample was taken during August 2021 during the discharge event which is identified as a non-conformance against EPL 13172. Recommendations are included in **Section 4** for discharge sampling.

The EIS describes that all run off stormwater (which was expected to be minimal) will be diverted around the site to avoid contamination and sediment entrainment. Discussions with key WQ personnel confirmed that diversion of water by clean water drains prevents the mixing clean run off and disturbed, this therefore reduces the volume of water that requires management on site and also lowers the risk of uncontrolled discharge. During the site inspection it was confirmed that sediment basins, catchment drains and erosion and sediment control structures at the Quarry were generally well maintained. Discussions with key WQ personnel also confirmed that sediment dams and silt cells are excavated on a regular basis to remove consolidated silt which is then transferred to drying cells for eventual use in rehabilitation (see Plate 10 of **Appendix F**).

The Modification 3 Statement of Environmental Effects (SEE) for the Project notes that the Modification has the potential to have the following impacts on surface water resources:

- Capture of runoff from additional undisturbed catchments as a result of the interception of ephemeral creeks that drain through the Proposed Modification to the Coxs River;
- Degradation of downstream water quality as a result of:
 - Ground disturbing activities leading to erosion and transportation of sediment to downstream water users and water courses including Coxs River;
 - Additional volumes of water being discharged from the licensed discharge to the downstream water users and water courses including Coxs River;
 - Potential spills of hydrocarbons and other chemicals; and
- Increased water imports from alternate water sources to meet the increased operational demands.

Discussions with key WQ personnel confirmed that diesel is the only bulk hazardous material stored on site, which was verified during the site inspection (see Plate 14 of **Appendix F**). Spill kits were also available during the site inspection at refuelling and laydown areas. No chemicals were sighted outside of bunds during the IEA site inspection.

4. RECOMMENDATIONS

A summary of the non-compliances with WQ approvals identified during the audit period is provided in **Table 6**. Recommendations made to respond to these non-compliances, as well as opportunities identified to improve general environmental performance on site, are provided in **Table 7**.

Table 7 IEA Recommendations

Ref	Recommendation Description
Non-compliance Recommendations	
DA 344-11-2001	
Schedule 3, Condition 11	It is recommended that WQ continue to undertake air quality monitoring in accordance with the relevant standards required under DA 344-11-2001 and the AQMP. It is also recommended that WQ maintain an accurate record of correspondence with authorities regarding future compliance matters.
Schedule 2, Condition 14	It is recommended that WQ make the required Modification 3 contributions to LCC.
Schedule 3, Condition 17	It is recommended that WQ ensures that monthly water samples are taken during discharge at the locations identified in WQ EPL.
Schedule 3, Condition 28A	It is recommended that WQ liaise with EcoPlanning and regulatory agencies regarding the process to source and retire the required ecosystem credits associated with Stages A and D. It is also recommended that the Biodiversity Management Plan is revised and updated to reflect the changes to biodiversity credit liabilities as soon as possible once the non-compliance has been resolved.
Schedule 5, Condition 11	It is recommended that future AR documents are lodged with DPHI by the end of September of each year.
Schedule 5, Condition 12	It is recommended that completed AR documents are submitted to LCC each year.
Schedule 5, Condition 17	It is recommended that WQ ensures that information required under Schedule 5, Condition 17 is kept up to date on the Walker Quarries website.
General Improvement Recommendations	
DA 344-11-2001	
Schedule 2, Condition 11	There are no dates recorded within the WQ training matrix of when the training modules have been completed. It is recommended that training completion dates are recorded within the WQ training matrix.
Schedule 3, Condition 1	It is recommended that WQ implement a process to record daily start times for quarrying operations.
Schedule 3, Condition 4(b)	It is recommended that WQ record any operational changes in response to noise on daily shift reports.
Schedule 3, Condition 4(d)	Daily weather observations and any subsequent modifications to activities are not formally recorded by Walker Quarries. It is recommended that daily weather observations and any subsequent modifications to project operations are recorded.

Ref	Recommendation Description
Schedule 3, Condition 9	It is recommended that the BMECP is reviewed and updated to have correct internal cross-references throughout the document.
Schedule 3, Condition 20	It is recommended that the Truck Drivers Code of Conduct document is updated to include that appropriate signage is displayed on any WQ vehicles used to transport product from the development so they can be easily identified by road users.
Schedule 3, Condition 31	It is recommended that DPHI endorsement is sought for the individuals updating the RMP in preparation at the time of the IEA.
ML 1633	
Standard Condition 6	A copy of the forward program was not available on the WQ website at the time of the audit. It is recommended that the forward program for WQ is made available on the WQ website.

APPENDIX A
ENDORSEMENT OF IEA TEAM

NSW Planning ref: DA344-11-2001-PA-64

Mr Wayne Chapman
Quarry Manager
WALKER QUARRIES PTY LTD
963 GREAT WESTERN HIGHWAY
MARRANGAROO New South Wales 2790
16/04/2024

Sent via the Major Projects Portal only

**Subject: Wallerawang Quarry – Independent Environmental Audit team endorsement request
April 2024**

Dear Mr Chapman

Reference is made to your post approval matter, DA344-11-2001-PA-64, request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Environmental Audit (IEA) of the Wallerawang Quarry, submitted as required by Schedule 5, Condition 13 of DA344-11-2001 as modified (the consent) to NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 10 April 2024.

NSW Planning has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the proposed person/s are suitably qualified, experienced, and independent. Consequently, as nominee of the Planning Secretary, I approve the appointment of Dorian Walsh and Tegan Brown of James Bailey and Associates to undertake the IEA and prepare the IEA report.

This approval is conditional on the audit team maintaining independence of the project and the lead auditor holding a current Exemplar Global certification.

The audit is to be conducted in accordance with the conditions of consent, AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing and you may wish to consider the Independent Audit Post Approval Requirements (2020). A copy of this guideline can be located at <http://planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/Integrated-Mining-Policy>. Failure to meet these requirements will require revision and resubmission.

The audit must:

- be carried out in consultation with the relevant agencies and CCC;

- assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licences and mining leases for the development (including any assessment, strategy, plan or program required under these approvals);
- review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent;
- recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent.

Please ensure this correspondence is appended to the IEA Report.

In accordance with Schedule 5 Condition 14 of the consent within 12 weeks of commencing this the audit, you are to submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations. Prior to submitting the audit report to the Secretary, it is recommended that you review the report to ensure it complies with the relevant approval condition.

NSW Planning reserves the right to request an alternate auditor or audit team for future audits. Notwithstanding the endorsement of the above independent audit team for the project, each respective project approval or consent requires a request for endorsement of the independent auditor or audit team be submitted to NSW Planning, for consideration of the Planning Secretary. Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

Should you wish to discuss the matter further, please contact me on 0429400261 or email compliance@planning.nsw.gov.au

Yours sincerely



Katrina O'Reilly
Team Leader - Compliance
Compliance
As nominee of the Planning Secretary

APPENDIX B
IEA DECLARATION

APPENDIX C
IEA COMPLIANCE TABLES

Table C1 Development Approval 344-11-2001 Conditions

Schedules 2-5 updated in entirety during MOD1 25 August 2017

Red type represents 7 December 2018 modification (MOD2)

Aqua type represents 26 February 2020 modification (MOD3)

Cond	DA 344-11-2001 Condition	Status	Evidence
SCHEDULE 2 ADMINISTRATIVE CONDITIONS			
Obligation to Minimise Harm to the Environment			
1.	In addition to meeting the specific performance criteria established under this approval, the Proponent must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the project.	C	A review of Walker Quarries (WQ) records and inspection of DA 344-11-2001 project site found the reasonable and feasible controls are in place to prevent and / or minimise any material harm to the environment from site operations. Comments on WQ environmental controls are provided under the relevant conditions below.
Terms of Consent			
2.	The development may only be carried out: (a) in compliance with the conditions of this consent;	NC	Non-compliances (NC) with DA 344-11-2001 conditions were identified during this IEA. Findings and recommendations in relation to each non-compliance are provided against the relevant conditions below.
	(b) in accordance with all written directions of the Secretary; (c) generally in accordance with the EIS, EA (Mod 1), SEE (Mod 2) and SEE (Mod 3); and (d) generally in accordance with the Development Layout in Appendix 1.	C	WC (pers comms) confirmed that no written directions have been made by Department of Planning, Housing and Infrastructure (DPHI) during the audit period. A review of WQ documentation found that the Project is being carried out generally in accordance with the EIS. The site layout is generally consistent with the general development layout shown in Appendix 1 of DA 344-11-2001.
3.	If there is any inconsistency between the documents in condition 2 (c), the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	C	WC (pers comms) confirmed that no inconsistencies were identified during the audit period.
4.	The Applicant must comply with any written requirement/s of the Secretary arising from the Department's assessment of: (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent (including any stages of these documents); (b) any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with this consent; and (c) the implementation of any actions or measures contained in these documents.	C	Written requirements provided by the Secretary following the assessment of WQ documentation are described under the relevant conditions below. Sighted copy of DPHI letter dated 6 March 2024 which notes that NSW Planning has reviewed the Noise Management Plan (NMP) and considers more information is required to satisfy the relevant condition of consent. The letter notes that DPHI request that an amended NMP be submitted as a response to this RFI addressing the below points by 22 March 2024 (or otherwise agreed by the Planning Secretary): <ul style="list-style-type: none"> Table 3.1 - Noise related complaints are minimised can be retained as an outcome. Table 7.1 - Ensure averaging periods align with EPL 131722. Currently only Rainfall does. Section 7.1 Second last paragraph – PG stability class every 15 minutes as per Environment Protection Licence (EPL) 13172, Condition M4.1. Section 7.4 - Include a commitment to report within a defined period. Condition 8.1 - definition of Incident from Conditions of Consent. This section also includes text located more appropriately in Section 8.2 Incident Notification. Section 8.2 – Within 30 days of the incident, a detailed report will be provided to DPHI Appendix 3 of DA 344-11-2001. Section 8.3 - Include a Complaints Telephone Hotline number. Sighted copy of Umwelt response letter dated 22 March 2024 which notes that an updated NMP (V5.1) has been submitted to the Major Projects Portal. The NMP was subsequently revised and version 6.0 of the document dated 21 March 2024 was approved by DPHI on 3 April 2024. Sighted copy of DPHI letter dated 22 February 2024 which notes that NSW Planning has reviewed the Air Quality Management Plan (AQMP) and considers more information is required to satisfy the relevant condition of consent. The letter notes that DPHI request that an amended AQMP be submitted as a response to this Request for Information (RFI) addressing the below points by 7 March 2024: <ul style="list-style-type: none"> Table 3.1 - No air quality complaints received can be retained as an outcome. Table 7.1 - Ensure averaging periods align with EPL 131722. Currently only Rainfall does. Section 8.1 - Include definition of Incident from Conditions of Consent. This section also includes text located more appropriately in Section 8.2 Incident Notification.

Cond	DA 344-11-2001 Condition	Status	Evidence
			<ul style="list-style-type: none"> Section 8,2 Second paragraph – if source of pollution is external to the site, e.g. bushfire or dust storm, the source of the pollution may not be remediated. Section 11 Delete 2007 Approved Methods for Sampling. Sighted Umwelt response letter dated 7 March 2024 which notes an updated AQMP (V5.1) has been submitted to the Major Projects Portal.
Limits on Consent			
5.	The Applicant may carry out quarrying operations on the site until 15 July 2040. Note: <i>Under this consent, the Applicant is required to rehabilitate the site and carry out additional requirements and undertakings to the satisfaction of the Secretary. Consequently, this consent will continue to apply in all respects other than the right to conduct quarrying operations until the rehabilitation of the site and those requirements and undertakings have been carried out to the standard required by the applicable conditions.</i>	Note only	Noted.
Extraction Depth			
6.	The Applicant must not conduct quarrying operations within one metre of the maximum groundwater level, with the exception of areas where the Applicant has received the written approval of the Secretary for the construction and use of drainage sumps, groundwater monitoring bores, exploration boreholes or other similar activity agreed to by the Secretary.	C	WC (pers comms) confirmed that elevation of pit floor and a summary of groundwater results are available in each Annual Review (AR) for the audit period (pers comms) confirmed that there has not been any correspondence with any agencies through the audit period in relation to groundwater. Section 4.2.1 of the 2023 AR notes that blasting and extraction was undertaken to a depth of approximately 940 Australian Height Datum (AHD). WC (pers comms) confirmed this is above the level of 901 m AHD that would require additional studies to determine the maximum groundwater level.
6A.	Prior to the commencement of quarrying operations below 901 mAHD (except for activities approved under condition 6 of this Schedule), the Applicant must: (a) determine the maximum groundwater level within and adjacent to the proposed extraction area, in consultation with DPIE - Water, using all available groundwater and rainfall monitoring data collected from the site or in the vicinity of the site and appropriate modelling software and parameters; (b) establish the proposed maximum extraction depth to comply with condition 6; and (c) prepare a contour map or similar, showing the proposed maximum extraction depth; for the approval of the Secretary.	NT	See Schedule 2, Condition 6 above.
Limits on Extraction and Transport			
7.	The Applicant must not extract and/or transport more than 500,000 tonnes of quarry products from the site in any calendar year.	C	Sighted copy of WQ General Production report which notes the total production to the 25 March 2024 is 28,153 tonnes (t) and the total sales as of 25 March 2024 is 37,507 tonnes. Table 4.2 of the 2023 AR confirms that 350,457 t of product was sold and transported off site during 2023. Section 4.2.3 of the 2022 AR notes that a total of 245,745 t of quartzite were produced and sold during 2022. Sighted copy of Extractive Materials Return 2020 to 2021 which notes total site production as 217,812 t.
Structural Adequacy			
8.	The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. Notes: <ul style="list-style-type: none"> Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the development. 	NT	WC (pers comms) no new building or structures were developed or altered during the audit period.
Demolition			
9.	The Applicant must ensure that all demolition work is carried out in accordance with <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> , or its latest version.	NT	WC (pers comms) confirmed that there has been no demolition during the audit period.
Protection of Public Infrastructure			
10.	Unless the Applicant and the applicable authority agree otherwise the Applicant must:	NT	WC (pers comms) confirmed that there has been no need for repairs of public infrastructure during the audit period.

Cond	DA 344-11-2001 Condition	Status	Evidence
	(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. Note: This condition does not apply to damage to roads caused as a result of general road usage.		
Operation of Plant and Equipment			
11.	The Applicant must ensure that all the plant and equipment used at the site, or to monitor the performance of the development is: (a) maintained in a proper and efficient condition; and	C	A copy of the maintenance schedule sighted with a full break down of maintenance, the date it was completed and the individual who completed the maintenance. Sighted maintenance for equipment WQ411 dated 21 June 2022. Sighted copy of Walker Quarries Repair Order/ Job Card dated 16 March 2024 for a 250 hour service on plant no. 202. WC (pers comms) confirmed that Komatsu complete their own service reports. Sighted a copy of the WQ Maintenance Record register with repairs and services completed on 11 May 2022, 15 March 2023, 24 August 2023 and 20 February 2024 for Komatsu plant.
	(b) operated in a proper and efficient manner.	C	WC (pers comms) confirmed that training is kept track of in a training register. Sighted a copy of the WQ training matrix which records employee training. There are no dates recorded within the matrix of when the training modules have been completed. It is recommended that training completion dates are recorded within the WQ training matrix. Sighted copy of WQ Contractor Orientation Sheet template version 0.1 dated June 2021 that that covers operation of mobile plant equipment on site. WC (pers comms) confirmed the daily pre starts are completed each morning. Sighted copy of Daily Pre-Start sheet dated 4 April 2024 which is signed off by the Pre start supervisor. WC (pers comms) confirmed that toolbox talks are conducted with employees that covers equipment operation.
Production Data			
12.	The Applicant must: (a) from the commencement of quarrying operations provide calendar year annual quarry production data to RR using the standard form for that purpose; and	C	WC (pers comms) confirmed that the S1 Forms are reported in financial years instead of calendar years and there appears to be a discrepancy between the development consent condition and RR portal form. Sighted copy of the Extractive Materials Returns for 2020-2021 (dated 29 September 2021) and for 2021-2022 (dated 23 September 2022). Sighted copy of Royalty Task Details document dated 20 May 2024 which notes that the S1 return for extractive materials has been submitted for the FY23.
	(b) include a copy of this data in the Annual Review.	C	Section 4 of WQ ARs for 2021, 2022 and 2023 includes site production data.
Compliance			
13.	The Applicant must ensure that all employees, contractors and sub-contractors are aware of, are instructed to and comply with, the conditions of this consent relevant to their respective activities.	C	WC (pers comms) confirmed that all employee and contractors are made aware of environmental commitments of the consent. Sighted a copy of WQ Employee Orientation Sheet which is signed off by the employee and dated 24 October 2023. The sheet records that the employee has been made aware of WQ environmental policies, management and controls.
Contributions to Council			
14.	Within 6 months of the date of approval of Modification 3, the Applicant must make contributions to Council for the provision of public facilities and to enhance amenity and services within the Lithgow LGA, in accordance with the Section 94A Development Contributions Plan for Lithgow City Council October 2015, or its most recent version. Note: See also section 7.11 of the EP&A Act.	NC	Sighted copy of Umwelt letter dated 29 June 2020 to Lithgow City Council (LCC) which notes that as identified in the application for Modification 3, the capital investment value associated with the modification is \$1,100,000. In accordance with Council's Section 94A Contributions Plan, a 1% contribution is payable to LCC. The letter also notes that WQ intends to make a payment of \$11,000 to LCC to comply with this requirement. Evidence of WQ payment of Modification 3 contributions to LCC was not available at the time of audit. It is recommended that WQ make the required Modification 3 contributions to LCC.
Applicability to Guidelines			
15.	References in the conditions of this consent to any guideline, protocol, Australia Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as the date of inclusion (or later update) in the condition.	Note only	Note only

Cond	DA 344-11-2001 Condition	Status	Evidence										
16.	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Secretary may, in respect of ongoing monitoring and management obligations, agree to or require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	NT	Note only										
Crown Land													
17.	The Applicant must consult with DPIE - Crown Lands prior to undertaking any development on Crown land or Crown roads. Notes: (a) Under Section 265 of the Mining Act 1992, the Applicant is required to enter into a compensation agreement with DPIE - Crown Lands prior to undertaking any mining operations or related activities on Crown land or Crown roads within a mining lease. (b) Under Section 141 of the Mining Act 1992, the Applicant is required to enter into an access arrangement with DPIE - Crown Lands prior to undertaking any prospecting operations on Crown land or Crown roads within an exploration licence.	NT	WC (pers comms) confirmed that no new areas have been developed on Crown land or roads during the reporting period.										
SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS													
NOISE													
Hours of Operation													
1.	The Applicant must comply with the operating hours set out in Table 1. Table 1: Operating Hours <table border="1"> <thead> <tr> <th>Activity</th> <th>Permissible Hours</th> </tr> </thead> <tbody> <tr> <td>Quarrying operations</td> <td> <ul style="list-style-type: none"> 7 am to 6 pm Monday to Friday 8 am to 1 pm Saturday At no time on Sundays or public holidays </td> </tr> <tr> <td>Loading and dispatch of trucks</td> <td> <ul style="list-style-type: none"> May be conducted at any time, provided these activities comply with the noise criteria in Table 2 </td> </tr> <tr> <td>Blasting</td> <td> <ul style="list-style-type: none"> 9 am to 5 pm Monday to Friday 9 am to 1 pm on Saturdays At no time on Sundays or public holidays </td> </tr> <tr> <td>Maintenance</td> <td> <ul style="list-style-type: none"> May be conducted at any time, provided that these activities are not audible at any privately-owned residence </td> </tr> </tbody> </table>	Activity	Permissible Hours	Quarrying operations	<ul style="list-style-type: none"> 7 am to 6 pm Monday to Friday 8 am to 1 pm Saturday At no time on Sundays or public holidays 	Loading and dispatch of trucks	<ul style="list-style-type: none"> May be conducted at any time, provided these activities comply with the noise criteria in Table 2 	Blasting	<ul style="list-style-type: none"> 9 am to 5 pm Monday to Friday 9 am to 1 pm on Saturdays At no time on Sundays or public holidays 	Maintenance	<ul style="list-style-type: none"> May be conducted at any time, provided that these activities are not audible at any privately-owned residence 	C	Section 2.2 of the WQ Environmental Management Strategy (EMS) (Schedule 5, Condition 1) notes the approved hours of operation for the site. WC (pers comms) confirmed that there have been no operation outside of the hours during the audit period and that there is only a small crew of approximately 12 employees on site. WC (pers comms) confirmed that Pre start sheets are completed by employees which records the start time on a daily basis. Sighted examples of copies of WQ Pre Start Sheets dated 14 and 16 May 2024. Both sheets record sign on times of 6:30 am. It is recommended that WQ implement a process to record daily start times for quarrying operations. WC (pers comms) confirmed that there has been no complaints received in relation to operating hours.
Activity	Permissible Hours												
Quarrying operations	<ul style="list-style-type: none"> 7 am to 6 pm Monday to Friday 8 am to 1 pm Saturday At no time on Sundays or public holidays 												
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Maintenance	<ul style="list-style-type: none"> May be conducted at any time, provided that these activities are not audible at any privately-owned residence 												
2.	The following activities may be carried out outside the hours specified in condition 1 above: (a) delivery or dispatch of materials as requested by Police or other public authorities; and (b) emergency work to avoid the loss of lives, property or to prevent environmental harm. In such circumstances, the Applicant must notify the Secretary and affected residents prior to undertaking the activities, or as soon as is practical thereafter.	NT	WC (pers comms) confirmed that no requests were made during the audit period.										
		NT	WC (pers comms) confirmed that no requests were made during the audit period.										
Operational Noise Criteria													
3.	The Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 2: Operational noise criteria dB(A) <table border="1"> <thead> <tr> <th>Noise Assessment Location</th> <th>Day <i>L_{Aeq}</i> (15 min)</th> <th>Evening <i>L_{Aeq}</i> (15 min)</th> <th>Night <i>L_{Aeq}</i> (15 min)</th> </tr> </thead> <tbody> <tr> <td>All privately-owned residences</td> <td>43</td> <td>39</td> <td>35</td> </tr> </tbody> </table>	Noise Assessment Location	Day <i>L_{Aeq}</i> (15 min)	Evening <i>L_{Aeq}</i> (15 min)	Night <i>L_{Aeq}</i> (15 min)	All privately-owned residences	43	39	35	C	See Schedule 3, Condition 4 below. Section 6 of the 2023 AR notes that monitoring during the reporting period at locations N1, N3 and N2 (N8) confirmed compliance with the assessment criteria in all instances. The monitoring results indicate that the Quarry is generally inaudible from residential receivers and is supported by no noise enquiries or complaints received in the reporting period. Section 6.3.3 of the 2022 AR noted that monitoring during the reporting period at locations N1, N2, N3 and N4 confirmed compliance with the assessment criteria in all instances during the reporting period, other than one instance in March 2022 for N3, where wind conditions were outside the applicable EPL parameters, and therefore the criteria was not applicable. In this case, the monitoring was repeated when wind conditions returned to the applicable range and the Quarry noise was found to be within criteria. No non-compliances with Condition 3 were identified during this reporting period. Section 6.3.3 of the 2021 AR notes that monitoring during the reporting period at locations N1 and N3 confirmed compliance with the assessment criteria at all instances during the reporting period. An exceedance of the applicable noise criteria was identified at location N2 during March 2021 attended compliance monitoring. The		
Noise Assessment Location	Day <i>L_{Aeq}</i> (15 min)	Evening <i>L_{Aeq}</i> (15 min)	Night <i>L_{Aeq}</i> (15 min)										
All privately-owned residences	43	39	35										

Cond	DA 344-11-2001 Condition	Status	Evidence
			exceedance was identified predominately as the screening plant. Section 6.3.3 notes that as per Condition 3(3B) the Quarry has a private agreement in place with this resident and accordingly noise criteria are not applicable at this location. Section 6.3.3 notes that the monitoring results indicate the Quarry as generally inaudible from residential receivers and is supported by the fact that only one query over quarry noise was raised during the reporting period.
3A.	Noise generated by the development must be monitored and measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the <i>NSW Noise Policy for Industry</i> (EPA, 2017).	C	Section 7.2 of the NMP notes that noise monitoring will be undertaken in accordance with the NSW Noise Policy for Industry (NPfI) (EPA, 2017). Sighted copy of Muller Acoustic Consulting Noise Monitoring Assessment dated August 2023 which notes that the assessment has been conducted in accordance or with reference to the NSW Environment Protection Authority (EPA), NPfI.
3B.	The noise criteria in Table 2 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	NT	WC (pers comms) confirmed that no noise agreements were made during the audit period.
Operating Conditions			
4.	The Applicant must: (a) implement best practice management to minimise the construction, operational and road transportation noise of the development;	C	Sighted copy of the NMP version 6.0 dated 13 February 2024 which was prepared by Umwelt and approved by DPHI on 3 April 2024. Table 2.1 of the NMP describes conditional requirements including implement best practice management to minimise the construction, operational and road transportation noise of the development. Table 6.2 of the NMP notes the internal road network will be maintained to the current standard and if any new roads are proposed these will be constructed to similar standards to limit body noise from empty trucks. WC (pers comms) confirmed that crushers have been moved down further into the pit to minimise noise (see Plate 6). WC (pers comms) confirmed the quarry is only operational within approved hours of operation. WC (pers comms) confirmed plant and equipment have regular maintenance completed. Sighted copy of Muller Acoustic Consulting Noise Monitoring Assessment dated August 2023 which includes Common Noise Sources and Their Typical Sound Pressure Levels (SPL), dBA within Table A2.
	(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	Table 2.1 of the NMP describes conditional requirements including minimise the noise impacts of the development during meteorological conditions when the noise criteria in this consent do not apply. Table 6.3 of the NMP describes triggers, responses and corrective actions including Meteorological conditions (as observed by the Quarry Manager). The NMP notes that the Quarry Manager will review operations and implement measures which may include: <ul style="list-style-type: none"> Advise operating personnel to moderate activities to reduce noise, i.e. switch off idling engines if not required, avoid reversing where practicable, avoid excessive revving of engines. Restrict crushing operations to the use of one crushing plant until inspections confirm, by inspection, that the Quarry is not audible at sensitive receptors. Turning off or limiting operations of mobile equipment or fixed plant Redirecting operations to more sheltered areas within the extraction area Complete a check of nearby sensitive receptors to determine if the operations are audible. It is recommended that WQ record any operational changes in response to noise on daily shift reports.
	(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	C	Table 2.1 of the NMP describes conditional requirements including 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. Section 7.2 of the NMP notes that Condition 3(4)(c) of DA 344-11-2001 states that noise monitoring is to be undertaken at least every three months. It is noted the Quarry has recorded only two noise related complaints during the period 2015 to 2023 and not identified any noise related exceedance of approval requirements during attended monitoring in this time. WC (pers comms) confirmed that the NMP was approved by the Department which includes the process of six monthly noise monitoring instead of three monthly. Sighted copy of the DPE letter dated 16 September 2020 which notes the Department has carefully reviewed the NMP and is satisfied that it meets the requirements of the conditions of consent. The letter notes that the Planning Secretary has approved the NMP (version 2.4, dated 3

Cond	DA 344-11-2001 Condition	Status	Evidence
			September 2020). A further revision to the NMP (version 6.0, dated 21 March 2024) was approved by DPHI letter dated 3 April 2024. Sighted copies of 2021, 2022, 2023 and 2024 Noise Monitoring Reports available on the WQ website during the desktop review.
	(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. <i>Note: Required frequency of noise monitoring may be reduced if approved by the Secretary</i>	C	Table 2.1 of the NMP describes conditional requirements including assess noise monitoring data and modify and/or stop operations on site to ensure compliance with the relevant conditions of this consent. WC (pers comms) confirmed that noise monitoring data is regularly assessed and operations modified or stopped on site to ensure compliance with noise criteria. WC (pers comms) confirmed that WQ assesses noise monitoring results on six monthly basis (refer to Condition 4 (c)). No exceedances of noise criteria were identified during the IEA period in WQ Noise Monitoring Assessments completed by MAC, therefore activities were not required to be modified or ceased. WC (pers comms) confirmed that WQ continually implement operational designs and controls to minimise noise impacts. These include blasting in-pit, routine maintenance of plant and equipment and review of monitoring data and prevailing weather conditions. Sighted a copy of Premier Drill and Blast Post Blast Report dated 26 September 2023 which records blast monitoring results. WC (pers comms) confirmed that weather is monitored by the Quarry Manager daily, taking into account what activities are being performed on the day. Daily weather observations and any subsequent modifications to activities are not formally recorded by WQ. It is recommended that daily weather observations and any subsequent modifications to project operations are recorded.
Noise Management Plan			
5.	The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with the EPA;	C	See Schedule 3, Condition 4 above. WC (pers comms) confirmed that the NMP V6 was prepared in consultation with the EPA, on 12 April 2024. Sighted copy of EPA letter dated 12 April 2024 which notes that the EPA's role is to set conditions/criteria for environmental protection and management, not to be directly involved in the development of strategies to comply with such conditions/criteria. As such, the EPA did not provide comment or endorsement of the updated NMP. Sighted copy of Umwelt email dated 14 February 2024 which was addressed to the NSW EPA which notes that the Wallerawang Quarry environmental management plans were recently reviewed following the submission of the 2023 AR, as required by Schedule 5, Condition 5 of DA 344-11-2001. The email also notes that the revised NMP has been provided to EPA as part of the review process, and requests feedback regarding the NMP is provided by 15 March 2024.
	(b) be submitted to the Secretary within three months of the determination of Modification 1, unless otherwise agreed by the Secretary;	C	Section 1 of the 2024 NMP notes the document has been reviewed and updated by Umwelt on behalf of WQ in accordance with Condition 5 of Schedule 3 of Development Consent DA 344-11-2001 (DA 344-11-2001). Requirement to submit an NMP within three months of the determination of Modification 1 deemed compliant in previous IEA.
	(c) describe the measures to be implemented to ensure: compliance with the noise criteria and operating conditions of this consent; best practice management is being employed; and the noise impacts of the development are minimised during meteorological conditions under which the noise criteria in this consent do not apply (see NPfI);	C	Section 5,6 and 6.4 of the NMP describe the measures to be implemented to ensure: <ul style="list-style-type: none"> Compliance with the noise criteria and operating conditions of this consent; Best practice management is being employed; The noise impacts of the development are minimised during meteorological; Conditions under which the noise criteria in this consent do not apply (see NPfI). WC (pers comms) confirmed face to face inductions are completed to communicate noise obligations. Sighted a copy of WQ Employee Orientation Sheet which is signed off by the employee and dated 24 October 2023. The sheet records that the employee has been made aware of WQ environmental policies, management and controls. WC (pers comms) confirmed that truck drivers sign off on a code of conduct (COC) when arriving to the weighbridge for the first time, which explains environmental best management practices. Sighted signed off COCs dated 15 April 2023 (Nepean Land Scaping Supply) 21 March 2024 (Premier D & B), 16 January 2024 (Aussie Digger) contract details and rego numbers.
	(d) describe the proposed noise management system; and	C	Section 6 of the NMP describes the proposed noise management system

Cond	DA 344-11-2001 Condition	Status	Evidence																
	(e) include a monitoring program to be implemented to measure noise from the development against the noise criteria in Table 2, and which evaluates and reports on the effectiveness of the noise management system on site. The Applicant must implement the Noise Management Plan as approved from time to time by the Secretary.	C	Section 6 of the NMP includes a monitoring program to be implemented to measure noise from the development against the noise criteria in Table 2, and which evaluates and reports on the effectiveness of the noise management system on site.																
BLASTING																			
Blasting Impact Assessment Criteria																			
6.	<p>The Applicant must ensure that blasting on site does not cause any exceedance of the criteria in Table 3.</p> <p>Table 3: Blasting Criteria</p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td></td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>Any residence on privately-owned land</td> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> <tr> <td>All public infrastructure</td> <td>-</td> <td>50</td> <td>0%</td> </tr> </tbody> </table> <p>However, these criteria do not apply if the Applicant has a written agreement with the relevant landowner or infrastructure owner to exceed the limits in Table 3, and the Applicant has advised the Department in writing of the terms of this agreement.</p>	Receiver	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance		120	10	0%	Any residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months	All public infrastructure	-	50	0%	C	<p>Sighted a copy of Blast Management and Explosives Control Plan (BMECP) dated August 2023 which has been prepared by Umwelt.</p> <p>Section 2.1 of the plan describes conditional requirements including the Applicant must ensure that blasting on site does not cause any exceedance of the criteria in Table 3.</p> <p>Section 4 of the plan describes blasting criteria and limits.</p> <p>Section 5 of the plan describes local services, infrastructure and sensitive receptors.</p> <p>Section 6.4.3 of the 2021 AR notes that the criteria of 5 mm/s for ground vibration and 115 dB for air blast overpressure were not exceeded during the reporting period. During the six blast events, B1 and B4 were triggered on three occasions, B2 on two occasions and B3 on a single occasion.</p> <p>Section 6.4.3 of the 2022 AR notes that no non-compliances with Condition 3(g) of DA 344-11-2001-MOD 3 were identified. Section 6.4.3 also notes that the criteria of 5 mm/s for ground vibration and 115 dB for air blast overpressure were not exceeded during the reporting period. A small load factor of explosives were used to minimise environmental effects, with the majority of resulting blasting events not triggering the blast monitors. B1 and B3 were triggered on one occasion and B4 was triggered on two occasions</p> <p>Section 6.4.2 of the 2023 AR notes the criteria of 5 mm/s for ground vibration and 115 dB for air blast overpressure were not exceeded during the reporting period. Section 6.4.2 also notes that the results for ground vibration and air overpressure is consistent with the previous reporting period and the prediction in MAC (2019).</p> <p>Sighted a copy of WQ Blast Report dated 29 February 2024 that did not record any exceedances of criteria for ground vibration or over pressure.</p> <p>Sighted a copy of WQ Blast Report dated 27 March 2024 that did not record any exceedances of criteria for ground vibration or over pressure.</p>
Receiver	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance																
	120	10	0%																
Any residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months																
All public infrastructure	-	50	0%																
Property Inspections																			
7.	<p>If the Applicant receives a written request from the owner of any privately-owned land within 2 kilometres of the site for a property inspection to establish the baseline condition of any buildings and structures on their land, or to have a previous property inspection updated, then within 2 months of receiving this request the Applicant must:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to:</p> <ul style="list-style-type: none"> establish the baseline condition of any buildings and other structures on the land, or update the previous property inspection report; and identify measures that should be implemented to minimise the potential blasting impacts of the development on these buildings and structures; and <p>(b) give the landowner a copy of the new or updated property inspection report.</p> <p>If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the property inspection report, either party may refer the matter to the Secretary for resolution.</p>	NT	WC (pers comms) confirmed that there has been no written requests for property inspections during the audit period.																
Property Investigations																			
8.	<p>If the owner of any privately-owned land within 2 kilometres of the site or any other landowner where the Secretary is satisfied an investigation is warranted, or claims in writing that buildings or structures on their land have been damaged as a result of blasting on the site, then within 2 months of receiving this written claim the Applicant must:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to investigate the claim; and</p>	NT	WC (pers comms) confirmed that there has been no written requests for property investigations during the audit period.																

Cond	DA 344-11-2001 Condition	Status	Evidence
	(b) give the landowner a copy of the property investigation report. If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Applicant must repair the damage to the satisfaction of the Secretary. If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Secretary for resolution.		
Operating Conditions			
9.	During blasting operations, the Applicant must: (a) implement best practice management to: <ul style="list-style-type: none"> protect the safety of people and livestock; protect public or private infrastructure and property from damage; and minimise the dust and fume emissions; 	C	Section 6 of the BMECP describes the blast management system. Section 6.1.5 of the plan describes measures to manage fly rock to ensure the safety of people and livestock and to protect properties. WC (pers comms) confirmed that pre blast inspections are completed. WC (pers comms) confirmed that there has not been any fly rock issues during the audit period. The complaints register which is available on the WQ website notes that in March 2024 there was one complaint received from the EPA regarding blasting. Sighted copy of EPA email dated 1 March 2024 addressed to WC which notes that EPA received a phone complaint about noise and vibration. The email notes that a resident of Wallerawang raises concerns regarding a blast undertaken today [29 February 2024] at the Wallerawang quarry, just before 1pm. Caller noted a very loud boom, causing noticeable vibration felt in the home, shaking the house. Caller did not receive prior notification of the blast and queries if notification to residents nearby was required. The caller noted that they are not normally compelled to raise complaints about the quarry noise or previous blasts, but this particular blast has caused them significant concern. Sighted email from WC addressed to the EPA which notes an attached copy of the Post Blast report and a copy of the notification letter that was sent out on the 27 February to all the required residence on the WC notification list. Sighted copy of WQ Notification of Blast letter dated 27th February 2024 which notes that WQ has scheduled a blast for the 29 February 2024 between the hours of 12:00 and 3:00 pm. Sighted internal WQ email dated 4 March 2024 which notes that the complaint was made to the EPA about five minutes after the blast on Thursday 29th February. It is noted that all blast monitoring measurements (vibration and over-pressure) were in compliance with relevant criteria.
	(b) operate a suitable system to enable the local community to get up-to-date information on the proposed blasting schedule on site; and	C	Section 6 of the BMECP describes blasting schedule notification and In accordance with DA 344-11-2001, written notifications to property owners within 2 km of the Quarry Site commenced in July 2014. WQ will complete a review of landowners within 2 km of the Quarry Site at least every two years. WC (pers comms) confirmed that emails go out to neighbours prior making them aware of blasting.
	(c) carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent, to the satisfaction of the Secretary.	C	Table 2.1 of the BMECP describes blast related conditional requirements including carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent. The tables notes that this information is included in section 6.1.10 of the plan, however section 6.1.10 is missing from the document. It is recommended that the BMECP is reviewed and updated to have correct references throughout the document. Section 7 of the BMECP describes blast monitoring. Sighted examples of WQ Blast Reports: <ul style="list-style-type: none"> No: 39 dated 29 February 2024 completed by blast contractor Premier Drill and Blast; No: 36 dated 8 February 2023 completed by blast contractor Premier Drill and Blast.
Blast Management Plan			
10.	The Applicant must prepare a Blast Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be submitted to the Secretary for approval within three months of the determination of Modification 1, unless otherwise agreed by the Secretary;	C	See Schedule 3, Condition 6 above. Sighted a copy of DPHI letter dated 14 March 2023 which notes that the Department has carefully reviewed the document and is satisfied that it meets the requirements of the relevant conditions of consent. The letter also notes the approval of the Blast Management Plan (revision 4.2, dated 10 August 2023).
	(b) describe the measures to be implemented to ensure compliance with the blast criteria and operating conditions of this consent;	C	Section 6 of the BMECP describes the measures to be implemented to ensure compliance with the blast criteria and operating conditions of this consent.
	(c) include measures to manage flyrock to ensure the safety or people and livestock and to protect properties;	C	Section 6.1.5 of the BMECP includes measures to manage fly rock to ensure the safety or people and livestock and to protect properties.

Cond	DA 344-11-2001 Condition	Status	Evidence																			
	(d) include a monitoring program for evaluating and reporting on compliance with the blasting criteria in this consent;	C	Section 6.1.9 and Section 7 of the BMECP includes a monitoring program for evaluating and reporting on compliance with the blasting criteria in this consent.																			
	(e) include local community notification procedures for the blasting schedule, in particular to nearby residences; and	C	Section 6.1.1 of the BMECP includes local community notification procedures for the blasting schedule, in particular to nearby residences.																			
	(f) include a protocol for investigating and responding to complaints related to blasting operations. The Applicant must implement the Blast Management Plan as approved from time to time by the Secretary.	C	Section 6.2.2.1 of the BMECP includes a protocol for investigating and responding to complaints related to blasting operations.																			
AIR QUALITY																						
Air Quality Criteria																						
11.	<p>The Applicant must ensure that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 4 at any residence on privately-owned land.</p> <p>Table 4: Air quality criteria</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>^{a, c} 25 µg/m³</td> </tr> <tr> <td>24 hour</td> <td>^b 50 µg/m³</td> </tr> <tr> <td rowspan="2">Particulate matter < 2.5 µm (PM_{2.5})</td> <td>Annual</td> <td>^{a, c} 8 µg/m³</td> </tr> <tr> <td>24 hour</td> <td>^b 25 µg/m³</td> </tr> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>^{a, c} 90 µg/m³</td> </tr> <tr> <td>^d Deposited dust</td> <td>Annual</td> <td>^b 2 g/m²/month ^a 4 g/m²/month</td> </tr> </tbody> </table> <p><i>Notes:</i></p> <p><i>a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources). NSW Government Department of Planning & Environment 12</i></p> <p><i>b Incremental impact (i.e. incremental increase in concentrations due to the development on its own).</i></p> <p><i>c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary.</i></p> <p><i>d 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.</i></p>	Pollutant	Averaging period	Criterion	Particulate matter < 10 µm (PM ₁₀)	Annual	^{a, c} 25 µg/m ³	24 hour	^b 50 µg/m ³	Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a, c} 8 µg/m ³	24 hour	^b 25 µg/m ³	Total suspended particulate (TSP) matter	Annual	^{a, c} 90 µg/m ³	^d Deposited dust	Annual	^b 2 g/m ² /month ^a 4 g/m ² /month	NC	<p>Sighted copy of the 2023 AR which notes the following:</p> <ul style="list-style-type: none"> There was one elevated PM₁₀ 24-hour average recorded, on 11 June 2023. This was immediately investigated by an environmental consultant. Similar to the high readings identified in October to December 2022, this occurred in the early morning hours in low temperature conditions on a non-operational day. The investigation included a review of wind speed and direction from the on-site meteorological station and a comparison against the nearest Bureau of Meteorology station (Station 063308, located approximately 5.7 km east of the Quarry). It was determined that the high reading was not associated with the Quarry development and compliance with Schedule 3, Condition 11 of DA 344-11-2001 was maintained During the anomalous period, 24 exceedances of the PM₁₀ 24-hour average were recorded. The annual average of PM₁₀, excluding anomalous periods, was 12.7 µg/m³ which is below the criteria. Excluding the anomalous periods, there were no exceedances of the 24-hour average PM_{2.5} during the reporting period. The annual average of PM₁₀, excluding anomalous periods, was 4.0 µg/m³ which is below the criteria. All Deposited Dust samples recorded in the reporting period were well below 4g/m²/month, with the exception of DG1 in January and March 2023. DG1 is located adjacent to the Great Western Highway. The Quarry Manager attributes the high readings to road work construction activities at this part of the highway during January and March. Annual averages were between 1.1 g/m²/month and 1.4 g/m²/month for the four dust gauges, indicating that the deposited dust impacts as a result of the quarry's operations are marginally higher than the previous year (provided in Table 6.11), yet still well below the criteria. Deposited dust results remained compliant throughout the reporting period. <p>Sighted copy of the 2022 AR which notes the following:</p> <ul style="list-style-type: none"> Over the reporting period, the results of the particulate matter monitoring confirmed compliance with 24 hour average concentration criteria for the majority of the reporting period. An exception to this occurred between 24 October and 24 November 2022 when aberrantly high values were received for both PM₁₀ and PM_{2.5} readings. WQ and their environmental representatives were alerted to the elevated readings by email alert (in accordance with the established alert system nominated in the AQMP). After initial consideration of meteorological conditions and periods when the highest readings were recorded, it was established that if representative of emission concentrations, it was almost certainly not a result of Quarry operations as the highest values creating the elevated 24-hr average occurred outside the period of Quarry operation with wind direction generally towards the Quarry. Outside of this period, the following exceedances of 24-hour average particulate matter were reported In 2022 due to a sensor fault in Dust Master Pro monitor ID PM1 located on lot DP872230 during the period from 24 October and 24 November: <ul style="list-style-type: none"> 18 October 2022: <ul style="list-style-type: none"> PM₁₀: 121 µg/m³ PM_{2.5}: 39.4 µg/m³ 28 November 2022: <ul style="list-style-type: none"> PM_{2.5}: 35.5 µg/m³ 29 November: <ul style="list-style-type: none"> PM₁₀: 51 µg/m³
Pollutant	Averaging period	Criterion																				
Particulate matter < 10 µm (PM ₁₀)	Annual	^{a, c} 25 µg/m ³																				
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^d Deposited dust	Annual	^b 2 g/m ² /month ^a 4 g/m ² /month																				

Cond	DA 344-11-2001 Condition	Status	Evidence
			<ul style="list-style-type: none"> ○ PM_{2.5}: 36.1 µg/m³ <p>The sensor fault impacted on the ability of WQ to determine compliance with PM₁₀ and PM_{2.5} criteria.</p> <ul style="list-style-type: none"> • Excluding October and November which were affected by the faulty sensor, the monthly average for both PM₁₀ and PM_{2.5} complies with the annual average criteria. <p>Section 6.5.3 of the 2022 AR notes that all samples recorded in the reporting period were below 4g/m²/month (between <0.1 g/m²/month and 2.1 g/m²/month). Annual averages were between 0.5 g/m²/month and 0.9 g/m²/month for the four dust gauges, indicating that the deposited dust impacts as a result of the Quarry's operations are less than the previous reporting period and well below the assessment criterion.</p> <p>Section 6.5.2 of the 2021 AR notes the following:</p> <ul style="list-style-type: none"> • Due to calibration and technical issues, the data produced was not considered representative of quarry operations. Therefore, it was not possible to report on compliance with the airborne particulate matter criteria of Condition 3(11) during the period May 2021 – June 2021. It is recommended that WQ continue to undertake air quality monitoring in accordance with the relevant standards required under DA 344-11-2001 and the AQMP. • All samples recorded in the reporting period were below 4g/m²/month (between 0.2 g/m²/month and 3.6 g/m²/month). Annual averages were between 1.0 g/m²/month and 1.1 g/m²/month for the four dust gauges, indicating that the deposited dust impacts as a result of the Quarry's operations are generally well below the assessment criterion. <p>WC (pers comms) confirmed that an error has been identified within the 2022 Annual Review (July 2021 – June 2022). The 2022 Annual Review states that the elevated PM levels recorded in October and November of 2022. This is incorrect, the elevated readings were recorded in October and November of 2021.</p> <p>WQ could not find records of correspondence with DPHI and the EPA regarding the faulty sensor in the Dust Master Pro monitor. Calibration and technical issues with the Dust Master Pro, occurred from May 2021 – June 2021.</p> <p>It is noted that the elevated readings in October and November 2021 were not considered to be related to the quarry, as reported in the 2022 Annual Review.</p> <p>WC (pers comms) confirmed that on 18 October 2021 abnormally high PM₁₀ and PM_{2.5} readings were considered false readings caused by a suspected technical error relating to moisture in the Dust Master Pro instrument. It was not attributed to Quarry operations and was considered anomalous.</p> <p>On the 28 and 29 November high PM₁₀ and PM_{2.5} results were recorded for majority of the day, between the hours of 0100 and 2300. As a result, these PM readings were also considered anomalous readings.</p> <p>WQ could not provide records of correspondence with DPHI and the EPA regarding the technical issues in May and June 2021. It is recommended that WQ maintain an accurate record of correspondence with authorities regarding future compliance matters.</p> <p>Since a change in environmental support at Wallerawang Quarry in 2023, WQ now maintains an accurate record of investigations and correspondence when high PM readings are recorded.</p> <p>Sighted copy of EPA letter dated 2 August 2023 which notes that the EPA acknowledges receipt of correspondence on 9 June 2023 providing updates on the items discussed at the time of the inspection for additional dust suppression spray on the crusher and wetting down of large sand stockpiles. The letter notes the EPA would like to remind Walker Quarry Pty Ltd that the entrance road and Mid-Western Highway are to be cleaned of any off-site tracking.</p> <p>Alternative measures for the use of screens for visual aspects and dust control from the premises were also discussed at the time of the inspection. The letter notes the EPA would like clarification and the expected date of the proposed relocation of the crushing plant and alternative screens by the close of business on 30 August 2023.</p> <p>Sighted WQ letter dated 21 August 2023 addressed to the EPA. The letter notes WQ regularly checks and cleans the Quarry's entrance road and access onto the Great Western Highway and Dust control on the crushers and screens is a high priority for WQ, and are checked and adjusted daily. The letter also notes that it is WQ intention to have the crushing equipment relocated within the next eight months or possibility earlier, as the Quarry is preparing the bench for the next stage of the Drilling and Blasting process. Once this area has been cleared after the blast, it will enable the quarry to relocate the top mobile crushing plant down into the lower pit area.</p>
12.	The air quality criteria in Table 4 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or infrastructure to exceed the air quality criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	NT	WC (pers comms) confirmed that there are no current agreements in place.

Cond	DA 344-11-2001 Condition	Status	Evidence
Operating Conditions			
13.	The Applicant must: (a) implement best practice management to minimise the dust emissions of the development;	C	<p>Sighted a copy of the WQ AQMP dated February 2024. Section 6.2 of the AQMP describes proactive controls to minimise dust emissions.</p> <p>Dust mitigation measures were sighted during the site inspection such as the use of a water cart and water sprays on conveyors (see Plate 1 to Plate 5).</p> <p>Sighted copy of Wallerawang Quarry Dust TARP which describes triggers and action / responses for different work areas and equipment.</p> <p>Sighted copy of Umwelt Briefing Note for Internal Use dated 8 April 2024 for WQ PM 2.5 elevated reading. The document notes that on 9 April 2024, Umwelt received an automated notification that the Wallerawang Quarry (the Quarry) real-time particulate monitor (Dust Master Pro) had detected an exceedance of air quality criteria relating to particulate matter <2.5 µm (PM2.5) on 8 April 2024. The air quality criteria requires that PM2.5 levels remain below 25 µm/m3 when averaged over a 24 hour period. On 8 April 2024 the real-time particulate monitor detected a 24-hour average of 26.3 µm/m3. Immediately upon being made aware of the suspected exceedance, Umwelt commenced an investigation to examine the circumstances. The following parameters were investigated:</p> <ul style="list-style-type: none"> • Monitoring data; • Quarry activities; • Wind speed; • Wind direction; • Relative Humidity; and • Potential external factors. <p>The document also notes that due to the single and extreme nature of the elevated reading, it is likely to have been a false reading caused by a suspected technical error relating to moisture in the Dust Master Pro instrument. Umwelt concluded the result was not attributed to Quarry operations and is considered anomalous.</p> <p>Sighted copy of Umwelt Briefing Note for Umwelt Internal Use dated 13 March 2024 for WQ PM10 elevated reading – 12 March 2024. The document notes that on 13 March 2024, Umwelt received an automated notification that the Wallerawang Quarry (the Quarry) real-time particulate monitor (Dust Master Pro) had detected an exceedance of air quality criteria relating to particulate matter <10 µm (PM10) on 12 March 2024. Immediately upon being made aware of the suspected exceedance, Umwelt commenced an investigation to examine the circumstances. The following parameters were investigated:</p> <ul style="list-style-type: none"> • Monitoring data; • Quarry activities • Wind speed • Wind direction • Relative Humidity • Potential external factors. <p>The document also notes that due to the single and extreme nature of the elevated reading, it is likely to have been a false reading caused by a suspected technical error relating to moisture in the Dust Master Pro instrument. Umwelt concluded the result was not attributed to Quarry operations and is considered anomalous.</p> <p>No excessive dust emissions were observed during the site inspection.</p>
	(b) regularly assess meteorological and air quality monitoring data and relocate, modify and/or stop operations on site to ensure compliance with the air quality criteria in this consent;	C	Section 7.2 of the AQMP describes meteorological monitoring and Appendix 1 describes operational changes to ensure compliance with air quality criteria.
	(c) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note c under Table 4);	C	Section 6.3 of the AQMP notes that WQ implements a TARP which provides corrective actions to be taken when a trigger has been observed. Section 7.2 of the AQMP describes Meteorological monitoring.
	(d) monitor and report on compliance with the relevant air quality conditions in this consent; and	C	Section 7.3 of the AQMP describes emissions monitoring. Section 9 of the AQMP describes data management and reporting.
	(e) minimise the area of surface disturbance and undertake progressive rehabilitation of the site, to the satisfaction of the Secretary.	C	Table 6.1 of the AQMP describes proactive controls to minimise dust emissions, including disturbance activities being limited to that required to maintain site operation and active disturbance areas being minimised by progressively rehabilitating areas of the site that are no longer required for Quarry operations, where possible, in accordance with the Rehabilitation Management Plan (RMP).

Cond	DA 344-11-2001 Condition	Status	Evidence
Air Quality Management Plan			
14.	The Applicant must prepare an Air Quality Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be submitted to the Secretary for approval within three months of the determination of Modification 1, unless otherwise agree by the Secretary;	C	Deemed compliant in previous IEA.
	(b) describe the measures to be implemented to ensure: <ul style="list-style-type: none"> compliance with the air quality criteria and operating conditions of this consent; best practice management is being employed; and the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events; 	C	Section 6 of the AQMP describes the air quality management system and proactive controls to minimise dust emissions. Section 4 of the AQMP describes best practice and notes that the air quality measures described in section 6.2 and section 6.3 of the AQMP demonstrate both consideration of both design and operational controls to reduce dust levels. The AQMP also notes that where new management controls become available and their use is intended, this AQMP will be updated accordingly.
	(c) describe the proposed air quality management system;	C	Section 6 of the AQMP describes the air quality management system.
	(d) include an air quality monitoring program that: <ul style="list-style-type: none"> is capable of evaluating the performance of the development; includes a protocol for determining any exceedances of the relevant conditions of consent; effectively supports the air quality management system; and evaluates and reports on the adequacy of the air quality management system. The Applicant must implement the approved Air Quality Management Plan as approved from time to time by the Secretary.	C	Section 7 of the AQMP describes the air quality monitoring program. Section 8 of the AQMP describes incident and compliance management. Section 9 of the AQMP describes data management and reporting, including review and recording of monitoring data and reporting and publication of monitoring data.
METEOROLOGICAL MONITORING			
15.	For the life of the development, the Applicant must ensure that there is a suitable meteorological station operating in close proximity to the site that: (a) complies with the requirements in the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007); and	C	Figure 7.1 of the AQMP identifies the location of a meteorological station installed in accordance with Schedule 3, Condition 15 of DA 344-11-2001. The AQMP notes that the meteorological station is located away from natural or artificial obstructions and area with the potential to influence local thermodynamics, concrete or bitumen surfaces, generally in accordance with the approved methods for sampling and Analysis of Air Pollutants in NSW. WC (pers comms) confirmed that a contractor completes maintenance / calibration monthly on the met station. Sighted a copy of ALS Automatic Weather Station Calibration Report Number SR210513 dated 13 May 2021. The document notes that ALS certifies the automatic weather station at the Wallerawang WQ was tested to thresholds indicated in the report as set by previous negotiation with WQ in 2020 and that these thresholds meet NSW guidelines for atmospheric monitoring Sighted a copy of Thomson Environmental Systems Calibration certificate dated 22 January 2021 for instrument 07.1220.370. Noted pass for Flow and PM Mass Test: ISO 12103-1, A2 Fine Dust Test Sighted a copy of Thomson Environmental Systems Calibration certificate dated 12 April 2023 for instrument 07.1119.304. Noted pass for Flow and PM Mass Test: ISO 12103-1, A2 Fine Dust Test
	(b) is capable of measuring meteorological conditions in accordance with the NSW Noise Policy for Industry (EPA, 2017), unless a suitable alternative is approved by the Secretary following consultation with EPA.	C	Table 2.1 of the NMP notes that noise generated by the development must be monitored and measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017). Section 7.2 of the NMP notes that noise monitoring will be undertaken in accordance with the NSW Noise Policy for Industry (NPfI) (EPA, 2017). Sighted copy of ALS WQ Calibration check report dated 2 November 2023. The report notes that on Thursday 19 October 2023 a representative from ALS attended site to conduct calibration checks on the weather station and peripherals.
SOIL AND WATER			
Water Supply			
16.	The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of operations under the consent to match its available water supply, to the satisfaction of the Secretary.	C	Sighted copy of Water Supply Works Statement of Approval, approval number 10WA124360 with the expiry date 28 April 2031. Sighted copy of Certificate of Title, WAL title reference WAL42390 dated 5 June 2019. Sighted copy of Certificate of Title, WAL title reference WAL41884 dated 16 May 2018. WC (pers comms) confirmed that the majority of water is recycled on the site.

Cond	DA 344-11-2001 Condition	Status	Evidence
			<p>WC (pers comms) confirmed that water usage and licences are summarised in the ARs. Section 7.1 of the AR notes that water use is managed at the Quarry in accordance with the SWMP which was submitted to DPE in October 2022 and approved on 23 November 2022.</p> <p>Section 7.1 of the 2022 AR notes that water is required at the Quarry for three principal purposes:</p> <ul style="list-style-type: none"> Dust suppression of active and exposed areas, e.g. internal roads, hardstand surface and stockpile areas. Dust suppression of crushing operations. Sand and cobble washing. <p>Sighted a copy of ALS Calibration and QC check of pH document dated 8 March 2024 for site water meters numbered 009, 006 and 007.</p> <p>Sighted copy of ALS Calibration of Field pH Meters document which records calibrations completed during December 2023 for water meters numbered 007 and 009.</p>
Water Discharges			
17.	The Applicant must comply with the discharge limits in any EPL, or with section 120 of the POEO Act.	NC	<p>WC (pers comms) confirmed that the AR 2021 includes results of three discharges (Table 7.2).</p> <p>Section 7 of the 2021 AR notes that in total approximately 23.7 ML of water was used at the Quarry, no water was required to be purchased during this time and three discharge events from the licensed discharge points. Section 7.2.2 of the 2021 AR notes that there were three surface water discharges during the reporting period, from SD1 in July 2020 and from SD1 and SB2 in March 2021. Monitoring results are provided in Table 7.2 of the 2021 AR.</p> <p>One discharge event is identified from August 2021 in Section 7.2.2 of the AR 2022 (following 88mm of rain event in August 2021). EPL 13172 notes that the water criteria of Condition L2.4 do not apply under these rainfall conditions although Condition M2.2 requires a sample to be taken monthly during discharge. It is noted that no sample was taken during August 2021 during the discharge event which is identified as a non-conformance. It is recommended that WQ ensures that monthly samples be taken during discharge at the locations identified in WQ EPL.</p> <p>WC (pers comms) confirmed there has been no discharges during AR 2023 period, and none so far in current period (since July 2023).</p>
Soil and Water Management Plan			
18.	The Applicant must prepare a Soil and Water Management Plan for the development to the satisfaction of the Secretary. This plan must:	C	Sighted copy of the Soil and Water Management Plan (SWMP) version 4.1 dated October 2022.
	(a) be prepared by suitably qualified and experienced person/s approved by the Secretary;	C	Sighted DPHI letter dated 3 April 2024 which refers to the WQ request for the Planning Secretary's approval of Adam Williams and Melissa Swan from Umwelt as suitably qualified and experienced experts to prepare the SWMP for WQ consistent with Schedule 3, Condition 18. The letter notes that the Department has reviewed the nomination/s and information provided and is satisfied that Adam Williams and Melissa Swan are suitably qualified and experienced. The letter also notes that the Planning Secretary approves the appointment of Adam Williams and Melissa Swan as suitably qualified and experienced experts to prepare the SWMP for WQ.
	(b) be prepared in consultation with the EPA, DPIE - Water and WaterNSW;	C	Sighted letter from the Department of Planning and Environment—Water noting the opportunity to review Wallerawang Quarry – SWMP and confirming they have no further comments.
	(c) be submitted to the Secretary for approval within three months of the determination of Modification 1 and Modification 3 , unless otherwise agreed by the Secretary; and	C	Deemed compliant in previous IEA.
	(d) include a:	C	
	I. Site Water Balance that includes:		
	o details of:		
	a. sources and security of water supply;		a) Sections 7.1, 7.3.1 and 7.3.3 of the SWMP version 4.1 includes details of sources and security of water supply.
	b. water use and management on site;		b) Sections 7.2 and 7.3.2 of the SWMP version 4.1 includes details of water use and management on site.
	c. any off-site water transfers; and		c) WC (pers comms) confirmed that there has been no offsite water transfers during the audit period.
	d. reporting procedures; and		d) Section 9.7 of the SWMP version 4.1 includes details of reporting procedures.
	o measures to be implemented to minimise clean water use on site;		- Section 7.1 of the SWMP version 4.1 includes details of measures to be implemented to minimise clean water use on site.
	II. Surface Water Management Plan, that includes:	C	Sections 9.2.1 and 9.3.1 of the SWMP version 4.1 includes a program for obtaining detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development.

Cond	DA 344-11-2001 Condition	Status	Evidence
	<ul style="list-style-type: none"> o a program for obtaining detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development; 		
	<ul style="list-style-type: none"> o a detailed description of the surface water management system on site including the: <ul style="list-style-type: none"> a. clean water diversion system; b. erosion and sediment controls; c. dirty water management system; and d. water storages; and 	C	<ul style="list-style-type: none"> a) Section 6.2 of the SWMP version 4.1 includes a detailed description of the clean water diversion system which results the current arrangements. b) Section 6.4 of the SWMP version 4.1 includes a detailed description of the erosion and sediment controls. c) Section 6.4 of the SWMP version 4.1 includes a detailed description of the dirty water management system. d) Section 6.3 of the SMWP version 4.1 includes a detailed description of the water storages.
	<ul style="list-style-type: none"> o a program to monitor and report on: <ul style="list-style-type: none"> a. any surface water discharges; b. the effectiveness of the water management system, c. the quality of water discharged from the site to the environment; d. surface water flows and quality in local watercourses; 	C	Sections 9.1, 9.2.1, 9.3.1 and 9.4.1 of the SWMP version 4.1 includes a program to monitor and report on any surface water discharges, the effectiveness of the water management system, the quality of water discharged from the site to the environment and surface water flows and quality in local watercourses.
	III. Groundwater Management Plan that includes: <ul style="list-style-type: none"> o a provision that requires the Applicant to obtain appropriate water licence(s) to cover the volume of any unforeseen groundwater inflows into the quarry from the quarry face or floor; and 	C	Section 3.3 of the SWMP version 4.1 describes Water Licensing and Approvals. Section 3.3.1 of the plan notes that WQ holds water access licence (WAL) 42081 and WAL 42390 for this water source. WAL 42390 was issued under the <i>Water Management Act 2000</i> (WM Act) for a 100 unit (ML) share for extraction of water.
	<ul style="list-style-type: none"> o 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"> a. identification of a methodology for determining threshold water level criteria; b. contingency measures in the event of a breach of thresholds; and c. a program to regularly report on monitoring. <p>The Applicant must implement the approved Soil and Water Management Plan as approved from time to time by the Secretary.</p>	C	Section 9 of the SWMP version 4.1 describes the Water Monitoring Program. Section 9.1 of the Plan describes the monitoring program objectives. Section 9.4 of the plan describes monitoring criteria. Section 7.4 of the plan describes reporting.
TRAFFIC AND TRANSPORT			
Monitoring of Coal Transport			
19.	The Applicant must keep accurate records of all laden truck movements to and from the site and publish a summary of records on its website every 6 months.	C	WC (pers comms) confirmed that records of all laden truck movements to and from the site are retained. Sighted copy of WQ Laden Truck Movements from WQ report dated 1 July 2023-31 December 2023 published on the WQ website. Sighted copy of WQ Laden Truck Movements from WQ report dated 1 July 2022 – 31 December 2022 published on the WQ website.
Operating Conditions			
20.	The Applicant must:	C	Section 6.2 of the AQMP describes proactive controls to minimise dust emissions including trucks entering and leaving the Quarry Site that are carrying loads will be covered at all times, except during loading and unloading. Trucks with loads covered were sighted during the site inspection (see Plate 3).
	(a) ensure that all laden trucks entering or exiting the site have their loads covered, with the exception of loads consisting solely of boulders greater than one tonne in weight;		
	(b) ensure that all laden trucks exiting the site are cleaned of material that may fall from vehicles, before leaving the site; and	C	Section 6.2 of the AQMP describes proactive controls to minimise dust emissions including all trucks leaving the Quarry will make use of the wheel wash facility to limit dust tracking onto the Great Western Highway WC (pers comms) confirmed that the wheel wash is continually operational. An operational wheel wash was sighted during the site inspection (see Plate 2). The entry road to the site appeared clean at the time of the site inspection (see Plate 4).
	(c) use its best endeavours to ensure that appropriate signage is displayed on all trucks used to transport product from the development so they can be easily identified by road users.	C	Deemed Compliant in previous IEA as the condition to display signage cannot be enforced by WQ for external operators accessing site. It is recommended that the Truck Drivers Code of Conduct document is updated to include that appropriate signage is displayed on any WQ vehicles used to transport product from the development so they can be easily identified by road users.
Protection of Aboriginal Heritage			

Cond	DA 344-11-2001 Condition	Status	Evidence
21.	The Applicant must ensure that the development does not cause any direct or indirect impact on any identified heritage item located outside the approved disturbance area, beyond those predicted in the document/s listed in condition 2(c) of Schedule 2.	C	Sighted copy of the ACHMP Wallerawang Quarry MOD 3 Project dated 28 May 2022. WC (pers comms) confirmed that the development has not caused any direct or indirect impact on any identified heritage items located outside the approved disturbance area during the audit period.
22.	If suspected human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Applicant must immediately notify NSW Police and BCD, and work must not recommence in the area until authorised by NSW Police and BCD.	NT	Section 5.5 of the ACHMP describes the human skeletal remains protocol which includes stop work and cordon off area. Section 5.5 of the ACHMP also notes that if bones are suspected to be human, the site supervisor should immediately contact the nearest police station and Heritage NSW to assist with the identification of the burial.
23.	If any previously unknown Aboriginal object or Aboriginal place is discovered on the site: (a) all work in the immediate vicinity of the object or place must cease immediately; (b) a 10 metre buffer area around the object or place must be cordoned off; and (c) BCD must be contacted immediately.	NT	WC (pers comms) confirmed that there were no finds during the audit period.
23A.	Work in the immediate vicinity may only recommence if: (a) the potential Aboriginal object or Aboriginal place is confirmed by BCD upon consultation with the Registered Aboriginal Parties not to be an Aboriginal object or Aboriginal Place; or (b) the Aboriginal Cultural Heritage Management Plan required by condition 23C is revised to include the Aboriginal object or Aboriginal place and appropriate measures in respect of it, to the satisfaction of the Secretary; or (c) the Secretary is satisfied as to the measures to be implemented in respect of the Aboriginal object or Aboriginal place and makes a written direction in that regard.	NT	WC (pers comms) confirmed that there were no finds during the audit period.
23B.	The Applicant must ensure that all known Aboriginal objects or Aboriginal places on the site and within any offset areas are properly recorded, and those records are kept up to date, in the AHIMS Register.	C	Section 5.4 of the ACHMP notes that the supervising archaeologist would be responsible for submitting an Aboriginal Site Impact Recording Form (ASIRF) to the AHIMS to update the register with the results of the salvage works at the site. WC (pers comms) confirmed that there is one known Aboriginal Site is located within the site boundary, recorded in AHIMS as site #45-1-2802 (WQ site reference: WQ1). This site was salvaged outside of the audit period.
Aboriginal Cultural Heritage Management Plan			
23C.	The Applicant must prepare an Aboriginal Cultural Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Secretary;	C	Section 2.4 of the ACHMP notes that the plan was prepared by Dr Alyce Cameron and Harrison Rochford of OzArk Environment & Heritage Management (OzArk) in July 2020. The Plan was reviewed and updated by Harrison Rochford and Ben Churcher in May 2022. Sighted copy of Appointment of Experts – ACHMP letter dated 23 May 2022 which refers to the WQ request (DA 344-11-2001-PA-32) for the Secretary's approval of suitably qualified persons to prepare the ACHMP for Wallerawang Quarry (DA 344-11-2001). The letter also notes that the Department has reviewed the nominations and information provided and is satisfied that these experts are suitably qualified and experienced. The Department approved the appointment of Mr Ben Churcher - Principal Archaeologist and Mr Harrison Rochford – Archaeologist.
	(b) be prepared in consultation with BCD and Registered Aboriginal Parties;	C	Section 3 of the ACHMP notes that consultation with the Aboriginal community was undertaken in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (ACHCRs) (DECCW 2010) during the approvals process for the project. Stage 1 advertising for expressions of interest in the project began on 15 May 2018. The ACHMP also notes that all RAPs were provided with the proposed survey methodology during stage 2/3 of the ACHCRs and presented the draft ACHAR for comment on the 30 April 2018 as part of Stage 4 of the ACHCRs. All RAPs received a copy of the draft Plan on 17 March 2020 with a request that any comments be received by OzArk by 31 March 2020. A list of the RAPs that were consulted on the Plan is provided in Appendix 2 of the ACHMP. Sighted a copy of letter from BCD dated 5 May 2020 that references an email dated 14 April 2020 to the BCD inviting comments on the ACHMP for the WQ Modification 3 project.
	(c) describe the measures to be implemented on the site or within any offset area to: (i) comply with the heritage-related operating conditions of this consent; (ii) ensure all workers receive suitable Aboriginal cultural heritage inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions; (iii) protect, monitor and manage identified Aboriginal objects and Aboriginal places (including any proposed archaeological investigations of potential subsurface objects and salvage of objects within the	C	(i) Section 2.1 of the ACHMP describes plan compliance with development consent conditions. (ii) Section 5.2 of the ACHMP describes cultural heritage awareness and notes that all staff and contractors engaged in works disturbing ground or vegetation at the site will be given an induction that includes information on the Aboriginal cultural values and artefacts present in the area. (pers comms) confirmed that there has been no vegetation clearing during the audit period. (iii) Section 4.2.4 of the ACHMP describes further responsibilities and notes that Following salvage of WQ1 in 2021, an Aboriginal Site Impact Recording Form (ASIRF) was submitted to Heritage NSW and approved.

Cond	DA 344-11-2001 Condition	Status	Evidence												
	<p>approved disturbance area) in accordance with the commitments made in the document/s listed in condition 2Error! Reference source not found. of Schedule 2;</p> <p>(iv) protect Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development;</p> <p>(v) manage the discovery of suspected human remains and any new Aboriginal objects or Aboriginal places, including provisions for burials, over the life of the development;</p> <p>(vi) maintain and manage reasonable access for relevant Aboriginal stakeholders to Aboriginal objects and Aboriginal places (outside of the approved disturbance area); and</p> <p>(vii) facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site;</p>		<p>The site has now been updated to 'destroyed' on the AHIMS database and requires no further management. The reburial location must not be disturbed by the project. It is outside the project site and detailed management measures to ensure avoidance are not required.</p> <p>(iv) Section 5.6 of the ACHMP describes activities outside current approvals areas.</p> <p>(v) Section 5.5 of the ACHMP describes the human skeletal remains protocol. (pers comms) confirmed that there has been no human skeletal remains identified during the audit period.</p> <p>(vi) Table 6-1 of the ACHMP describes roles, responsibilities and timeframes including the Quarry Manager is to maintain and manage access for Aboriginal stakeholders to Aboriginal site or places outside approved disturbance area. This responsibility is notes as ongoing.</p> <p>(vii) Section 3.1.3 of the ACHMP describes the protocol for continued Aboriginal community consultation. Sighted a copy of Minutes for the WQ CCC held at the Quarry on 22 November 2022.</p>												
	(d) include a strategy for the care, control and storage of Aboriginal objects salvaged on site, in particular AHIMS Site #45-1-2802, both during the life of the development and in the long-term.	C	<p>Section 5.4.1 of the ACHMP describes care of salvaged artefacts. Salvage of AHIMS Site #45-1-2802 was completed outside of the audit period.</p> <p>WC (pers comms) confirmed that there was no salvage of artefacts within the audit period.</p>												
23D.	The Applicant must not commence any ground disturbance associated with Modification 3 until the Aboriginal Cultural Heritage Management Plan is approved by the Secretary.	C	Deemed compliant in previous IEA.												
23E.	The Applicant must implement the Aboriginal Cultural Heritage Management Plan approved by the Secretary.	C	See Schedule 3, Conditions 21-23D above.												
BIODIVERSITY AND REHABILITATION															
Biodiversity Offset Strategy															
24.	<p>By 28 February 2018, the Applicant must provide a Biodiversity Offset Strategy in accordance with the Framework for Biodiversity Assessment - NSW Biodiversity Offsets Policy for Major Projects, for the retirement of ecosystem and species credits as set out in Table 5, to the satisfaction of the Secretary and BCD.</p> <p><i>Table 5: Biodiversity credits to be retired</i></p> <table border="1"> <thead> <tr> <th>Credit type</th> <th>Number of Credits</th> </tr> </thead> <tbody> <tr> <td colspan="2">Ecosystem Credits</td> </tr> <tr> <td>PCT 732 – Broad-leaved Peppermint - Ribbon Gum grassy open forest in the north east of the South Eastern Highlands Bioregion</td> <td>120</td> </tr> <tr> <td>PCT 1093 – Red Stringybark – Brittle Gum – Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion</td> <td>34</td> </tr> <tr> <td colspan="2">Species Credits</td> </tr> <tr> <td>Purple Copper Butterfly</td> <td>184</td> </tr> </tbody> </table>	Credit type	Number of Credits	Ecosystem Credits		PCT 732 – Broad-leaved Peppermint - Ribbon Gum grassy open forest in the north east of the South Eastern Highlands Bioregion	120	PCT 1093 – Red Stringybark – Brittle Gum – Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion	34	Species Credits		Purple Copper Butterfly	184	C	Deemed compliant in the previous IEA.
Credit type	Number of Credits														
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Purple Copper Butterfly	184														
Security of Offsets															
25.	<p>By 31 December 2018, unless otherwise agreed with the Secretary, the Applicant must make suitable arrangements to provide appropriate long-term security for the Biodiversity Offset Strategy, to the satisfaction of the Secretary. Any mechanism must remain in force in perpetuity.</p> <p><i>Note: Mechanisms to provide appropriate long-term security to the land within the Biodiversity Offset Strategy in accordance with the NSW Biodiversity Offset Policy for Major Projects 2014.</i></p>	C	<p>Deemed compliant in previous IEA.</p> <p>WC (pers comms) confirmed that there has been no changes to offset requirements during this audit period.</p>												
Biodiversity Management Plan															
26.	<p>The Applicant must prepare a Biodiversity Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;</p>	C	Sighted copy of Approval of Expert for Management Plan Preparation dated 28 May 2020 which refers to the Planning Secretary's approval of suitably qualified persons to prepare three management plans required under the Wallerawang Quarry (DA344-11-2001) development consent. The letter also notes the Department has reviewed the nomination of Mr Alex Walker, and the supporting information provided, and is satisfied that Mr Walker is suitably qualified and experienced. The letter advises that the Planning Secretary approves the appointment of Mr Walker to prepare and/or revise the Biodiversity Management Plan (as required by condition 26(a) of Schedule 3).												

Cond	DA 344-11-2001 Condition	Status	Evidence
	(b) be prepared in consultation with BCD;	C	Sighted copy of email dated 14 February 2024 addressed to BCD that notes Schedule 3, Condition 26(b) requires that the BMP be prepared in consultation with BCD. The revised BMP has been provided to BCD as part of the review process. We request feedback regarding the attached BMP is provided by 15 March 2024. Sighted copy of DCCEEW letter dated 28 February 2024 that notes BCS provided comments on version 2 of the BMP on 22 May and 7 September 2020. The letter also notes that the recommendations have been addressed and satisfied that version four of the BMP dated February 2024 addresses the requirements of Schedule 3 Condition 26, and Schedule 2 Condition 3 of the project development consent.
	(c) be submitted to the Secretary within three months of providing a satisfactory Biodiversity Offset Strategy or by 31 March 2018, whichever is earlier;	C	Deemed compliant in previous IEA.
	(d) describe the short, medium, and long-term measures to be undertaken to manage the remnant vegetation and fauna habitat on the site	C	Section 4 of the Biodiversity Management Plan describes the short, medium, and long term measures to be undertaken to manage the remnant vegetation and fauna habitat on the site.
	(e) include a detailed description of the measures described in paragraph (d) to be implemented over the next 3 years (to be updated for each 3-year period following initial approval of the plan) including the procedures to be implemented for: <ul style="list-style-type: none"> o maximising the salvage of environmental resources within the approved disturbance area, including tree hollows, vegetative and soil resources, for beneficial reuse in the enhancement of any biodiversity offset areas or site rehabilitation; o restoring and enhancing the quality of native vegetation and fauna habitat in any biodiversity offset and rehabilitation areas through assisted natural regeneration, targeted vegetation establishment and the introduction of fauna habitat features; o protecting vegetation and fauna habitat outside the approved disturbance area on-site; o minimising the impacts on native fauna, including undertaking pre-clearance surveys; o ensuring minimal environmental consequences for threatened species, populations and habitats, including the Purple Copper Butterfly; o collecting and propagating seed; o controlling weeds and feral pests; o controlling erosion; and o managing bushfire risk; 	C	Section 4.5 of the plan describes the procedure for maximising the salvage of environmental resources within the approved disturbance area, including tree hollows, vegetative and soil resources, for beneficial reuse in the enhancement of any biodiversity offset areas or site rehabilitation. Sections 4.2, 4.5 and 4.6 of the plan describes the procedure for restoring and enhancing the quality of native vegetation and fauna habitat in any biodiversity offset and rehabilitation areas through assisted natural regeneration, targeted vegetation establishment and the introduction of fauna habitat features. Sections 4.4 and 5.2 of the plan describes the procedure for protecting vegetation and fauna habitat outside the approved disturbance area on-site. Section 4.4.1 of the plan describes the procedure for minimising the impacts on native fauna, including undertaking pre-clearance surveys. Section 4.9 of the plan describes the procedure for ensuring minimal environmental consequences for threatened species, populations and habitats, including the Purple Copper Butterfly. Section 4.6 of the plan describes the procedure for collecting and propagating seed. Section 4.6.1 of the plan notes that WQ will retain internal records of seed and tubestock held at nursery facilities. WC (pers comms) confirmed that the WQ RMP notes that as the current quarry footprint is required for active operations and opportunities for progressive and temporary rehabilitation during the audit period have been limited. As there is no planned rehabilitation, there is currently no seed or tubestock held at nursery facilities. WC (pers comms) confirmed that seed viability depletes over time, accordingly WQ intend to only store seed when there are known opportunities to undertake progressive rehabilitation. Seed will be purchased from a reputable supplier if temporary rehabilitation is required. In accordance with the 2024 RMP, WQ intend to use tubestock for infill planting, where required. Section 4.7 of the plan describes the procedure for controlling weeds and feral pests. Section 4.7.1.1 of the plan notes that weed control within the Quarry will focus upon the removal of Weeds of National Significance (WoNS), noxious weeds and reducing the risk of further weed invasion. This will be achieved by deterring the growth of weeds in recently disturbed areas and preventing the transportation of weeds into the Quarry. WC (pers comms) confirmed that weed and pest control is completed every 6 months on the site by an external contractor. Sighted a copy of a letter addressed to WQ which notes that the business owner of JL Mowing and Cleaning have completed spraying on the WQ site on the 25 February 2024. The letter notes that the site had a presence of Blackberry, thistle and that these weeds were controlled by spraying Koncussion 540K. Section 4.8 of the plan describes the procedure for controlling erosion. Erosion and sediment controls were sighted during the site inspection (refer to Schedule 3, Condition 18). Section 4.10 of the plan notes that bushfire management measures are described in the Bushfire Management Plan (BFMP) for the Quarry. BFMP requirements are described below in Schedule 3, Condition 40.
	(f) include a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria;	C	Section 6 of the plan includes a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria. WC (pers comms) confirmed that monitoring for biodiversity is included within the AR's for the audit period. Sighted a copy of the Biodiversity Monitoring Reports included in the 2021 and 2022 Appendices, however there was no Biodiversity Monitoring Report included within the 2023 AR. WC (pers comms) confirmed that EcoPlanning are in the process of finalising the 2023 Biodiversity Monitoring Report. Sighted a copy of the draft EcoPlanning Biodiversity Monitoring Report dated 13 May 2024.

Cond	DA 344-11-2001 Condition	Status	Evidence												
	(g) identify the potential risks to the successful implementation of the Biodiversity Offset Strategy, and include a description of the contingency measures to be implemented to mitigate these risks; and	C	Section 7 of the plan identifies the potential risks to the successful implementation of the Biodiversity Offset Strategy, and include a description of the contingency measures to be implemented to mitigate these risks.												
	(h) include details of who is responsible for monitoring, reviewing, and implementing the plan. The Applicant must implement the Biodiversity Management Plan as approved from time to time by the Secretary.	C	Section 10 of the plan includes details of who is responsible for monitoring, reviewing, and implementing the plan.												
Conservation Bond															
27.	Within six months of the approval of the Biodiversity Offset Strategy, unless otherwise agreed by the Secretary, the Applicant must lodge a Conservation Bond with the Department to ensure that the Biodiversity Offset Strategy is implemented in accordance with the performance and completion criteria in the Biodiversity Management Plan. The sum of the bond must be determined by: (a) calculating the full cost of implementing the Biodiversity Offset Strategy at third party rates (other than land acquisition costs); and (b) employing a suitably qualified, independent and experienced person to verify the calculated costs. The calculation of the Conservation Bond must be submitted to the Department for approval at least 1 month prior to the lodgment of the bond.	C	Deemed compliant in previous JBA IEA. WC (pers comms) confirmed that there has been no changes during this audit period.												
28.	The Conservation Bond must be reviewed and if required, an updated bond must be lodged with the Department within 3 months following: (a) an update or revision to the Biodiversity Management Plan; (b) the completion of an Independent Environmental Audit in which recommendations relating to the implementation of the Biodiversity Offset Strategy have been made; or (c) in response to a request by the Secretary. If the Biodiversity Offset Strategy is completed generally in accordance with the completion criteria in the Biodiversity Management Plan to the satisfaction of the Secretary, the Secretary will release the bond. If the Biodiversity Offset Strategy is not completed generally in accordance with the completion criteria in the Biodiversity Management Plan, the Secretary will call in all, or part of, the conservation bond, and arrange for the completion of the relevant works.	C	WC (pers comms) confirmed that there was no need to review the Biodiversity Conservation Bond following the last IEA, however WQ do not have records stating a review is not required.												
Biodiversity Credits Required for Modification 3															
28A.	The Applicant must retire biodiversity credits for Stages A to D of the development approved under Modification 3 (see Figure 2 in Appendix 1) as specified in Table 5A below, prior to commencing vegetation clearing in that Stage. The retirement of credits must be carried out in consultation with BCD and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT. Table 5A: Biodiversity credit requirements <table border="1" data-bbox="311 1327 1279 1858"> <thead> <tr> <th>Credit Type</th> <th>Credits Required</th> </tr> </thead> <tbody> <tr> <td>Ecosystem Credits</td> <td></td> </tr> <tr> <td>Tranche 1 - Credits to be retired for Stage A PCT 1093 – 100 credits PCT 732 – 36 credits</td> <td>136</td> </tr> <tr> <td>Tranche 2 - Credits to be retired for Stage B PCT 1093 – 64 credits PCT 732 – 103 credits</td> <td>167</td> </tr> <tr> <td>Tranche 3 - Credits to be retired for Stage C PCT 1093 – 52 credits PCT 732 – 75 credits</td> <td>127</td> </tr> <tr> <td>Tranche 4 - Credits to be retired for Stage D PCT 1093 – 57 credits</td> <td>57</td> </tr> </tbody> </table> <i>Note: The stages referenced in Table 5A are shown in Figure 2 in Appendix 1.</i>	Credit Type	Credits Required	Ecosystem Credits		Tranche 1 - Credits to be retired for Stage A PCT 1093 – 100 credits PCT 732 – 36 credits	136	Tranche 2 - Credits to be retired for Stage B PCT 1093 – 64 credits PCT 732 – 103 credits	167	Tranche 3 - Credits to be retired for Stage C PCT 1093 – 52 credits PCT 732 – 75 credits	127	Tranche 4 - Credits to be retired for Stage D PCT 1093 – 57 credits	57	NC	Sighted copy of WQ letter addressed to DPHI and dated 15 May 2024. The letter notes that WQ provides non-compliance notification in accordance with Schedule 5, Condition 10 of DA 344-11-2001. In response to the DPHI request for information dated 9 April 2024, WQ completed a review of retired biodiversity credits at WQ. On May 2024, WQ became aware of a non-compliance with Schedule 3, Condition 28A of DA 344-11-2001. The letter notes that clearing has commenced in portions of Stage A and Stage D. In accordance with Condition 28A, credits associated with Stage A and Stage D must be retired prior to commencing clearing. It is understood that clearing associated with Stage A was undertaken in 2020 following approval of Modification 3 and clearing associated with Stage D was in 2022/2023. On 9 May 2024 WQ identified 193 biodiversity credits have not been retired prior to commencing vegetation clearing in Stages A and D. Following enquiry from DPHI dated 9 April 2024, WQ representatives liaised with EcoPlanning [WQ Ecological Consultants] regarding works completed to investigate the feasibility of a Biodiversity Stewardship Site Agreement. It is understood that this is not feasible. It is noted that WQ acknowledges the non-compliance and have requested support from EcoPlanning to assist in addressing the issue. It is recommended that WQ liaise with EcoPlanning and regulatory agencies regarding the process to source and retire the required ecosystem credits associated with Stages A and D. It is also recommended that the Biodiversity Management Plan is revised and updated to reflect the changes to biodiversity credit liabilities as soon as possible once the non-compliance has been resolved.
Credit Type	Credits Required														
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Cond	DA 344-11-2001 Condition	Status	Evidence										
Rehabilitation Objectives													
29.	<p>The Applicant must rehabilitate the site to the satisfaction of RR and the Secretary. This rehabilitation must be generally consistent with the proposed rehabilitation activities described in the documents listed in condition 2 of Schedule 2 (and shown conceptually in the Rehabilitation Plan in Appendix 2), and comply with the objectives in Table 6.</p> <p><i>Table 6: Rehabilitation Objectives</i></p> <table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>All areas of the site affected by the development</td> <td> <ul style="list-style-type: none"> Safe Hydraulically and geotechnically stable Non-polluting Fit for the intended post-development land use(s) Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land </td> </tr> <tr> <td>Surface Infrastructure</td> <td> <ul style="list-style-type: none"> Decommissioned and removed, unless otherwise agreed by the Secretary </td> </tr> <tr> <td>Quarry benches and pit floor</td> <td> <ul style="list-style-type: none"> Landscaped and vegetated using native tree and understorey species </td> </tr> <tr> <td>Final Void</td> <td> <ul style="list-style-type: none"> Minimise the size, depth and slope of the batters of the final void Minimise the drainage catchment of the final void </td> </tr> </tbody> </table>	Feature	Objective	All areas of the site affected by the development	<ul style="list-style-type: none"> Safe Hydraulically and geotechnically stable Non-polluting Fit for the intended post-development land use(s) Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land 	Surface Infrastructure	<ul style="list-style-type: none"> Decommissioned and removed, unless otherwise agreed by the Secretary 	Quarry benches and pit floor	<ul style="list-style-type: none"> Landscaped and vegetated using native tree and understorey species 	Final Void	<ul style="list-style-type: none"> Minimise the size, depth and slope of the batters of the final void Minimise the drainage catchment of the final void 	C	<p>WC (pers comms) confirmed that the only planting completed during the audit period was to replace trees that were creating a visual screen that was removed during construction activities by another party on the edge of the Great Western Highway.</p> <p>During the site inspection it was noted that trees had been planted along the Great Western Highway, immediately outside of the north-western quarry site boundary to replace the trees that had been removed (see Plate 6).</p> <p>WC (pers comms) confirmed that no new rehabilitation has been established during the audit period due to lack of areas being available outside of operational and infrastructure footprints.</p> <p>Sighted a copy of Umwelt Briefing note for Environmental Inspection 26 September 2023 dated 2 October 2023. The briefing note provides an overview of the key observations of the environmental inspection conducted at Wallerawang Quarry on 26 September 2023 by Umwelt. Section 1.3 of the briefing note describes vegetation and notes that the rehabilitation on the Quarry side and top of the visual amenity bund appeared generally healthy, well developed and dense. The briefing note also states that the rehabilitation on the highway side of the bund was less successful and less dense, with significant areas of exposed soil observed.</p> <p>Sighted copy of Umwelt Briefing Note for Observations at Site inspection 2-3 April 2024 dated 5 April 2024. The Briefing Note provides a summary of the observations of the environmental compliance inspection at Wallerawang Quarry on 2 April 2024 and 3 April 2024. Section 6.2 of the Briefing Note states that all rehabilitation areas appeared generally healthy, with no significant bare patches notes. One section adjacent to the Great Western Highway lacks established trees, which continues to impact visual amenity.</p>
Feature	Objective												
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Final Void	<ul style="list-style-type: none"> Minimise the size, depth and slope of the batters of the final void Minimise the drainage catchment of the final void 												
Progressive Rehabilitation													
30.	<p>The Applicant must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim stabilisation measures must be implemented where reasonable and feasible to control dust emissions in disturbed areas that are not active and which are not ready for final rehabilitation.</p> <p>Note: <i>It is accepted that parts of the site that are progressively rehabilitated may be subject to further re-disturbance in future.</i></p>	C	<p>Sighted copy of WQ RMP dated November 2022. Section 1.1 of the RMP notes that as the majority of the quarry footprint is required for active operations, opportunities for progressive and temporary rehabilitation have been limited to stabilisation of batter slopes and maintenance of rehabilitation materials cleared and stripped ahead of disturbance. Section 6.1 of the RMP notes that as far as practicable, disturbed areas at the quarry will be progressively or temporarily rehabilitated following the cessation of the relevant activities. The RMP notes that the quarry will remain a very 'static' site with respect to the disturbance footprint for many years, with minimal areas available for rehabilitation until close to cessation of mining.</p> <p>Sighted a copy of the RMP dated February 2024 (not yet approved). Section 1.1 of the RMP notes that the majority of the Quarry is required for active operations, opportunities for progressive and temporary rehabilitation have been limited.</p> <p>WC (pers comms) confirmed that no rehabilitation has been completed during the audit period due to lack of areas being available outside of operational and infrastructure footprints.</p>										
Rehabilitation Management Plan													
31.	<p>The Applicant must prepare a Rehabilitation Management Plan for the project to the satisfaction of RR. This plan must:</p> <p>(a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;</p>	C	<p>Sighted copy of DPIE (now DPPI) letter dated 28 May 2020 which notes the Department has reviewed the nomination of Mr Alex Irwin, and the supporting information you have provided, and is satisfied that Mr Irwin is suitably qualified and experienced. The letter also notes that the Planning Secretary approves the appointment of Mr Irwin to prepare and/or revise the RMP (as required by condition 31(a) of Schedule 3).</p> <p>Sighted copy of DPE (now DPPI) letter dated 21 March 2023 which notes that the Department has reviewed the nomination and information provided and is satisfied that Mr Williams of Umwelt is suitably qualified and experienced. Accordingly, the Planning Secretary approves the appointment of Mr Williams as the rehabilitation expert to prepare the RMP for WQ.</p> <p>It is recommended that DPPI endorsement is sought for the individuals updating the RMP in preparation at the time of the IEA.</p>										
	<p>(b) be prepared in consultation with the Department, DPIE - Water, FCNSW, BCD, WaterNSW and Council;</p>	C	<p>Sighted email dated 14 February 2024 addressed to BCD. The email notes that a new RMP has recently been prepared for Wallerawang Quarry to address the requirements of the NSW RR Form and Way: Rehabilitation Management Plan for Large Mines and Schedule 3, Condition 31 of DA 344-11-2001. The email also notes that as part of the RMP development, WQ is required to consult with relevant stakeholders and requested that feedback regarding the attached RMP is provided by 15 March 2024.</p> <p>Sighted email dated 14 February 2024 addressed to Lithgow City Council. The email notes that a new RMP has recently been prepared for Wallerawang Quarry. The email also notes that as part of the RMP development, WQ</p>										

Cond	DA 344-11-2001 Condition	Status	Evidence
			<p>is required to consult with relevant stakeholders and requested that feedback regarding the attached RMP is provided by 15 March 2024.</p> <p>Sighted email dated 14 February 2024 addressed to DPIE – Water. The email notes that a RMP has recently been prepared for Wallerawang Quarry. The email also notes that as part of the RMP development, WQ is required to consult with relevant stakeholders and requested that feedback regarding the attached RMP is provided by 15 March 2024.</p> <p>Sighted email dated 14 February 2024 addressed to FCNSW. The email notes that a new RMP has recently been prepared for Wallerawang Quarry. The email also notes that as part of the RMP development, WQ is required to consult with relevant stakeholders and requested that feedback regarding the attached RMP is provided by 15 March 2024.</p> <p>Sighted email dated 14 February 2024 addressed to RR. The email notes that a new RMP has recently been prepared for Wallerawang Quarry. The email also notes that as part of the RMP development, WQ is required to consult with relevant stakeholders and requested that feedback regarding the attached RMP is provided by 15 March 2024.</p> <p>Sighted email dated 14 February 2024 addressed to WaterNSW. The email notes that a new RMP has recently been prepared for Wallerawang Quarry. The email also notes that as part of the RMP development, WQ is required to consult with relevant stakeholders and requested that feedback regarding the attached RMP is provided by 15 March 2024.</p>
	(c) be submitted to RR and the Secretary for approval within three months of the determination of Modification 1, unless the Secretary agrees otherwise, and Modification 3 , unless the RR agrees otherwise;	C	<p>Deemed non-compliant in previous IEA. Sighted copy of DPE (now DPHI) letter dated 15 March 2023 which notes that a revised RMP has not been lodged with the Department for Planning Secretary's approval after Mod 3, determined in February 2020. Accordingly, the letter requests that an RMP is submitted in accordance with Condition 31 of Schedule 3 as soon as possible, or alternatively commit to a timeframe when it will be submitted to the Department.</p> <p>WC (pers comms) confirmed that WQ provided the revised RMP (in preparation at the time of audit) to DPHI and relevant stakeholders for comment on 14 February 2024. Viewed email from Umwelt to the Resources Regulator dated 14 February 2024 providing the revised RMP document for regulatory view.</p>
	(d) be prepared in accordance with any relevant RR Guideline;	C	Table 1.1 of the RMP dated February 2024 notes that the RMP has been prepared in accordance with any relevant RR Guideline.
	(e) describe how the rehabilitation of the site would achieve the objectives identified in Table 6 and be integrated with the Biodiversity Offset Strategy described in condition 24 ;	C	Section 6.2 and Section 6.4 of the RMP dated February 2024 describes 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 24.
	(f) include a detailed soil and growing medium balance for the development;	C	Section 6.2.4 of the RMP dated February 2024 includes a detailed soil and growing medium balance for the development.
	(g) include a detailed plan for the reinstatement and review of the proposed rehabilitated woodland areas and fauna habitat, including a protocol for periodic trials to demonstrate that the target vegetation community is being achieved;	C	Sections 6,7,8 and 9 of the RMP dated February 2024 includes a detailed plan for the reinstatement and review of the proposed rehabilitated woodland areas and fauna habitat, including a protocol for periodic trials to demonstrate that the target vegetation community is being achieved.
	(h) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and for triggering remedial action (if necessary);	C	Sections 4 and 10 of the RMP dated February 2024 includes detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and for triggering remedial action (if necessary)
	(i) describe the measures to be implemented to ensure compliance with the relevant conditions of this consent, and address all aspects of rehabilitation including closure of the development , final landform (including final voids), final land uses;	C	Sections 2.3, 2.4, 4 and 6 of the RMP describes the measures to be implemented to ensure compliance with the relevant conditions of the consent, and addresses all aspects of rehabilitation including closure of the development, final landform (including final voids) and final land uses.
	(j) include procedures for the use of interim stabilisation and temporary vegetation strategies, where reasonable to minimise the area exposed for dust generation;	C	Sections 6.1 and 6.2 of the RMP dated February 2024 includes procedures for the use of interim stabilisation and temporary vegetation strategies, where reasonable to minimise the area exposed for dust generation.
	(k) include a program to monitor, independently audit and report on the effectiveness of the measures in paragraph (h) above, and progress against the detailed performance and completion criteria in paragraph (g) above; and	C	Sections 8 and 11 of the RMP dated February 2024 includes 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.
	(l) build on to the maximum extent practicable and integrate with the other Management Plans required under this consent.	C	Section 6.4 of the RMP notes that the planned physical rehabilitation of the site in the RMP, in conjunction with the implementation of the approved Biodiversity Offset Strategy satisfies this condition.
VISUAL			

Cond	DA 344-11-2001 Condition	Status	Evidence
32.	The Applicant must implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development to the satisfaction of the Secretary	C	WC (pers comms) confirmed that natural bushland surrounds the site. WC (pers comms) confirmed that in April 2023 Transport for NSW conducted highway construction and removed the trees that were providing visual screening of the site along the Great Western Highway. WC (pers comms) confirmed that replacement trees have been planted by WQ along the highway immediately outside of the north-western site boundary (see Plate 6). Sighted document from JL Mowing and Cleaning that notes on 17 October JL Mowing and Cleaning attended the site of WQ on the Great Western Highway and planted 17 Pine Trees "Leighton Greens" to act as a Natural Screen for the coverage of the Sand Plant on the Quarry Site from the Great Western Highway. The letter notes that more visits to the site will occur to make sure the trees are growing to their maximum potential and water is provided. The document includes images of the trees which were planted as a visual bund.
33.	Prior to utilising the WSEA, the Applicant must construct a visual bund between the north-western boundary of the WSEA and the Great Western Highway, as described in EA (Mod 1). The visual bund must be maintained to the satisfaction of the Secretary.	C	Sighted a copy of Department letter dated 24 April 2018 which refers to the email sent on the 13 April 2018 confirming that the construction of the visual bund between the north western boundary of the Western Stockpile Extension Area (WSEA) and the Great Western Highway has been completed. The letter states that the Department notes that the construction of the visual bund is required by condition 33 of Schedule 3 of DA 344-11-2001 and that this condition also requires that the bund is maintained to the Satisfaction of the Secretary prior to using the WSEA. The letter advises that the Secretary is satisfied that the bund is currently being maintained and that the use of the WSEA may commence as proposed. The letter also notes that the Department expects that continued maintenance of the bund will be reported on in the quarry's ARs. See Schedule 3, Condition 32 above. The site inspection confirmed that trees used as a visual screen were removed along the north-western site boundary although planting has occurred to replace them (see Plate 6). Sighted document from JL Mowing and Cleaning that notes on 17 October JL Mowing and Cleaning attended the site of WQ on the Great Western Highway and planted 17 Pine Trees "Leighton Greens" to act as a Natural Screen for the coverage of the Sand Plant on the Quarry Site from the Great Western Highway. The letter notes that more visits to the site will occur to make sure the trees are growing to their maximum potential and water is provided. The document includes images of the trees which were planted as a visual bund.
34.	The Applicant must install bunds at strategic locations around the site and plant additional trees along the boundary of the development site to screen, so far as is reasonable and feasible, the development from external viewers, to the satisfaction of the Secretary	C	See Schedule 3, Condition 32 and 33 above. Sighted document from JL Mowing and Cleaning that notes on 17 October JL Mowing and Cleaning attended the site of WQ on the Great Western Highway and planted 17 Pine Trees "Leighton Greens" to act as a Natural Screen for the coverage of the Sand Plant on the Quarry Site from the Great Western Highway. The letter notes that more visits to the site will occur to make sure the trees are growing to their maximum potential and water is provided. The document includes images of the trees which were planted as a visual bund. Section 6.9.2 of the 2023 AR notes that WQ continued to maintain a visual amenity bund located to the north of the Western Stockpile Area during the reporting period. The AR notes that this bund is used to minimise visual amenity impacts associated with its infrastructure and operations. The AR notes that vegetation has been successfully established on the bund and is expected to continue to develop. The 2023 AR notes that along the Great Western Highway, immediately outside of the north-western Quarry site boundary was an area of established trees that contributed to visually screening Quarry activities when viewed from the highway. In April 2023, NSW RMS conducted highway construction activities and removed the trees that provided a visual screen. As a result, visual amenity of the Quarry was impacted, with increased line of sight from the highway to processing equipment. It is noted that WQ had no involvement with the removal of this vegetation. The 2023 AR notes that as the vegetation established by WQ on the visual amenity bund continues to mature, it is expected to progressively reduce the visual impact left by the removal of established trees beyond the Quarry boundary. Vegetation development is visually inspected and documented in photos by the environmental consultant at least annually, as nominated in the RMP. Trees replanted along the site boundary were sighted during the site inspection (see Plate 6).
WASTE			
35.	The Applicant must:		
	(a) manage on-site sewage treatment and disposal in accordance with the requirements of its EPL, and to the satisfaction of the EPA and Council;	C	WC (pers comms) confirmed that sewage is pumped out every month. Sighted a copy of a Williams Liquid Waste Services letter dated 29 April 2024 which notes that Williams Liquid Waste currently manage the removal, transport and disposal of septic and grey water from the quarry site located at Great Western Highway Wallerawang. The letter notes that the waste is disposed of at the Lithgow City Council discharge facility in Lithgow.

Cond	DA 344-11-2001 Condition	Status	Evidence
			Sighted a copy of William Liquid Waste Services Job Docket 2426 dated 18 April 2024 which records the pump out of 8000 L from site and transportation to a waste treatment facility.
	(b) minimise the waste generated by the development;	C	The site inspection confirmed that segregated waste bins are available on site to manage waste streams (see Plate 7 and Plate 8).
	(c) ensure that the waste generated by the development is appropriately stored, handled, and disposed of; and	C	Section 6.10 of the 2023 AR notes that waste generation during the reporting period was negligible, with general waste placed within skip bins that are serviced monthly by a licenced waste contractor. Liquid wastes, principally waste hydrocarbons generated during equipment servicing, are removed by a licenced waste contractor when the storage containers reach capacity. Due to limitations for on-site disposal, all wastewater generated via the effluent and ablutions system is collected and disposed of off-site by a licenced contractor. Sighted a copy of Williams Liquid Waste Services letter dated 29 April 2024 which notes that Williams Liquid Waste currently manage the removal, transport and disposal of septic and grey water from the quarry site and that the waste is disposed of at the Lithgow City Council facility in Lithgow. Sighted example copies of Veolia tax invoices dated 29 February and 31 March 2024 which notes the pickup of general waste.
	(d) report on waste management and minimisation in the Annual Review, to the satisfaction of the Secretary.	C	Section 6.10 of the 2021, 2022 and 2023 ARs describe Waste Management.
36.	Except as expressly permitted in an EPL, specific resource recovery order or exemption under the Protection of the Environment Operations (Waste) Regulation 2014 , the Applicant must not receive waste at the site for storage, treatment, processing, reprocessing or disposal.	C	WC (pers comms) confirmed that no receipt of waste has occurred during the audit period.
LIQUID STORAGE			
37.	The Applicant must ensure that all tanks and similar storage facilities (other than for water) are protected by appropriate bunding or other containment, in accordance with the relevant Australian Standards.	C	Previous JBA IEA confirmed that the main bulk diesel tank on site is self-bunded to Australian Standards. Sighted spill kit available on site at the time of the IEA (see Plate 14). No chemicals were sighted outside of bunds during the site inspection.
DANGEROUS GOODS			
38.	The Applicant must ensure that the storage, handling and transport of: (a) dangerous goods are done in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the Dangerous Goods Code; and	C	WC (pers comms) confirmed that diesel is the only bulk hazardous material regularly stored on site. This was verified during the site inspection. Spill kits were also found to be available in the refuelling and laydown areas to respond to hydrocarbon spills (see Plate 14). Sighted a copy of WQ toolbox talk dated 16 November 2023 which covers the topic of oil spill in the quarry. The toolbox talk covers containing the spill, use of spill kits, use of dry absorption chemicals, Notifying the EPA, removal of the contaminated materials from site and completing reports.
	(b) explosives are managed in accordance with the requirements of the RR.	C	WC (pers comms) confirmed that no explosives are stored on site.
BUSHFIRE			
39.	The Applicant must: (a) ensure that the development is suitably equipped to respond to any fires on site; and	C	WC (pers comms) that a water cart is available on site at all times. A water cart was operating at the time of the audit site inspection (see Plate 1). WC (pers comms) portable fire equipment gets tested and tagged six monthly. Sighted a copy of the WQ Asset Register that records the six-monthly services of fire blankets and Fire Extinguishers.
	(b) assist the Rural Fire Service and emergency services to the extent practicable if there is a fire in the vicinity of the site.	C	Section 4.3 of the WQ Bushfire Management Plan dated July 2023 notes that As bushfires typically impact more than one property, WQ is committed to ensuring that the RFS and other Emergency Services, as well as other agencies responsible for emergency response such as Mines Rescue, are welcomed to inspect the Quarry operation at any time. The plan also states that WQ will assist emergency services to the extent practicable if there is a fire in the vicinity of the Quarry Site.
40.	The Applicant must prepare a Bushfire Management Plan for the site, in consultation with FCNSW, to the satisfaction of the Rural Fire Service.	C	Sighted a copy of the BFMP dated July 2023. Section 1.2 of the plan notes that a request to provide input to the content of the BFMP (Version 2) was made to the Forestry Corporation, NSW (FCNSW) and the NSW Rural Fire Service (the RFS) in November 2017. BFMP was provided to FCNSW, Lithgow City Council (LCC) and the RFS for review prior to finalisation. Section 1.2 also notes that FCNSW was consulted regarding content requirements of the BFMP on 18 March 2020. A response from FCNSW was received on 8 April 2020 confirming FCNSW was satisfied with the content of the BFMP. Sighted a copy of FCNSW letter dated 8 April 2020 which notes that FCNSW is satisfied with the current contents of the plan and has no further recommendations for incorporation.

Cond	DA 344-11-2001 Condition	Status	Evidence
			<p>WC (pers comms) confirmed that NSW RFS were consulted in November 2017. NSW RFS indicated to WQ that it does not endorse bushfire management plans and therefore does not have any comments to make. On 18 December 2017, the Department acknowledged that the RFS will not be commenting on the Bushfire Management Plan. WC (pers comms) confirmed that the currently approved version of the BFMP (Version 3.1 dated June 2022), was an administrative update and did not contain any significant changes to bushfire management and as a result, FC NSW, the RFS, Lithgow City Council (LCC) and the Department of Planning, Industry & Environment (DPIE) were not consulted. This was outlined in the tracked changes version and approved version, with DPHI approving the document on 7 June 2022.</p> <p>Sighted DPE (now DPHI) letter dated 7 June 2022 which refers to the BFMP which was submitted in accordance with Condition 40 of Schedule 3 of the consent for WQ (DA 344-11-2001). The letter notes that the Department is satisfied that it generally meets the requirements of the condition. Accordingly, the Secretary approved the BFMP (Revision 3.1, dated June 2022) and requested WQ ensure that the approved plan is placed on the project website at the earliest convenience.</p>
SCHEDULE 4 ADDITIONAL PROCEDURES			
NOTIFICATION OF LANDOWNERS			
1.	<p>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</p> <p>(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>	NT	<p>WC (pers comms) confirmed that notification to landholders was not required during the reporting period.</p> <p>Sighted copy of AR 2021 which notes that an exceedance of the applicable noise criteria was identified a location N2 during March 2021 attended compliance monitoring. The exceedance was identified predominately as the screening plant. As per Condition 3(3B) of DA344-11-2001, the Quarry has a private agreement in place with this residence and accordingly noise criteria are not applicable at this location.</p>
INDEPENDENT REVIEW			
2.	<p>If an owner of privately-owned land considers the development to be exceeding the relevant criteria in Schedule 3, then he/she may ask the Secretary in writing for an independent review of the impacts of the development on his/her land.</p> <p>If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision, the Applicant must:</p> <p>commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:</p> <ul style="list-style-type: none"> o consult with the landowner to determine his/her concerns; o conduct monitoring to determine whether the development is complying with the relevant criteria in Schedule 3; and o if the development is not complying with these criteria, then identify measures that could be implemented to ensure compliance with the relevant criteria; and <p>(b) give the Secretary and landowner a copy of the independent review; and</p> <p>(c) comply with any written requests made by the Secretary to implement any findings of the review.</p>	NT	<p>WC (pers comms) confirmed that there have been no requests for independent review during the audit period.</p>
VISUAL IMPACT MITIGATION			
3.	<p>If an owner of privately-owned land considers that the visual impacts of the development at his/her land could be minimised, then he/she may ask the Secretary in writing for a review of the visual impacts of the development on his/her land.</p> <p>If the Secretary is satisfied that a review is warranted, then within 2 months of the Secretary's decision, the Applicant must:</p> <p>(a) commission a suitably qualified and experienced person, whose appointment has been approved by the Secretary, to:</p> <ul style="list-style-type: none"> o consult with the landowner to determine his/her concerns; o investigate ways to minimise the visual impacts of the development on land; and o prepare a visual mitigation report detailing the outcomes of the investigation and the proposed mitigation measures. <p>(b) give the Secretary and landowner a copy of the review; and</p>	NT	<p>WC (pers comms) confirmed that there have been no requests for visual mitigation during the audit period.</p>

Cond	DA 344-11-2001 Condition	Status	Evidence
	(c) comply with any written requests made by the Secretary to implement any findings of the review.		
SCHEDULE 5 ENVIRONMENTAL MANAGEMENT, AUDITING AND REPORTING			
ENVIRONMENTAL MANAGEMENT			
Environmental Management Strategy			
1.	The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must: (a) be submitted to the Secretary for approval prior to the commencement of any development on the site;	C	WC (pers comms) confirmed that the WQ currently approved EMS is (Version 3) November 2021. Deemed compliant in previous IEA. WC (pers comms) noted that the EMS was being revised at the time of audit. Sighted a copy of the draft WQ EMS dated February 2024.
	(b) provide the strategic framework for environmental management of the project;	C	Section 3 of the 2021 EMS describes strategic framework for environmental management. Section 3 of the EMS dated February 2024 provides the strategic framework for environmental management of the project
	(c) identify the statutory approvals that apply to the project;	C	Section 5 of the 2021 EMS describes statutory requirements. Section 5 of the EMS dated February 2024 identifies the statutory approvals that apply to the project.
	(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;	C	Section 4 of the 2021 EMS describes roles and responsibility. Section 4 of the EMS dated February 2024 describes the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project.
	(e) describe the procedures that would be implemented to: <ul style="list-style-type: none"> o keep the local community and relevant agencies informed about the operation and o environmental performance of the project; o receive, handle, respond to, and record complaints; o resolve any disputes that may arise; o respond to any non-compliance; o respond to emergencies; and 	C	Section 7 of the 2021 EMS describes environmental management procedures including consultation and information distribution, complaints management and dispute resolution, incident management, evaluating compliance and emergency management. Section 7 of the EMS dated February 2024 describes the procedures implemented to: <ul style="list-style-type: none"> • Keep the local community and relevant agencies informed about the operation; • Environmental performance of the project; • Receive, handle, respond to, and record complaints; • Resolve any disputes that may arise; • Respond to any non-compliance; and • Respond to emergencies. Sighted a copy of WQ toolbox talk dated 16 November 2023 which covers the topic of oil spill in the quarry. The toolbox talk covers containing the spill, use of spill kits, use of dry absorption chemicals, Notifying the EPA, removal of the contaminated materials from site and completing reports. WC (pers comms) confirmed that there has been no community complaints received during the audit period.
	(f) include: <ul style="list-style-type: none"> o copies of any strategies, plans and programs approved under the conditions of this approval; and o a clear plan depicting all the monitoring to be carried out in relation to the project. The Applicant must implement any Environmental Management Strategy as approved from time to time by the Secretary.	C	Section 6.2 and Appendix 2 of the EMS dated February 2024 includes copies of strategies, plans and programs approved under the conditions of the approval. Section 6.3 and Appendix 2 of the EMS dated February 2024 includes a clear plan depicting all the monitoring to be carried out in relation to the project. Appendix 2 of the EMS dated February 2024 includes an Environmental Monitoring Program.
Evidence of Consultation			
2.	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document; and (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	C	Sighted copy of the NMP dated November 2021 which includes consultation with the EPA in Appendix 1. Sighted copy of the SWMP dated October 2022 which notes that the original version of the SWMP was prepared in consultation with the EPA, DPI-Water and WaterNSW. Appendix 2 of the SWMP includes a consultation record table which records agency consultation. Sighted copy of the ACHMP dated May 2022 which notes that all RAPs received a copy of the draft plan on 17 March 2020 with a request that any comments be received by Ozark by 31 March. A list of RAPs that were consulted on the plan is provided in Appendix 2 of the ACHMP. Section 3.2 of the ACHMP notes that the plan has been prepared in consultation with the BCD and that the BCD was sent a draft for review on 14 April 202 and requested that the plan be updated to include BCD notification in human skeletal remains protocol which was included within the approved plan. Appendix 2 of the ACMHP includes a stakeholder consultation log and correspondence.

Cond	DA 344-11-2001 Condition	Status	Evidence
			<p>Sighted a copy of the BMP dated February 2024 which notes that on 20 October 2017, an email was sent to the OEH seeking feedback in relation to the content requirements of the Plan. OEH responded on 2 November 2017 and endorsed the requirements of Schedule 3, Condition 26 of DA 344-11-2001. Appendix 1 of the BMP includes consultation.</p> <p>Sighted a copy of the RMP dated February 2024 which notes that during preparation of the last Mining Operations Plan/RMP, consultation was undertaken with relevant government agencies regarding their expectations for rehabilitation in accordance with the requirements for the preparation of an RMP in accordance with Schedule 3, Condition 31 of DA 344-11-2001.</p> <p>Sighted a copy of email to BCD dated 14 February 2024 which notes that a new RMP has recently been prepared for Wallerawang Quarry to address the requirements of the RR Form and Way and Schedule 3 Condition 31 of DA 344-11-2001. The letter notes that as part of the RMP development, WQ is required to consult with relevant stakeholders and requests feedback regarding the RMP is provided by 15 March 2024.</p> <p>Sighted a copy of email to Lithgow City Council dated 14 February 2024 which notes that a new RMP has recently been prepared for Wallerawang Quarry to address the requirements of the RR Form and Way and Schedule 3 Condition 31 of DA 344-11-2001. The letter notes that as part of the RMP development, WQ is required to consult with relevant stakeholders and requests feedback regarding the RMP is provided by 15 March 2024.</p> <p>Sighted a copy of email to DCCEE dated 14 February 2024 which notes that a new RMP has recently been prepared for Wallerawang Quarry to address the requirements of the RR Form and Way and Schedule 3 Condition 31 of DA 344-11-2001. The letter notes that as part of the RMP development, WQ is required to consult with relevant stakeholders and requests feedback regarding the RMP is provided by 15 March 2024.</p> <p>Sighted a copy of email to FCNSW dated 14 February 2024 which notes that a new RMP has recently been prepared for Wallerawang Quarry to address the requirements of the RR Form and Way and Schedule 3 Condition 31 of DA 344-11-2001. The letter notes that as part of the RMP development, WQ is required to consult with relevant stakeholders and requests feedback regarding the RMP is provided by 15 March 2024.</p> <p>Sighted a copy of email to RR dated 14 February 2024 which notes that a new RMP has recently been prepared for Wallerawang Quarry to address the requirements of the RR Form and Way and Schedule 3 Condition 31 of DA 344-11-2001. The letter notes that as part of the RMP development, WQ is required to consult with relevant stakeholders and requests feedback regarding the RMP is provided by 15 March 2024.</p> <p>Sighted a copy of email to Water NSW dated 14 February 2024 which notes that a new RMP has recently been prepared for Wallerawang Quarry to address the requirements of the RR Form and Way and Schedule 3 Condition 31 of DA 344-11-2001. The letter notes that as part of the RMP development, WQ is required to consult with relevant stakeholders and requests feedback regarding the RMP is provided by 15 March 2024.</p> <p>Sighted a copy of the BFMP dated July 2023 which notes that a request to provide input to the content of the BFMP (Version 2) was made to the FCNSW and the RFS in November 2017. Once drafted, a copy of the BFMP was provided to FCNSW, LCC and the RFS for review prior to finalisation. Section 1.2 of the BFMP notes that FCNSW was consulted regarding content requirements of the BFMP on 18 March 2020. A response from FCNSW was received on 8 April 2020 confirming FCNSW was satisfied with the content of the BFMP. Copies of the consultation, along with the responses of these organisations, are included as Appendix 1 of the BFMP.</p>
Management Plan Requirements			
3.	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none"> (a) a summary of relevant background or baseline data; (b) details of: <ul style="list-style-type: none"> (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; (c) any relevant commitments or recommendations identified in the document/s listed in condition 2(c) of Schedule 2; (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; (e) a program to monitor and report on the: 	C	Versions of environmental management plans in place at the time of audit include the required information.

Cond	DA 344-11-2001 Condition	Status	Evidence
	<p>(i) impacts and environmental performance of the development; and</p> <p>(ii) effectiveness of the management measures set out pursuant to condition 2(c) of Schedule 2;</p> <p>(f) contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(g) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(h) a protocol for managing and reporting any:</p> <p>(i) incident, non-compliance or exceedance of the impact assessment criteria or performance criteria;</p> <p>(ii) complaint; or</p> <p>(iii) failure to comply with statutory requirements;</p> <p>(i) public sources of information and data to assist stakeholders in understanding environmental impacts of the development; and</p> <p>(j) a protocol for periodic review of the plan.</p> <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>		
3A.	The Applicant must ensure that management plans prepared for the development are consistent with the conditions of this consent and any EPL issued for the site.	C	The management plans included all relevant SSD and EPL conditions in the statutory requirement sections.
Application of Existing Management Plans			
4.	The Applicant must continue to apply existing approved management plans, strategies or monitoring programs that have most recently been approved under this consent, until the approval of a similar plan, strategy or program under this consent.	C	Noted.
Revision of Strategies, Plans & Programs			
5.	Within 3 months of the submission of an:	NT	WC (pers comms) confirmed that no environmental incidents were reported during the audit period.
	(a) incident report under condition 9 below;		
	(b) Annual Review under condition 11 below;	C	<p>Sighted a copy of Umwelt letter dated 14 February 2024 which notes that the following management plans have been revised and submitted to the Department of Planning, Housing and Infrastructure (DPHI), in accordance with Schedule 5, Condition 5 of DA 344-11-2001 and the extension from DPHI dated 31 January 2024:</p> <ul style="list-style-type: none"> • Environmental Management Strategy; • Noise Management Plan; • Air Quality Management Plan; and • Biodiversity Management Plan. <p>Sighted copy of post approval document which notes Management Plans reviewed, revised and resubmitted following IEA submitted 20 July 2021, Annual Review submitted 30 September 2021 and notice to resubmit Management Plans provided on 12 October 2021. No update to the Aboriginal Cultural Heritage Management Plan was triggered by the review of management plans.</p>
	(c) audit report under condition 14 below; and		WC (pers comms) stated a review is completed after audits.
	(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.	NT	WC (pers comms) confirmed that there has been no modifications during the audit period.
	<i>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve environmental performance of the development.</i>		
Updating and Staging Strategies, Plans or Programs			
6.	With the approval of the Secretary, the Applicant may:	C	WC (pers comms) confirmed that a number of management documents have been updated during the reporting period. Updates to each document required under this consent are described under the relevant conditions above.
	(a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan		

Cond	DA 344-11-2001 Condition	Status	Evidence
	<p>or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);</p> <p>(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and</p> <p>(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under the consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).</p>		
U6A.	If the Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to a particular stage.	NT	WC (pers comms) confirmed that there has been no staging of strategies, plans or programs during the reporting period.
6B.	If the Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	NT	WC (pers comms) confirmed that there has been no staging of strategies, plans or programs during the reporting period.
Adaptive Management			
7.	<p>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</p> <p>Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must as soon as becoming aware of any exceedance:</p> <p>(a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not reoccur;</p> <p>(b) consider all reasonable and feasible options for remediation (where relevant);</p> <p>(c) within 14 days of the exceedance occurring, submit a report to the Secretary describing these remediation options and any preferred remediation measures or other course of action; and</p> <p>(d) implement remediation measures as directed by the Secretary;</p> <p>to the satisfaction of the Secretary</p>	NT	WC (pers comms) confirmed there has been no incidents during the audit period
Community Consultative Committee			
8.	<p>The Applicant must establish and operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Secretary. The CCC must be operated in general accordance with the Department's Community Consultative Committee Guidelines, 2019 (or later version).</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent. In accordance with the guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, Council and the local community. 	C	WC (pers comms) confirmed that a CCC has been established and continued to meet during the audit period. Sighted copies of CCC meeting minutes dated 30 May 2023 and 22 November 2022.
REPORTING			
Incident Reporting			
9.	The Applicant must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing to compliance@planning.nsw.gov.au and identify the development (including the development application number and name) and set out the location and nature of the incident.	C	Sighted WQ letter addressed to DPHI dated 15 May 2024 notifying of a non-compliance. The letter notes that WQ have identified some inconsistencies related to the approved WQ area of extraction. On 24 April 2024 a letter was sent to DPHI regarding inconsistencies and outlining further action to be taken to address this matter.
Non-Compliance Reporting			
10.	<p>Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing to compliance@planning.nsw.gov.au and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.</p> <p><i>Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</i></p>	C	Sighted WQ letter addressed to DPHI dated 15 May 2024 notifying of a non-compliance. The letter notes that WQ provides non-compliance notification in accordance with Schedule 5, Condition 10 of DA 344-11-2001. In response to the DPHI request for information dated 9 April 2024, WQ completed a review of retired biodiversity credits. On 9 May 2024, WQ became aware of an associated non-compliance with Schedule 3, Condition 28A of DA 344-11-2001, which was reported to DPHI on 15 May 2024.

Cond	DA 344-11-2001 Condition	Status	Evidence
Annual Review			
11.	By the end of September in each year after the commencement of development, or other timeframe agreed by the Secretary, a report must be submitted to the Department reviewing the environmental performance of the development, to the satisfaction of the Secretary. This review must:	NC	Sighted a copy of WQ ARs for the audit period prepared by Umwelt. Evidence of lodgement of Annual Reviews include: <ul style="list-style-type: none"> DPIE (now DPPI) email dated 30 September 2021 which notes the lodgement of the 2020-2021 AR; and DPPI email dated 30 September 2022 which notes the lodgement of the 2021-2022 AR. Evidence that the 2022-2023 AR was submitted to DPPI by the end of September 2023 was not available at the time of audit. It is recommended that future AR documents are lodged by the end of September of each year.
	(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;	C	Section 2.2 of the 2023 AR provides an overview of operations. Section 8 of the 2023 AR describes rehabilitation performance during the reporting period.
	(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous financial year, including a comparison of these results against the: <ul style="list-style-type: none"> (i) relevant statutory requirements, limits or performance measures/criteria; (ii) requirements of any plan or program required under this consent; (iii) monitoring results of previous years; and (iv) relevant predictions in the documents listed in condition 2(c) of Schedule 2; 	C	Section 6 of the 2023 AR describes environmental performance over the reporting period and compares results to monitoring results from previous years.
	(c) identify any non-compliance or incident which occurred in the previous financial year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence;	C	Section 11 of the 2023 AR describes incidents and non-compliances during the reporting period.
	(d) evaluate and report on: <ul style="list-style-type: none"> (i) the effectiveness of the noise and air quality management systems; and (ii) compliance with the performance measures, criteria and operating conditions of this consent; 	C	Section 6 of the 2023 AR describes environmental performance during the reporting period.
	(e) identify any trends in the monitoring data over the life of the development;	C	Section 6.1 of the 2023 AR provides a monitoring overview. Section 6.3.3 of the 2023 AR notes Monitoring during the reporting period at locations N1, N3 and N2 (N8) confirmed compliance with the assessment criteria in all instances. The attended monitoring program found that the Quarry was audible at these locations (over background noise levels) during several offsite measurements, however the Quarry's contribution during the measurements was calculated to be below the daytime assessment criteria of 43 dB(A). As such, there are no identifiable trends in noise levels, except the continued compliance of the operation.
	(f) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and	C	Section 6.4.1 of the 2023 AR describes performance criteria, public notices and predicted performance. Section 6.5.1 of the 2023 AR describes performance criteria and predicted impacts for Air Quality. Section 6.3 of the 2022 AR describes noise performance criteria and predicted impacts. Section 6.4 of the 2022 AR describes performance criteria, public notices and predicted performance for blasting. Section 7.3 of the 2022 AR describes predicted impacts and performance criteria for Groundwater.
	(g) describe what measures will be implemented over the next financial year to improve the environmental performance of the development.	C	Section 12 of the 2023 AR describes activities to be completed over the next reporting period.
12.	Copies of the Annual Review must be submitted to Council and made available to the CCC and any interested person upon request.	NC	Sighted copy of Umwelt email dated 29 September 2023 addressed to LCC which notes WQ is required to provide a copy of the AR to LCC in accordance with Schedule 5, Condition 12 of DA 344-11-2001. <p>Evidence was not available at the time of audit to confirm that copies of the 2020 – 2021 and 2021 – 2022 AR documents were submitted to Council. It is recommended that completed AR documents are submitted to LCC each year.</p> Sighted a copy of the November 2021 CCC meeting minutes which notes that the 2021 Annual Review is available for review on the website.
INDEPENDENT ENVIRONMENTAL AUDIT			
13.	Prior to the end of June 2021, and every three years after, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must: <ul style="list-style-type: none"> (a) be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Secretary 	C	This audit report.

Cond	DA 344-11-2001 Condition	Status	Evidence
	<p>(b) be conducted by a suitably qualified, experienced and independent team of experts (including any expert in field/s specified by the Secretary) whose appointment has been endorsed by the Secretary;</p> <p>(c) be carried out in consultation with the relevant agencies and CCC;</p> <p>(d) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licences and mining leases for the development (including any assessment, strategy, plan or program required under these approvals);</p> <p>(e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent;</p> <p>(f) recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent; and (g) be conducted and reported to the satisfaction of the Secretary.</p>		
14.	<p>Within 12 weeks of commencing this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of these recommendations as required. The Applicant must implement these recommendations, to the satisfaction of the Secretary.</p>	NT	<p>Sighted copy of Umwelt IEA Review and Response Plan document dated 20 July 2021 that notes in accordance with Condition 13 of Schedule 5 of DA 344-11-2001, an IEA was completed for the WQ operated by Walker Quarries by JBA. Table 1 of the Umwelt response document provides a response to non-compliance recommendations and timing for implementation of corrective / improvement actions.</p> <p>WQ are required to lodge this audit report and response to findings with DPHI.</p>
Monitoring and Environmental Audits			
15.	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit.</p> <p>For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</p>	Note	Noted.
16.	<p>Noise, blast and/or air quality monitoring under this consent may be undertaken at suitable representative monitoring locations instead of at privately-owned residences or other locations listed in Schedule 3, providing that these representative monitoring locations are set out in the respective management plan/s.</p>	C	<p>Section 7.2 of the BMECP dated August 2023 allows for monitoring to be undertaken on any property within a 2km radius from the blast subject to requests and permissions from the landholder.</p> <p>Section 7.2 of the NMP dated March 2024 provides details on why each location has been chosen and its suitability. It also allows for in instance the current monitoring locations are unavailable the closest possible locations will be chosen.</p> <p>Section 7 of the AQMP dated March 2024 describes the air quality monitoring program and describes the monitoring locations.</p>
ACCESS TO INFORMATION			
17.	<p>Within 6 months of the date of this consent until the completion of all rehabilitation required under this consent, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this consent) publicly available on its website:</p> <p>(i) the document/s listed in condition 2(c) of Schedule 2;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development if it is to be staged;</p> <p>(v) minutes of CCC meetings;</p> <p>(vi) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;</p> <p>(vii) 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;</p> <p>(viii) a summary of the current progress of the development;</p>	NC	<p>a) Noted.</p> <p>(i) Sighted copy of EIS and Modification documents on the WQ website</p> <p>(ii) Sighted copies of current statutory approvals on the WQ website</p> <p>(iii) A copy of the Soil and Water Management Plan was not available on the Walker Quarries website at the time of the IEA. It is noted that this has since been rectified and a link to the SWMP dated December 2020 is available on the website.</p> <p>(iv) Staging information is available within the EIS on the WQ website.</p> <p>(v) Sighted copies of CCC meeting minutes available on the WQ website.</p> <p>(vi) Sighted copies of ARs for the audit period available on the WQ website.</p> <p>(vii) Sighted copies of monitoring reports available on the WQ website.</p> <p>(viii) A summary of the current progress of the development is available on the WQ website and via published AR's.</p> <p>(ix) Sighted contact details available on the WQ website;</p> <p>(x) A monthly complaints register is available on the WQ website.</p> <p>(xi) Copies of the audit period ARs are available on the WQ website.</p>

Cond	DA 344-11-2001 Condition	Status	Evidence
	(ix) contact details to enquire about the development or to make a complaint; (x) a complaints register, updated monthly; (xi) the Annual Reviews of the development; (xii) audit reports prepared as part of any Independent Environmental Audit of the development and the Applicant's response to the recommendations in any audit report; (xiii) any other matters required by the Secretary; and (b) keep such information up to date, to the satisfaction of the Secretary.		(xii) Sighted copies of previous IEAs available on the WQ website. (xiii) Sighted copies of product transport information available on the WQ website. It is recommended that Walker Quarries ensures that information required under Schedule 5, Condition 17 is kept up to date on the Walker Quarries website.
APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS			
Written Incident Notification Requirements			
1.	A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition 9 of Schedule 5 or, having given such notification, subsequently forms the view that an incident has not occurred.	NT	WC (pers comms) confirmed that there has been no reportable incidents during the audit period.
2.	Written notification of an incident must: (a) identify the development and application number, (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); (c) identify how the incident was detected; (d) identify when the Applicant became aware of the incident; (e) identify any actual or potential non-compliance with the conditions of this consent; (f) describe what immediate steps were taken in relation to the incident; (g) identify further action(s) that will be taken in relation to the incident; and (h) identify a project contact for further communication regarding the incident.	NT	See Appendix 3, Condition 1 above.
3.	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Secretary, the Applicant must provide the Secretary and any relevant public authorities (as determined by the Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.	NT	See Appendix 3, Condition 1 above.
4.	The Incident Report must include: (a) a summary of the incident; (b) outcomes of an incident investigation, including identification of the cause of the incident; (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and (d) details of any communication with other stakeholders regarding the incident.	NT	See Appendix 3, Condition 1 above.

Table C2 Other Licences & Approvals

Instrument	Status	Comments
<p>Mining Lease (ML) 1633</p> <p>Standard conditions</p> <p>See Mining Regulation 2016, Schedule 8A, Part 2.</p> <p>NOTE TO HOLDERS: The prescribed standard conditions in the Mining Regulation 2016, Schedule 8A, Part 2 apply in addition to the conditions in this Schedule 2 (but have not been replicated in this mining lease). The conditions imposed by the Mining Regulation 2016 prevail to the extent of any inconsistency with the conditions in this Schedule 2.</p>	<p>NC</p>	<p>Standard Conditions</p> <p>WC (pers comms) confirmed that there has been no inconsistencies identified during the audit period.</p> <ol style="list-style-type: none"> 1) A review of WQ records and inspection of DA 344-11-2001 project site found the reasonable and feasible controls are in place to prevent and / or minimise any material harm to the environment from site operations. WC (pers comms) confirmed that there has been no reportable environmental incidents during the reporting period. 2) WC (pers comms) confirmed that no new rehabilitation has been established during the audit period due to lack of areas being available outside of operational and infrastructure footprints. The only planting completed during the audit period was to replace trees that were creating a visual screen that was removed during construction activities by another party on the edge of the Great Western Highway. <p>During the site inspection it was noted that trees had been planted along the Great Western Highway, immediately outside of the north-western quarry site boundary to replace the trees that had been removed (see Plate 6).</p> <p>Sighted a copy of Umwelt Briefing note for Environmental Inspection 26 September 2023 dated 2 October 2023. The briefing note provides an overview of the key observations of the environmental inspection conducted at Wallerawang Quarry on 26 September 2023 by Umwelt. Section 1.3 of the briefing note describes vegetation and notes that the rehabilitation on the Quarry side and top of the visual amenity bund appeared generally healthy, well developed and dense. The briefing note also states that the rehabilitation on the highway side of the bund was less successful and less dense, with significant areas of exposed soil observed.</p> <p>Sighted copy of Umwelt Briefing Note for Observations at Site inspection 2-3 April 2024 dated 5 April 2024. The Briefing Note provides a summary of the observations of the environmental compliance inspection at Wallerawang Quarry on 2 April 2024 and 3 April 2024. Section 6.2 of the Briefing Note states that all rehabilitation areas appeared generally healthy, with no significant bare patches notes. One section adjacent to the Great Western Highway lacks established trees, which continues to impact visual amenity.</p> <ol style="list-style-type: none"> 3) Sections 2.3, 2.4, 4 and 6 of the RMP describes the measures to be implemented to ensure compliance with the relevant conditions of the consent, and addresses all

Instrument	Status	Comments
		<p>aspects of rehabilitation including closure of the development, final landform (including final voids) and final land uses.</p> <p>Section 3 of the RMP notes that a rehabilitation focused risk assessment was conducted in March 2022 and that the workshop was used to identify the key issues that presented a risk to achieve satisfactory rehabilitation at the Quarry. A summary of the risk assessment is presented in Table 3.1 of the RMP.</p> <p>4) Section 3 of the RMP includes a Rehabilitation risk assessment that identifies, assesses and evaluates the risks of achieving satisfactory rehabilitation at the Quarry. Section 3 of the RMP notes that the method used for the risk assessment adopts principals of ASNZ IAO 31000:2018 Risk Management as referenced in the <i>NSW RR Guideline Rehabilitation Risk Assessment</i>.</p> <p>5) Sighted copy of the 2022 RMP. Sighted a copy of the RMP dated February 2024 (not yet approved).</p> <p>6) Sighted copy of DPE (now DPHI) letter dated 15 March 2023 which notes that a revised RMP has not been lodged with the Department for Planning Secretary's approval after Mod 3, determined in February 2020. Accordingly the letter requests that an RMP is submitted in accordance with Condition 31 of Schedule 3 as soon as possible, or alternatively commit to a timeframe when it will be submitted to the Department. Sighted a copy of RR email dated 6 March 2024 which notes that the RMP has been forwarded to RR for review and comment. The email notes that the RMP is stated to have been prepared in accordance with the NSW RR Form and Way requirements. Sighted copy of Umwelt letter dated 30 May 2022 addressed to RR. The document notes Umwelt, who is preparing the RMP on behalf of WQ, has been engaged to seek feedback with respect to proposed Rehabilitation Objectives and Completion Criteria. WC (pers comms) confirmed that WQ have provided the revised RMP to DPHI and relevant stakeholders for comment on 14 February 2024.</p> <p>7) Section 6 of the RMP describes rehabilitation implementation. Table 2.1 of the RMP describes the regulatory requirements relating to rehabilitation of the Quarry. Table 3.1 of the RMP includes a rehabilitation risk assessment summary.</p> <p>8) WC (pers comms) confirmed that a new RMP was recently prepared by WQ to address the requirements of the <i>NSW RR Form and Way: Rehabilitation Management Plan for Large Mines</i> (Form and Way). See Condition 9.</p> <p>9) Section 4.1 of the RMP notes that the rehabilitation objectives provided in the RMP have been submitted to and approved by RR. Sighted copy of the Approved Rehabilitation Objectives Statement dated 20 November 2023 for WQ in Appendix C</p>

Instrument	Status	Comments
		<p>of the RMP. Section 4.1.2 of the RMP notes that the rehabilitation completion criteria for the Quarry will remain in draft until approved by RR. WQ will submit the final Rehabilitation Completion Criteria Statement to RR for approval no later than three years before rehabilitation of the whole of the mining area is proposed to be completed. Section 5 of the RMP notes that in accordance with the requirements of the Form and Way, Final Landform and Rehabilitation Plans have been prepared to show the proposed final land use and final landform at the end of Quarry life. The RMP notes that the Final Landform and Rehabilitation Plans were approved by RR on 20 November 2023 and are included as Figure 5.1 and 5.2 of the RMP.</p> <p>13) Section 11.3 of the RMP notes that a Forward Program is prepared annually and provides the Quarry's forecast disturbance and rehabilitation over the following three years. Section 8.3.4 of the RMP notes that outcomes of future monitoring will be reported in the Annual Rehabilitation Report and that the report provides additional specific detail, maps and statistics regarding planned rehabilitation activities and schedules for previous reporting period and the next three year period. Sighted a copy of the WQ Annual Rehabilitation Report dated 15 July 2022 to 14 July 2023.</p> <p>14) WC (pers comms) confirmed that there has not been a requirement to amend rehabilitation outcome documents or forward program.</p> <p>15) WC (pers comms) confirmed that the RMP has been prepared in accordance with the ML and NSW Rehabilitation Reform requirements and has been made publicly available on the WQ website.</p> <p>16) Sighted a copy of the WQ Annual Rehabilitation Report dated 15 July 2022 to 14 July 2023 available on the WQ website. Sighted a copy of the RMP dated February 2024 available on the WQ website. A copy of the forward program was not available on the WQ website at the time of the audit. It is recommended that the forward program for WQ is made available on the WQ website.</p> <p>17) Sighted copy of WQ Forward Program Friday 15 July 2022 to Monday 14 July 2025. Sighted copy of WQ Forward Work Program Saturday 15 July 2023 to Tuesday 14 July 2026.</p> <p>18) WC (pers comms) confirmed that no non compliances were identified during the reporting period.</p> <p>19) Sighted email from RR in relation to confirmation of nominated contact person dated 16 December 2022. The email notes that RR has received a nomination for contact person with whom the Secretary can communicate for the purposes of the <i>Mining Act 1992</i>.</p>

Instrument	Status	Comments
		<p>20) WC (pers comms) confirmed that this condition is Not triggered as the development is SSD.</p> <p><u>ML 1633 Conditions</u></p> <ol style="list-style-type: none"> 1) Deemed compliant in previous JBA IEA. 2) Deemed compliant in previous JBA IEA. 3) Deemed compliant in previous JBA IEA. WC (pers comms) confirmed no overlapping mining titles held by other parties impacts on ML 1633. 4) WC (pers comms) confirmed there has been no exploration activities during the audit period. 5) Not Triggered. WC (pers comms) confirmed that no disturbance has occurred within this area during the audit period.
<p>EL 4473</p>	<p>C</p>	<ol style="list-style-type: none"> 1) WC (pers comms) confirmed that operations during the reporting period have not caused more than minimal impact on the environment, harm to any species, population or ecological community, damage to any Aboriginal objects or places or damage to the values and features listed in section 238 of the Mining Act. 2) Not Triggered. WC (pers comms) confirmed that there has been no requirement during the audit period for notification to the Director-General in the form of a Surface Disturbance Notice. 3) Not Triggered. WC (pers comms) confirmed that no disturbance has occurred within this area during the audit period. 7) WC (pers comms) confirmed that there has been no prospecting operations during the audit period. 8) Not Triggered. WC (pers comms) confirmed that there has been no prospecting during the audit period. 10) Note only. 11) A review of WQ records and inspection of DA 344-11-2001 project site found the reasonable and feasible controls are in place to prevent and / or minimise any material harm to the environment from construction, operation or rehabilitation of any prospecting area. 12) Not Triggered. WC (pers comms) confirmed that there has been no requirement during the audit period to prepare an Environmental Management Plan (EMP). 13) Not Triggered. WC (pers comms) confirmed that trees have not been felled, stripped or cut on any land subject of the EL during the audit period.

Instrument	Status	Comments
		<p>14) Not Triggered. WC (pers comms) confirmed that there has been no damage to roads or tracks during the audit period.</p> <p>15) A review of WQ records and inspection of DA 344-11-2001 project site found that operations are generally being carried out in a manner that does not cause or aggravate air pollution, water pollution, soil contamination or erosion during the audit period. WC (pers comms) confirmed that there has been no reportable incidents or complaints during the audit period.</p> <p>16) WC (pers comms) confirmed that diesel is the only bulk hazardous material regularly stored on site. This was verified during the site inspection. Spill kits were also found to be available in the refuelling and laydown areas to respond to hydrocarbon spills (see Plate 14). WC (pers comms) confirmed that there has been no exploration drilling during the audit period.</p> <p>Sighted a copy of WQ toolbox talk dated 16 November 2023 which covers the topic of oil spill in the quarry. The toolbox talk covers containing the spill, use of spill kits, use of dry absorption chemicals, Notifying the EPA, removal of the contaminated materials from site and completing reports.</p> <p>17) WC (pers comms) confirmed that there has been no instructions received during the audit period in relation to preventing public inconvenience or damage to public or private infrastructure. WC (pers comms) confirmed that there has been no damage to public or private property during the audit period.</p> <p>18) Not Triggered. WC (pers comms) confirmed that there has been no drilling during the audit period.</p> <p>20) See EL 4473 Condition 18 above.</p> <p>21) WC (pers comms) confirmed that the only planting completed during the audit period was to replace trees that were creating a visual screen that was removed during construction activities by another party on the edge of the Great Western Highway. During the site inspection it was noted that trees had been planted along the Great Western Highway, immediately outside of the north-western quarry site boundary to replace the trees that had been removed (see Plate 6).</p> <p>WC (pers comms) confirmed that no new rehabilitation has been established during the audit period due to lack of areas being available outside of operational and infrastructure footprints.</p> <p>22) Not Triggered. WC (pers comms) confirmed that the EL has not expired or renewed during the audit period.</p>

Instrument	Status	Comments
		<p>23) WC (pers comms) confirmed that there has been no reportable environmental incidents during the audit period.</p> <p>24) Note only.</p> <p>25) Sighted copy of Security Bond dated November 2020.</p> <p>29) Sections 6.1.3, 6.1.4 and 6.1.5 of the Blast Management and Explosives Control Plan dated August 2023 describes the best practice management measures to protect the safety of people and livestock.</p> <p>30) WC (pers comms) confirmed that expenditure on operations has been no less than \$2,500.00 per annum during the audit period.</p> <p>31) Not Triggered. WC (pers comms) confirmed that there has been no prospecting operations during the audit period.</p> <p>32) Not Triggered. WC (pers comms) confirmed that there has been no prospecting operations during the audit period.</p> <p>33) Not Triggered. Cooperation Agreement not required as prospecting activities were not undertaken in EL 4473 during the audit period.</p> <p>34) Not Triggered. Community and Landholder Liaison Program not required as prospecting activities were not undertaken in EL 4473 during the audit period.</p> <p>35) Not Triggered. WC (pers comms) confirmed that there has been no change in the effective control of the licence holder during the audit period.</p>
<p>Water Access Licences</p>	<p>C</p>	<p>WC (pers comms) confirmed that WAL 42390 was issued on 5 June 2019 with no expiry date. Sighted copy of NSW Certificate of Title for WAL42390 dated 5 June 2019.</p> <p>WC (pers comms) confirmed that WAL 41884 was issued on 16 May 2018 with no expiry date. Sighted copy of NSW Certificate of Title for WAL41884 dated 16 May 2018.</p>

APPENDIX D
STAKEHOLDER ENGAGEMENT
CORRESPONDENCE

From: [Lucy Apps](#)
To: [Tegan Anne Brown](#)
Cc: [Dorian Walsh](#)
Subject: FW: Wallerawang Quarry Independent Environmental Audit Consultation
Date: Thursday, 11 April 2024 2:42:57 PM
Attachments: [image001.png](#)
[image003.png](#)

[WARNING] This email originated from outside of the organisation.

Hi Tegan

Thank you for your email. The EPA has had a particular interest in the management of dust at the site including the tracking of dirt/ mud from the premises. We would appreciate a review on the adequacy of the dust management/ mitigation equipment and procedures across the site.

For future inquiries I would encourage you to email info@epa.nsw.gov.au to ensure you request reaches the correct team.

Kind regards,

Lucy

Lucy Apps

Unit Head
Regulatory Operations
NSW Environment Protection Authority
D 02 6333 3800



www.epa.nsw.gov.au [@NSW_EPA](#)

The EPA acknowledges the traditional custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal elders past, present and emerging.

Report pollution and environmental incidents
131 555 or +61 2 9995 5555

24 April 2024

Tegan Brown
tbrown@baileyassociates.com.au

Dear Tegan,

Wallerawang Quarry Independent Environmental Audit Consultation

Reference is made to your email received 10 April 2024 in relation to an Independent Environmental Audit for the Wallerawang Quarry as per DA344-11-2001 (Modification 3), seeking Council's feedback regarding environmental concerns.

After attending many Community Consultative Committee meetings, concerns are still raised to rehabilitation works and visual impacts.

In April 2023, Transport for NSW conducted Highway construction activities and removed the trees providing a visual screen along the Great Western Highway, immediately outside of the north-western quarry site boundary (within the road reserve).

As such it appears that the Quarry may have relied on these trees to minimise visual impacts; therefore the rehabilitation works and visual impacts may not be satisfactory as per the conditions on the consent and as per the vegetation management plan.

Council requests if the independent audit could focus on these concerns and provide Council with a brief update following the audit review.

If you require any further information in relation to this matter, please contact the undersigned by telephone during normal business hours on (02) 6354 9999 or by email at council@lithgow.nsw.gov.au.

Yours sincerely,



Lauren Stevens
Development Planner

APPENDIX E
IEA SITE VISIT AGENDA

**WALKER QUARRIES
WALLERAWANG QUARRY**

INDEPENDENT ENVIRONMENTAL AUDIT

AGENDA FOR SITE VISIT

16 April 2024

Name	Initials	Title	Company
ATTENDEES:			
Wayne Chapman	WC	Quarry Manager	Walker Quarries
Kelsy Sammons	KS	Environmental Consultant	Umwelt Pty Ltd
Tegan Brown	TB	Auditor	James Bailey & Associates
Dorian Walsh	DW	Auditor	James Bailey & Associates

Time	Description	Location
AGENDA:		
8:00 – 8:30 am	<p><u>Opening Meeting</u></p> <ul style="list-style-type: none"> • Scope and purpose of the audit (DW) • Audit process and timing (DW) • Confidentiality Arrangements (DW) • Overview of operations during the audit period (WC, KS) 	Meeting Room
8:30 – 11:45 am	<p><u>Compliance Review</u></p> <ul style="list-style-type: none"> • Review of development consent conditions • Discussion of environmental management commitments from: <ul style="list-style-type: none"> – EIS; and – Site environmental management plans, strategies and programs. • Review of development against EIS • Complaints / Incident response • Regulatory consultation • Mining Authorities 	Meeting Room
11:45 am – 12:00 pm	Lunch	Meeting Room
12:00 pm – 2:00 pm	<p><u>Site Inspection</u></p> <ul style="list-style-type: none"> • Review of operational areas and environmental controls 	Field
2:00 pm – 3:00 pm	<u>Compliance Review</u> (continued)	Meeting Room
3:00 pm – 3:30 pm	<u>Closeout Meeting</u>	Meeting Room

APPENDIX F
SITE INSPECTION PLATES



Plate 1 Water cart in use for dust suppression



Plate 2 Wheel wash available for heavy vehicle egress



Plate 3 Vehicle with load covered to minimise dust emissions



Plate 4 Quarry access road with no materials tracked onto the Great Western Highway



Plate 5 Conveyors on screening plant fitted with water sprays for dust suppression



Plate 6 Quarry as seen from the Great Western Highway, where trees have been re-planted to screen views



Plate 7 General waste skip bin available on site



Plate 8 Scrap metal skip bin available on site



Plate 9 Water drain constructed around Sand Wash Plant



Plate 10 Main Storage Dam located on the Project site



Plate 11 Main Stockpile area with minimal dust emissions



Plate 12 Main Stockpile area with minimal dust emissions



Plate 13 Sand Wash Plant constructed on site during the audit period



Plate 14 Onsite refuelling area and storage tank