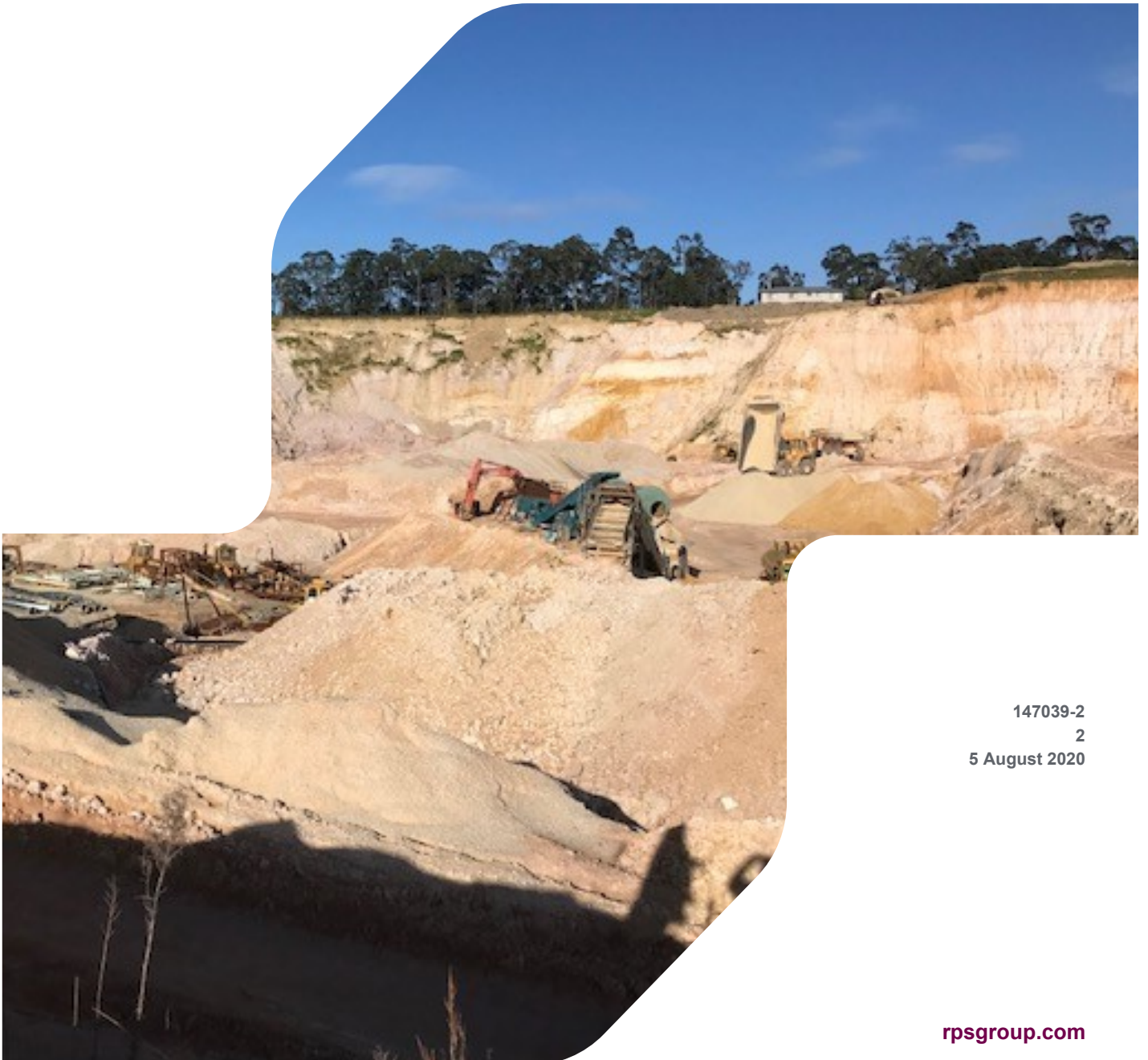


INDEPENDENT ENVIRONMENTAL AUDIT

Maroota Sand Quarry

DA 267-11-99-PA-1



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2
5 August 2020

REPORT

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5 August 2020

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Contents

1	EXECUTIVE SUMMARY	1
2	INTRODUCTION	2
2.1	Background	2
2.2	Audit team	4
2.3	Audit scope	4
2.4	Audit Objectives	4
2.5	Audit period	5
3	AUDIT METHODOLOGY	6
3.1	Selection and endorsement of audit team	6
3.2	Independent Audit scope development.....	6
3.3	Compliance evaluation.....	6
3.4	Document reviews.....	7
3.5	Site interviews	7
3.6	Site inspections	8
3.7	Consultation	8
3.8	Compliance status descriptors.....	9
4	AUDIT FINDINGS	10
4.1	Approval and document list.....	10
4.2	Compliance performance	11
4.3	Summary of agency notices, orders, penalty notices or prosecutions.....	11
4.4	Non-compliances	11
4.5	Previous audit recommendations.....	17
4.6	EMP, Sub-plans and post approval documents.....	18
4.7	EMS.....	18
4.8	Environmental performance	18
4.9	Consultation outcomes.....	19
4.10	Complaints	19
4.11	Incidents	20
4.12	Actual versus predicted environmental impacts.....	20
4.13	Site inspection	21
4.14	Site interviews	22
4.15	Previous Annual Review or Compliance Report recommendations	22
4.16	Improvement opportunities.....	23
4.17	Key strengths	23
5	RECOMMENDATIONS	24
5.1	Non-compliances	24
5.2	Opportunities for improvement.....	26
6	CONCLUSION	27
7	APPENDIXES	28
	Appendix A – Planning Secretary Audit Team Agreement	28
	Appendix B – Consultation	29
	Appendix C – Independent Audit Tables.....	30
	Appendix D – Site Inspection Photographs.....	31
	Appendix E – Independent Audit Declaration Form	42

Tables

Table 1	Pre-audit Meeting Attendees.....	7
Table 2	Onsite Interview Attendees	7
Table 3	Consultation Summary.....	8
Table 4	Compliance Status Descriptors.....	9
Table 5:	2014 – 2017 Audit Recommendations and Action Status	17
Table 6:	2019 Annual Review Actions and Recommendations	22
Table 7:	Recommended Actions for Non-compliances under DA267-11-99-PA-1	24
Table 8:	Recommended Actions for Non-compliance under EPL6535	25

Figures

Figure 1	Site Location and Layout.....	3
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1 EXECUTIVE SUMMARY

RPS Australia East Pty Ltd (RPS) were engaged by VGT Environmental Solutions Pty Ltd (VGT), on behalf of Hodgson Quarries and Plant Hire Pty Ltd (the Operator), to undertake an Independent Environmental Audit (IEA) of the Roberts Road Maroota Sand Quarry ("the Quarry"), 28 Roberts Road, Maroota NSW. This IEA has been prepared to satisfy the requirements of Condition 70 and 71 of DA267-11-99-PA-1 and also the *Independent Audit - Post Approval Requirements (Department of Planning, Industry, and Environment, 2018)*. The IEA covers the reporting period from 16 March 2017 to 4 June 2020.

The audit team from RPS consisted of Ian Richardson (Lead Auditor) and Shaun Smith (Assisting Auditor), whose appointment was approved by the Department of Planning, Industry and Environmental (DPIE) on 19 May 2020. Site interviews and a site inspection were undertaken on 4 June 2020.

The audit included an assessment of compliance with the following development modifications:

- Modification 1: Approved 29 November 2000 seeking approval to amend the method of extraction and to construct an acoustic bund wall.
- Modification 2: Approved 18 March 2016 seeking approval to amend the dam construction process from two stages to three stages, modify the sequence and process of extraction and extend the life of extraction until 2025.
- Modification 3: Approved 18 August 2015 seeking approval to extend the life of operations for 1 year.

The audit also included an assessment of compliance with the site EMS, OEMP, management plans, monitoring reports, and annual reporting, and a comparison of predictions in the original Environmental Impact Statement and subsequent modifications to actual performance. The audit also included a compliance assessment of EPL6535 as required by DA267-11-99-PA-1.

The 2020 audit found a number of relatively minor non-compliances, including 8 non-compliances under DA267-11-99-PA-1 and 2 non-compliances under EPL6535.

Some opportunities for improvement were also identified, including:

- Regular inspection and maintenance of screen plantings
- Regular inspection and maintenance of areas of erosion
- Provision of additional spill kits in operational areas in the event of a hydrocarbon spill or leak
- Further onsite segregation of wastes to allow for better recycling opportunities.

Overall, the environmental performance of the operation is good. Hodgson's operate the facility in accordance with the Operational Environmental Management Plan and sub-plans as required by the development consent.

2 INTRODUCTION

RPS Australia East Pty Ltd (RPS) has been engaged by VGT Environmental Solutions Pty Ltd (VGT), on behalf of Hodgson Quarries and Plant Hire Pty Ltd (the Operator), to undertake an Independent Environmental Audit (IEA) of the Roberts Road Maroota Sand Quarry (“the Quarry”), 28 Roberts Road, Maroota NSW (refer **Figure 1**). This IEA has been prepared to satisfy the requirements of Condition 70 and 71 of DA267-11-99-PA-1 and also the *Independent Audit - Post Approval Requirements (Department of Planning, Industry, and Environment, 2018)*. The IEA covers the reporting period from 16 March 2017 to 4 June 2020.

The audit team from RPS consisted of Ian Richardson (Lead Auditor) and Shaun Smith (Assisting Auditor), whose appointment was approved by the Department of Planning, Industry and Environmental (DPIE) on 19 May 2020.

2.1 Background

The Quarry extracts material from the Maroota Sand geological formation and is situated on the Hornsby Plateau, north west of Sydney. The Quarry has been in operation since the 1990’s supplying sand to the building and construction industry.

The site has approval to extract sand and gravels at the rate of 50 laden trucks per day and a maximum of 10 laden truck movements per hour.

Extraction of the sand is contingent upon a water supply dam in order to wash the clay from the material won. The material is loaded onto a belt feeder which introduces the sand into a mixing tank. An electric pump at the water storage dam pumps water to the mixing tank via a pipeline. The sand slurry is drawn out of the mixing tank by a slurry pump and pumped to the processing plant. The processing plant washes and screens material, using water primarily from the existing water supply dam adjacent to the northern boundary (Process Dam 1). After washing and screening, material is stockpiled adjacent to the plant area prior to transportation off-site by truck. Trucks are loaded using a front-end-loader. Washing and screening results in a residual clay/silt slurry which is piped to designated drying areas in a previously extracted cell where it is spread in thin layers to dry. Liberated water is drained to the water dam for re-use in the processing plant.

DA267-11-99-PA-1 was originally lodged with the then Department of Urban Affairs and Planning (DUAP) and determined in 2000. Since the original approval was granted 3 modifications (MOD) have been approved for the Quarry, with a 4th MOD currently under assessment by DPIE.

Details of the MODs are:

- Modification 1: Approved 29 November 2000 seeking approval to amend the method of extraction and to construct an acoustic bund wall.
- Modification 2: Approved 18 March 2016 seeking approval to amend the dam construction process from two stages to three stages, modify the sequence and process of extraction and extend the life of extraction until 2025.
- Modification 3: Approved 18 August 2015 seeking approval to extend the life of operations for 1 year.
- Modification 4: Currently under assessment and seeking approval to import VENM/ENM, increase daily truck movements to 140 per day, and extend the quarry life to 2030.

Following approval of MODs 1, 2, and 3, the operators have revised a number of environmental management plans and undertaken consultation with relevant government agencies. Where necessary, approval has been sought for the amended plans.



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Figure 1 Site Location and Layout

2.2 Audit team

In accordance with Condition 70(a) of DA267-11-99-PA-1 and Section 3 of the DPIEs *Independent Audit - Post Approval Requirements (2018)*, VGT on behalf of Hodgson's requested the appointment of the RPS audit team by DPIE.

The audit team from RPS included Ian Richardson (Lead Auditor) and Shaun Smith (Assisting Auditor). Approval for RPS was provided to VGT by DPIE on 20 May 2020. The letter of endorsement from DPIE is provided in **Appendix A**.

2.3 Audit scope

The scope of the audit was limited to assessing the environmental performance of the operations in accordance with DA267-11-99-PA-1 for the period between 16 March 2017 to 4 June 2020. The scope of the audit included an assessment of the following matters:

- The conditions of all relevant approvals (consent and EPL)
- Management plan requirements
- The requirements of relevant regulatory agencies
- The status of the operation
- The key regulatory risks, including past or future risks
- The predictions of environmental impact assessments
- The performance of the operation
- Results from previous audits
- Any incidents or community complaints
- Feedback received from other regulatory agencies on the performance of the operation
- Feedback received from the community / community consultative committee on the performance of the operation
- Agency policy or other focus areas.

The audit included the following development modifications:

- Modification 1 to amend the method of extraction and to construct an acoustic bund wall
- Modification 2 to amend the dam construction process from two stages to three stages, modify the sequence and process of extraction and extend the life of extraction until 2025
- Modification 3 to extend the life of operations for 1 year.

2.4 Audit Objectives

In accordance with condition 70 of DA267-11-99-PA-1, this audit:

- Assesses the environmental performance of the development and compliance with the requirements of the consent and EPL 6535
- Reviews the adequacy of strategies, plans / programs required under relevant approvals
- Recommends appropriate measures or actions to improve the environmental performance of the development and/or any assessment, plan or program required under the abovementioned approvals.

The audit has been undertaken in accordance with DPIEs *Independent Audit - Post Approval Requirements (2018)* and ISO 19011: 2018 Guidelines for auditing management systems.

The audit findings presented in this report are based on the condition of the site at the time of the site inspection, consultation with relevant agencies, documentation publicly available and that provided by VGT and the Quarry Operator. All reasonable efforts have been made to gather adequate evidence which is current and relevant to the site.

2.5 Audit period

This IEA covers the reporting period from 16 March 2017 to 4 June 2020 inclusive.

3 AUDIT METHODOLOGY

3.1 Selection and endorsement of audit team

The RPS audit team provided a fee proposal detailing the scope and objectives of the audit process in accordance with Condition 70(a) of DA267-11-99-PA-1 and Section 3 of the DPIEs *Independent Audit - Post Approval Requirements (2018)*. The fee proposal also provided details of each auditor's experience. The audit team proposed by RPS included Ian Richardson (Lead Auditor) and Shaun Smith (Assisting Auditor). The following summary of experience is provided for each auditor.

Ian Richardson will be the Lead Auditor and document reviewer. Ian is a former Exemplar Global accredited Lead Auditor with 25 years' experience working in environmental assessment and monitoring, environmental compliance, work health and safety, hazardous materials and project management in both the private and government sectors. Ian has previously been accepted by NSW DPIE to lead numerous NSW Planning approval IEAs for a wide range of mining and industrial clients including Weston Aluminium, Wilpinjong Coal Mine, Bengalla Coal Mine, Glencore, Sibelco and Aurizon. Ian's auditing experience includes managing large scale audit programs in environmental management system compliance, health and safety compliance, construction compliance, waste and hydrocarbon management and hazardous chemical management.

Shaun Smith will assist with the audit. Shaun will undertake the background document review, site inspection, audit report preparation, and project coordination. Shaun has over 20 years' experience in the environmental and resource management sectors, with a focus on mining and major project approvals. Shaun is currently a Principal Environmental Planner for RPS and is responsible for the management and preparation of environmental assessment documentation across a wide range of disciplines including mining, extractive industries, infrastructure, and industrial sectors. Shaun has extensive experience in both internal and external environmental reporting, and the preparation of environment and planning documentation both pre and post project approval. Shaun also has extensive experience in the interpretation and application of NSW environmental legislation both in a compliance and technical capacity.

Copies of the auditor's CVs were also provided to DPIE as part of the endorsement process. Approval for RPS was provided to VGT by DPIE on 20 May 2020. The letter of endorsement from DPIE is provided in **Appendix A**.

3.2 Independent Audit scope development

As required in *Independent Audit Post Approval Requirements* (Section 3.2) the auditor must consult with the Department, and other agencies and stakeholders, including the Community Consultative Committee (CCC), to obtain their input into the scope of the audit. Comments received during such consultation must be recorded and reported in the IEA. Specific environmental issues raised during consultation must be investigated and findings of the investigation must be reported in the Independent Audit Report.

As detailed in **Section 3.6** below consultation has been undertaken with the relevant agencies in order to inform the scope for the audit. The Hills Council was the only agency that provided feedback for the audit scope. There is no CCC required under the consent.

The audit table was also reviewed against the requirements of Section 3.3 of the audit requirements. No changes were made.

3.3 Compliance evaluation

Compliance evaluation was undertaken through the following means:

- Document reviews
- Interviews with relevant personnel
- Site inspections

Further detail is provided in **Section 3.4, 3.5 & 3.6** below.

3.4 Document reviews

Documents reviewed to evaluate compliance included:

- Air Quality Management Plan
- Water Management Plan
- Noise Management Plan
- Road Noise Management Plan
- Flora and Fauna Management Plan
- Groundwater Study
- Rehabilitation Plan
- Operational Environmental Management Plan
- Environmental monitoring reports
- Complaints register and correspondence
- Incident reporting
- Rectification of non-conformances from internal audits (e.g. EMP) and complaints
- Annual review and compliance reports
- Regulator correspondence (emails and letters)

3.5 Site interviews

A pre-audit meeting was held by phone on 2 June 2020 with the Quarry's environmental officer, consultant from VGT, and members of the audit team from RPS. The audit scope, methodology, documentation, safety, and induction requirements were discussed. Attendees of the pre-audit meeting are provided in **Table 1** and meeting minutes are provided in **Appendix B**.

Table 1 Pre-audit Meeting Attendees

Name	Initials	Company	Role
Stuart Reed	SR	Hodgson Quarry and Plant Pty Ltd	Environmental Officer
Lisa Thomson	LT	VGT	Principal Consultant
Shaun Smith	SS	RPS Group	Assisting Auditor
Ian Richardson	IR	RPS Group	Lead Auditor

Onsite interviews were undertaken on 4 June 2020. Quarry management, quarry environmental officer, VGT, and the RPS audit team were present for the interviews. Attendees of the onsite interviews are provided in **Table 2** and an attendance register is provided in **Appendix B**. Opening and closing meetings were also undertaken as part of the interview process onsite. An audit agenda is included in **Appendix B** which details each component of the onsite audit.

Table 2 Onsite Interview Attendees

Name	Initials	Company	Role
Martin Hodgson	MH	Hodgson Quarry and Plant Pty Ltd	Production Manager
Stuart Reed	SR	Hodgson Quarry and Plant Pty Ltd	Environmental Officer

REPORT

Name	Initials	Company	Role
Lisa Thomson	LT	VGT	Principal Consultant
Shaun Smith	SS	RPS	Assisting Auditor
Ian Richardson	IR	RPS	Lead Auditor

3.6 Site inspections

A site visit was conducted on 4 June 2020 at the Quarry. During the site visit the following was sighted / inspected:

- Extraction areas
- Sediment control dams
- Process water dams and water storage dams
- Mobile plant and equipment
- Sand processing equipment
- Monitoring equipment and meteorological monitoring station
- Site office, workshop and storage areas
- Site entry, weigh bridge and access tracks
- Site signage
- Perimeter bund
- Landscaping
- Rehabilitated areas
- Tailings storage.

Observations were made in relation to the site's general environmental management and performance including air, noise, water, visual amenity, waste, hydrocarbon management, soil and erosion, and vegetation. Refer to **Plate 1** to **Plate 17** in **Appendix D** for photographs undertaken during the site inspection.

3.7 Consultation

Relevant government agencies were informed of the audit via email and given the opportunity to provide comment and advice on issues of concern. The consultation is summarised below in **Table 3** and copies of correspondence are provided in **Appendix B**.

Table 3 Consultation Summary

Contact Details	Date	Method	Comment / Outcome
Department of Planning, Industry, and Environment			
Alfarid Hussain	27.5.2020	Phone: 02 9274 6456 Email: alfarid.hussain@planning.nsw.gov.au	Response received. Directed by DPIE officer to lodge a request for consultation through the Major Projects web portal
Central Email	27.5.2020	Major Project web portal	Request notification received.
Alfarid Hussain	3.8.2020	By email	No further comments or requests other than what is

required under Condition 70 and 71 of DA267-11-99-PA-5.

NSW Environment Protection Authority

Central Email 27.5.2020 EPA.EDoperationsmetro@epa.nsw.gov.au No response provided.

The Hills Council

Central Email 27.5.2020 Email: council@thehills.nsw.gov.au Response received from Kristine McKenzie. Requested to review landscape screening and ongoing maintenance of this screening.

DPIE – Water

Central Email 27.5.2020 Email: landuse.enquiries@dpi.nsw.gov.au No response provided.

NRAR

Central Email 15.6.2020 Email: nrar.enquiries@nrar.nsw.gov.au No response provided.

3.8 Compliance status descriptors

Compliance status has been assessed in accordance with Section 3.8 of the *Independent Audit - Post Approval Requirements (2018)*. The following descriptors have been adopted as per **Table 4** below.

Table 4 Compliance Status Descriptors

Status	Description
Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

4 AUDIT FINDINGS

4.1 Approval and document list

The quarry's project approval DA267-11-99-PA-1, originally issued by DUAP 18 March 2016, was the primary approval document audited. Various elements of the following documents, were also audited to assess compliance:

- Environmental Assessment Section 75W Modification (2) DA267-11-99-PA-1, Hodgson Quarries and Plant Pty Ltd: Roberts Road, Maroota (Volumes 1 and 2), 23 September 2015 prepared by Nexus Environmental Planning Pty Ltd (EA Modification 2)
- Environmental management commitments made in the Operational Environmental Management Plan, July 2018, prepared by VGT
- Environmental Protection Licence 6535.

In addition to the approvals and documents listed above, other documentation sighted and reviewed included:

- Dundon Consulting, Groundwater Monitoring Program, Roberts Road Maroota Sand Quarry July 2018
- Dundon Consulting, Groundwater Management Plan, Roberts Road Maroota Sand Quarry July 2018
- Dundon Consulting, Roberts Road Maroota Sand Quarry, Groundwater Study Report. April 2018
- Hodgsons Quarries Complaints Register January 2011 – March 2020
- Hodgsons Quarries Water Quality Register 2017-2019
- Muller Acoustic Consulting, Noise monitoring assessment, Maroota Quarry (June 2019)
- Muller Acoustic Consulting, Operational and Road Noise Management Plan (November 2016)
- Newport Technical Services Pty Ltd, Environmental Compliance Audit 2014 – 2017 Maroota Sand Quarry (August 2017)
- South East Environmental, Annual Biodiversity Monitoring Report 2019
- VGT Pty Ltd, Air Quality Management Plan for the Sand Quarry, Roberts Rd Maroota, NSW (November 2016)
- VGT Pty Ltd, Annual Review and Compliance Report 2019 Roberts Road, Maroota Sand Quarry DA 267 – 11 – 99 (March 2020)
- VGT Pty Ltd, Annual Review and Compliance Report 2018 Roberts Road, Maroota Sand Quarry DA 267 – 11 – 99 (March 2019)
- VGT Pty Ltd, Annual Review and Compliance Report 2017 Roberts Road, Maroota Sand Quarry DA 267 – 11 – 99 (March 2018)
- VGT Pty Ltd, Construction Environmental Management Plan for the Sand Quarry, Roberts Rd Maroota, NSW (July 2016)
- VGT Pty Ltd, Hodgsons Maroota, Dust Monitoring Results, 2017-2019
- VGT Pty Ltd, Environmental Management Strategy for the Sand Quarry, Roberts Rd Maroota, NSW (July 2018)
- VGT Pty Ltd, Flora and Fauna Management Plan for the Sand Quarry, Roberts Rd Maroota, NSW (November 2016)
- VGT Pty Ltd, Operational Environmental Management Plan, Roberts Rd Maroota Quarry (July 2018)
- VGT Pty Ltd, Pollution and Incident Response Management Plan 2016 EPA Licence Number 6535, Sand Quarry, Roberts Rd Maroota, NSW (May 2019)

REPORT

- VGT Pty Ltd, Rehabilitation Management Plan for the Sand Quarry, Roberts Rd Maroota, NSW (March 2018)
- VGT Pty Ltd, Surface Water Management Plan, Maroota Quarry via Maroota (March 2018).

4.2 Compliance performance

In summary, following a review of information, site inspection, interviews, and consultation the audit found the following:

DA267-11-99-PA-1

- 51 Compliant
- 8 Non-compliant
- 8 Not triggered.

EPL6535

- 23 Compliant
- 2 Non-compliant
- 10 Not triggered.

Non-compliances are detailed further in **Section 4.4**.

4.3 Summary of agency notices, orders, penalty notices or prosecutions

There were no agency notices, orders, penalty notices or prosecutions during the audit reporting period.

4.4 Non-compliances

The following section provides details of the non-compliances under DA267-11-99-PA-1 and EPL6535 and the related conditions. Further detail can also be found in the **Audit Tables** attached as **Appendix C**.

DA267-11-99-PA-1

Schedule 2, Condition 2 – Non-compliance

2. The Applicant shall:

(a) carry out the development generally in accordance with the EIS, Modification 1, Modification 3 and Modification 2; and

(b) comply with the conditions of this consent.

If there is any inconsistency between the documents in Condition 2(a), the most recent documents shall prevail to the extent of the inconsistency. The conditions of this consent shall prevail over documents in Condition 2(a) to the extent of any inconsistency.

9 non-compliances were identified during the audit which are further detailed below.

Recommendation

The development is generally being carried out in accordance with the EIS, Mod 1, Mod 2 and Mod 3, and with the conditions of development consent, however a number of non-compliances were identified. These are addressed against the specific conditions below.

Schedule 2, Condition 28 – Non-compliance

Air Quality Criteria

28. The Applicant shall take all practical steps to manage the development so that the ambient air quality goals for total suspended particles (TSP) of 90 µg/m³ (annual average), particulate matter (PM₁₀) of 50 µg/m³ (24 hours average) and 30 µg/m³ (annual average) and the dust deposition goal of 4gm/m² (annual average) are not exceeded as a result of the development, when measured at any monitoring location specified in the Air Quality Management Plan.

Air quality exceedances were noted for exceedance of 24 hour average PM₁₀ criteria on 15 February 2018, 6 March, 5 April, 29 April, 19 November, and on 7, 19 and 31 December 2019. Exceedances were also noted for 12, 18, 24 and 30 January 2020 and 5 February 2020.

2018 - This exceedance was reported in the 2018 Annual Review and Compliance Report. There was no correspondence observed from the Department with respect to this result.

2019 - Exceedances for the months of November and December 2019 and for January 2020 were reported to the Department once results were available. There was no correspondence available to indicate if there was any follow up required for these exceedances.

Recommendation

The exceedances recorded on the abovementioned dates were the results of extended drought conditions and bushfires outside the control of the operator. Notwithstanding this, the operator is to ensure correspondence is followed up with the relevant regulators and that this correspondence is appropriately filed and documented for compliance purposes.

Schedule 2, Condition 36 – Non-compliance

Air Quality Monitoring

36. Operation of dust deposition gauges and monitoring must be carried out in accordance with;

(a) Australian Standard 3580.10. 01 (1991) Particulates – Deposited Matter – Gravimetric Method. Approved method AM-19 referred to in Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales, December 1999.

(b) Australian Standard 2724.3 (1984) Particulate Matter – Determination of Total Suspended Particulates (TSP) - High Volume Sampler Gravimetric Method. Approved method AM 15 referred to in Approved Methods for the sampling and Analysis of Air Pollutants in New South Wales, December 1999.

(c) Australian Standard 3580.9.6 (1990) for Suspended Particulate Matter – PM₁₀ High Volume Sampler with Size Selective Inlet-Gravimetric Method. Approved method AM-18 referred to in Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales, December 1999.

Location of Dust Gauge 2 was observed to be impeded by trees. The trees in this area are part of remnant vegetation and subsequently cannot be disturbed.

Recommendation

It is recommended that the location of Dust Gauge 2 is reviewed in light of the current constraints of this location, and the availability of monitoring equipment in other locations.

Schedule 2, Condition 42 – Non-compliance

Water Management Plan

42. The Applicant shall prepare a Water Management Plan for the development to the satisfaction of the Secretary. This plan must be prepared in consultation with DPI-Water by suitably qualified and experienced person/s whose appointment has been approved by the Secretary, and be submitted to the Secretary for approval by 31 December 2016. The plan must be updated on an annual basis in consultation with DPI-Water for three years from the date of approval of Modification 2 and thereafter as agreed with by the Secretary.

In addition to the standard requirements for management plans (see Condition 65), this plan must include a:

(a) Site Water Balance that:

• includes details of:

- **sources and security of water supply, including contingency planning;**
- **water use on site;**
- **water management on site, including groundwater inflows to the quarry voids and site discharges; and**
- **audit and reporting procedures, including comparisons of the site water balance each calendar year; and**
- **describes the measures that would be implemented to minimise clean water use on site and maximise recycling opportunities;**

(b) Surface Water Management Plan, that includes:

• a detailed description of the surface water management system on site, including the:

- **clean water diversion systems;**
- **erosion and sediment controls;**
- **effluent irrigation system;**
- **water transfers from the extraction areas;**
- **water storages; and**
- **discharge points;**

• design objectives and performance criteria for proposed:

- **erosion and sediment control structures;**
- **water storages, including quarry voids;**
- **site discharges; and**
- **control of water pollution from rehabilitated areas of the site;**

• performance criteria, including trigger levels for investigating any potential adverse impacts for surface water quality;

• a program to monitor:

- **the effectiveness of the water management system;**
- **site discharge water quality; and**
- **surface water level and quality in the Process Water Dam, including the quantification of rainfall inflow, groundwater inflow and evaporation;**

• a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse surface water impacts of the project;

• long term water quality management objectives and the measures to achieve these objectives;

• a plan that ensures surface stormwater runoff from the disturbed areas is directed to the sedimentation dam(s);

• a plan that ensures tailgate drainage does not discharge into or onto any adjoining public or Crown road, any other persons land, any Crown land, any river, creek or watercourse, any groundwater aquifer, any native vegetation as described under the Native Vegetation Conservation Act 1997 and any wetlands of environmental significance;

- **a detailed description of design and construction criteria for the Process Water Dam based on a feasibility study of:**
 - **capacity to construct multiple cells within the overall dam footprint (ie a two stage or three stage dam);**
 - **whether the dam floor and walls are able to be effectively lined with compacted clay (especially for multiple cells);**
 - **whether effective hydraulic separation can be achieved between such cells;**
 - **rehabilitating such cells to create a single dam within the final landform; and**
 - **the appropriateness of diverting runoff received from off-site around the dam;**
- **a strategy for the decommissioning of water management structures, including storage, sedimentation and leachate dams once extraction is complete; and**
- **audit and reporting procedures, including comparisons of the monitoring results each calendar year and quarterly reporting of surface water monitoring results;**

(c) Groundwater Management Plan that takes into account the Web-based Reporting Guideline (DPE 2015) and Groundwater Monitoring and Modelling Plans – Information for Prospective Mining and Petroleum Exploration Activities (DPI 2014), and includes:

- **detailed baseline data on groundwater yield and quality in groundwater bores on privately-owned land, that could be affected by the project;**
- **a program to undertake surveyed probe testing of all extracted areas where clay fines have been deposited to:**
 - **accurately determine the depth of extraction and depth of clay fines;**
 - **identify any ongoing intersection or other interaction between clay fines and the regional groundwater aquifer;**
 - **identify any geotechnical characteristics of the emplaced clay fines which may pose risks to workplace safety or implementation of the process water dam design or the final landform; and**
 - **identify measures which can be successfully used in rehabilitating these areas;**
- **a program to monitor potential groundwater quality impacts to the regional aquifer from receiving off-site runoff water in the Process Water Dam;**
- **groundwater assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts, in accordance with the NSW Aquifer Interference Policy;**
- **a program to monitor:**
 - **the impacts of the project on:**
 - **groundwater inflows to water storages;**
 - **any groundwater bores on privately-owned land that could be affected by the project; and**
 - **seepage from water storages or backfilled voids on site;**
- **a plan to respond to any exceedances of the groundwater assessment criteria;**
- **emergency contingency plans for implementation in the event that the groundwater is encountered during excavation; and**
- **audit and reporting procedures, including comparisons of the monitoring results each calendar year and quarterly reporting of groundwater monitoring results,**

The Applicant shall implement the approved management plan as approved from time to time by the Secretary.

REPORT

The most current Water Management Plan is dated 20 March 2018. This was received and acknowledged by DPIE.

Recommendation

The Water Management Plan has not been subject to annual review in consultation with DPIE-W for the three years from the date of approval of Mod 2. The current version is dated 20 March 2018. The Water Management Plan should be updated in consultation with DPIE-W in order to meet this requirement, and then subject to ongoing review as agreed by the Secretary.

Schedule 2, Condition 45 – Non-compliance

Process Water Dam Design and Construction

45. The Applicant must ensure that the Process Water Dam is designed and constructed in a manner that satisfies the design and construction criteria for the Process Water Dam as developed under the Surface Water Management Plan (see condition 42(b) above).

The Surface Water Management Plan has been revised to address this condition (refer Section 8 of the SWMP), however Section 8.2 of the SWMP contains conflicting recommendations with respect to the requirement to consult with the Dam Safety Committee and the requirement for assessment by a suitably qualified engineer.

Recommendation

Section 8.2 of the SWMP contains conflicting measures regarding consultation with the NSW Dams Safety Committee and the assessment of the dam construction by a suitably qualified engineer. It is recommended that the SWMP be reviewed and updated to clearly detail and explain why the NSW Dam Safety Committee and engineering input is not required as per the condition.

Schedule 2, Condition 54 – Non-compliance

Flora and Fauna

54. In construction of the bund walls at the corner of Roberts Road and Old Northern Road, the Applicant shall minimise disturbance to existing native vegetation.

No additions to this bund wall observed. Vegetation established on these bunds has been removed by Endeavour Energy in 2015. No replanting has been undertaken to maintain vegetation and visual screening in this area. Refer **Plate 16** and **Plate 17** in **Appendix D**.

Recommendation

Planted vegetation on the bund walls at the corner of Roberts Road and the Old Northern Road was removed during the 2014-2017 audit period. It is recommended that revegetation of these areas is carried out in consultation with the electricity utility to establish and maintain this visual screening.

Schedule 2, Condition 61 – Non-compliance

Conservation and Rehabilitation Bond

61. By 31 December 2017, the Applicant shall lodge a Conservation and Rehabilitation Bond with the Department to ensure that the management of biodiversity and the rehabilitation of the site are implemented in accordance with the performance and completion criteria set out in the Flora and Fauna Management Plan and Landscape and Rehabilitation Plan. The sum of the bond shall be determined by:

(a) calculating the cost of rehabilitating the site taking into account the likely surface disturbance over the following 3 years of quarrying operations; and

(b) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs, to the satisfaction of the Secretary.

REPORT

Advice from the DPIE was requested when the Landscape and Rehabilitation Plan was developed. This plan includes a proposed approach to the calculation of the rehabilitation bond, however this has not been finalised or lodged.

The Landscape and Rehabilitation Plan includes a proposed approach, but this has not been determined, and consequently the bond has not been lodged.

Recommendation

It is recommended that DPIE be formally followed up in writing (not email) again. If a response is not forthcoming, then the bond should be calculated and lodged by a suitably qualified rehabilitation consultant in accordance with the methodology previously presented to DPIE.

Schedule 2, Condition 68 – Non-compliance

Incident Reporting

68. The Applicant shall immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

Air quality exceedances were noted for exceedance of 24 hour average PM₁₀ criteria on 15 February 2018, 6 March, 5 April, 29 April, 19 November, and on 7, 19 and 31 December 2019. Exceedances were also noted for 12, 18, 24 and 30 January 2020 and 5 February 2020.

2018 - This exceedance was reported in the 2018 Annual Review and Compliance Report. There was no correspondence observed from the Department with respect to this result.

2019 - Exceedances for the months of November and December 2019 and for January 2020 were reported to the Department once results were available. There was no correspondence available to indicate if there was any follow up required for these exceedances.

Recommendation

The operator should ensure correspondence is followed up with the relevant regulators and that this correspondence is appropriately filed for compliance purposes.

EPL6535

Condition 4O 2.1 – Non-compliance

Maintenance of Plant and Equipment

4 O2.1. All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and**
- b) must be operated in a proper and efficient manner.**

Site inspection identified that hydraulic oils were stored in the workshop area without secondary containment. Approximately 13 x 200L drums of hydraulic oils were stored in the workshop. These drums were stored on standard timber pallets without any form of secondary containment. The workshop area is not bunded. Refer **Plate 1** in **Appendix D**.

Recommendation

While the storage of these materials is inside the workshop, and consequently low risk, due to the movement of these items by forklift, and the evidence of minor spills it is recommended that these drums should be stored on bunded pallets, or in an appropriately bunded area to mitigate this risk.

Condition 6R 1.5 – Non-compliance

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

REPORT

The EPA licence register was checked which showed that the 2020 Annual Return was lodged on 19 May 2020.

Recommendation

The licence holder shall ensure that Annual Returns are prepared and lodged within the 60 day period for reporting.

4.5 Previous audit recommendations

Detailed below in **Table 5** is a summary of the recommendations from the 2014-2017 independent environmental audit, actions undertaken, and the current status.

Table 5: 2014 – 2017 Audit Recommendations and Action Status

2014-2017 Audit Recommendations	Action Taken	Status
1. Update induction material to include environmental requirements ensuring the contractors and subcontractors are aware of and comply with the consent.	Updated induction material sited during 2020 audit.	Complete
2. Reach agreement on the wet weather high groundwater level with DPI-Water.	A revised Groundwater Study was undertaken in April 2018 which addressed the wet weather high groundwater level. This report was provided to DPI-Water and no further comment was provided.	Complete
3. Continue to consult with DPI-Water to seek their comments on the Water Management Plan.	A revised Water Management Plan was submitted to DPI-Water on 20.3.2018 and approved on 22.8.2018.	Complete
4. Submit the Landscape and Rehabilitation Management Plan per Condition 60 to the Secretary by the 30 June 2017	A revised Landscape and Rehabilitation Plan was submitted on 20.3.2018 and approved on 22.8.2018.	Complete
5. Re-install sprinkler system to adequately water all cleared areas and stockpiles.	Sited during 2020 audit.	Complete
6. Seek approval from the Secretary for the Groundwater Management Improvement Program and duly report progress in the Annual Reviews.	A revised Groundwater Study was undertaken in April 2018 which addressed the Groundwater Management Improvement program. This report was provided to DPI-Water and no further comment was provided.	Complete
7. Update Water Management Plan in accordance with consultation requirements from DPI-Water including the Groundwater Management Plan and requirements per the Conditions of approval and submit to the Secretary.	A revised Water Management Plan was submitted to DPI-Water on 20.3.2018 and approved on 22.8.2018. A revised Groundwater Study was undertaken in April 2018 which addressed the Groundwater Management Improvement program. This report was provided to DPI-Water and no further comment was provided.	Complete
8. Amend the Groundwater Monitoring Program to ensure consistent bore locations and references in Figure 1 and 2 and Table 7. As well incorporate amendments per DPE's conditional approval, to reflect the actual locations of boreholes and provide accurate contour plans.	Groundwater Monitoring Program revised and updated 17 July 2018.	Complete
9. Engage a suitably qualified engineer to assess the designed and construction of the Process Water Dam. Consult with Dam Safety Committee to ensure dam construction compliance.	Some additional commentary provided in Section 8 of the revised Surface Water Management Plan dated 20.3.2018, however not adequately addressed.	Outstanding
10. Undertake a noise compliance investigation against relevant criteria to for all excavators and	Undertaken by Muller Acoustic Consulting 23.5.2018.	Complete

REPORT

on-site generators that have not previously been assessed.

11. Further consider and address the landscape planting and bund in the Landscape and Rehabilitation Management Plan (required by Condition 60) to ensure adequate screening, visual appeal and maintenance.	Bund remains bare of trees and shrubs at the corner of Roberts Road and Old Northern Road. Endeavour Energy removed plantings from under their power asset in 2015.	Outstanding
12. Field assessment and document to be undertaken during the 2017–2020 audit to verify compliance with water licencing requirements under the WMA 2000 and WA 1912.	Reviewed by Ian Richardson and Shaun Smith during 2020 audit.	Complete

4.6 EMP, Sub-plans and post approval documents

Following the 2017 audit, most documents have been reviewed and updated, however some sub-plans are close to 4 years since review and should be considered for updating where operational changes have occurred. Approvals following revision of the documents have been provided by DPIE and other relevant agencies. The EMP and sub-plans are listed below with their most recent review date provided:

- Operational Environmental Management Plan, July 2018
- Groundwater Monitoring Program, July 2018
- Groundwater Management Plan, July 2018
- Operational and Road Noise Management, November 2016
- Air Quality Management Plan, November 2016
- Construction Environmental Management Plan, July 2016
- Flora and Fauna Management Plan, November 2016
- Pollution and Incident Response Management Plan, May 2019
- Landscape and Rehabilitation Management Plan, March 2018
- Surface Water Management Plan, March 2018.

4.7 EMS

The quarry's Environmental Management Strategy (EMS) has been reviewed twice since the previous audit in August 2017. The EMS was reviewed on 14 December 2017 to address comments raised from the 2017 audit. The EMS was again reviewed on 26 July 2018 following the acceptance of the 2017 Annual Review.

The document is structured to address the main aspects of an EMS, including Site Description, Scope, Objectives, Statutory Approvals, Key Personnel, and Procedures for Local Community Engagement, Agency Reporting, Complaints Management, Dispute Resolution, Non-compliances, and Emergencies and Incidents.

The EMS should be further updated in response to operational changes, changes in key personnel, changes to approvals, following an incident or management review.

4.8 Environmental performance

Following a thorough review of management plans, monitoring results, annual reporting, agency consultation, and a site inspection and interviews, the environmental performance of the quarry operations was found to be good. During the site visit there were no major areas of concern identified, however there are areas for improvement. It was apparent that most recommendations from the 2017 audit had been implemented by the operator and site staff were aware of environmental requirements, site compliance, and documentation. Environmental records were either filed on site or on a VGT hosted website.

Annual returns for EPL 6535 had been submitted for each reporting period and recorded nil non-compliances. Nil environmental incidents and complaints were also recorded during the audit period. The annual return for 2019 was submitted 8 days late (19 May instead of 11 May) due to a system issue resulting in the return having to be re-submitted.

No high-risk non-compliances were identified, with a total of 8 non-compliances determined. A number of the non-compliances identified during this audit are considered minor in nature and are the result of either definitive return correspondence not being provided, the operator failing to follow up on agency requirements and correspondence, or failing to adequately notify of monitoring exceedances. There were several PM₁₀ exceedances during the audit reporting period however these were attributable to severe fires in the area over the summer period of 2018 and 2019.

During consultation with government agencies, only one concern was raised by The Hills Shire Council in relation to landscaping and maintenance of site bunds. Landscaping at the corner of Old Northern Road and Roberts Road was documented in the 2017 audit. This item remains unresolved and as a consequence has been deemed a non-compliance under this audit. The vegetation has been missing since 2015 following removal by Endeavour Energy (Stuart Reed, Pers Com).

Following the approval of the revised Landscape and Rehabilitation Plan in 2018 by DPIE, VGT on behalf of the operator requested that the Department advise on an amount for an updated rehabilitation bond. VGT proposed to utilise the Departments rehabilitation bond calculator as used for larger extractive industries. To date the bond has not been paid and the Department has not responded to the request.

Following the 2017 audit, comments were made by DPIE regarding impacts to groundwater and extraction depth. This has been resolved during the current audit reporting period through undertaking a revised Groundwater Study (Dundon, 2018), revised Groundwater Monitoring Program (Dundon, 2018), and an updated Groundwater Management Plan (Dundon, 2018).

During the site inspection some areas of minor erosion were observed within the active areas of the quarry. Whilst this is not considered a non-compliance or a major issue as all polluted waters drain towards disturbed areas, these areas should be maintained in an adequate condition to minimise erosion potential.

The re-instatement of landscaping vegetation has occurred on an area of visual bund along the northern boundary of the site adjacent to Dam 1. A previous land slip in the bund cause a failure in this area. The bund has since been repaired and vegetation re-established.

Rehabilitation located in the north-eastern corner of the site was also viewed during the site inspection and appeared to be establishing well and providing soil stability.

4.9 Consultation outcomes

Prior to the audit, consultation was undertaken with relevant government agencies seeking feedback or comments for the audit process. Details of the agencies consulted, date, type of consultation, and responses are detailed in **Table 3**.

As a result of consulting with the government agencies, only one concern was raised by The Hills Shire Council in relation to landscaping and maintenance of site bunds. The vegetation screen was observed to be sparse at the corner of Old Northern Road and Roberts Road due to Endeavour Energy previously clearing the landscape plantings from under one of their power lines in this area. The operator stated during the 2020 audit that these plantings were removed in 2015. As an action item from this audit it has been recommended that bushes and shrubs (no trees) be re-instated on this section of bunding to improve the visual shielding.

All audit consultation correspondence is attached as **Appendix B**.

4.10 Complaints

There were no complaints recorded for the audit period. The site complaints register was sighted on June 4 2020 during the onsite interviews.

4.11 Incidents

There were no incidents recorded for the audit period. The site incident register was sighted on June 4 2020 during the onsite interviews.

4.12 Actual versus predicted environmental impacts

The audit process has involved the review of monitoring and annual reports for the quarry operations. The following comments are provided regarding actual and predicted environmental impacts.

Noise

Operational and road noise monitoring is undertaken at the development. The most recent monitoring was undertaken in June 2019. Attended monitoring has identified that operational and road noise emissions generated by the quarry comply with relevant statutory noise limits. Furthermore, project related noise emissions are generally masked by extraneous non-quarry sources. Noise monitoring results also indicate that noise management controls are providing suitable mitigation.

Air Quality

Monitoring results for air quality show that dust deposition and total suspended particulates were compliant with DA required criteria. Particulate Matter (PM₁₀) exceeded the 24 hour criteria on several dates and the Annual Average criteria for 2019. There were uncontrolled bushfires surrounding the site on Roberts Road Maroota from mid-October 2019. Monitoring data from January to October 2019 illustrate the site's compliance prior to the bushfires.

The site was undertaking dust management operations as per the approved AQMP. Exceedances for PM₁₀ were only experienced during the bushfire emergency period. Incidents were reported to the EPA and DPIE and no actions have been requested.

The monitoring shows an increasing trend for each monitor during 2019 largely because of the prevalent bushfires during late 2019. Insoluble matter and PM₁₀ results have increased to above that of predicted levels due to the presence of bushfire smoke.

Surface Water

The primary consideration in assessing the effectiveness of the surface water controls is that the downstream environment does not receive discharged waters. In this regard the controls are effective as the site has more than sufficient capacity to contain surface water for the design storm event and no uncontrolled discharges have occurred.

The sediment and erosion controls are considered effective in terms of preventing sediment from leaving the site. Within the excavation there is evidence of erosion however all eroded soils and sediment are contained within the pit.

Inactive disturbed areas are seeded with pasture species or trees to reduce the erosion potential. Water depth monitoring results indicate that all surface water bodies are above the level of the groundwater in both the Maroota Sands and Hawkesbury Sandstone aquifers.

Groundwater

As the limit on the depth of extraction is defined to be 2m above the Wet Weather High Groundwater level, groundwater monitoring is essential to determine this limit. Consent Mod 2 defines the Wet Weather high groundwater level as *'the rolling average of all recorded groundwater level measurements at any monitoring location on the site, as the first recorded following any rainfall event of at least 50mm over any 24hour period, and as contour mapped using this data'*. Rainfall data is also required to assist in the determining of the limit of extraction.

Groundwater monitoring results from the audit reporting period show that during rainfall events greater than 50mm groundwater levels for bore holes temporarily rose then continued to fall at similar rates to previous.

As the groundwater level did not rise above previously recorded levels, the Wet Weather High Groundwater Level remains as determined by the groundwater assessment.

Flora and Fauna

Monitoring of remnant vegetation on the site was last undertaken in July 2019 in accordance with the approved Flora and Fauna Management Plan. A program of planting was also undertaken in August 2018 with the aim of improving the vegetation buffers on the perimeter of the site. A total of 500 native tree and shrub species were planted along the northern bund wall. Monitoring indicated that the success rate of these plants was high.

Weed management has also been undertaken on a monthly basis through spot spraying. Further weed monitoring and maintenance is to occur in relation to high threat weeds.

Rehabilitation

Site perimeter bund walls have been revegetated with grass and shrub species and are generally stable. The perimeter bund walls are generally providing effective visual screening from the site operations despite the absence of mature trees. The compliance of the dust and noise monitoring results would indicate that these control measures are effective. Internal bunds and topsoil stockpiles are generally well covered with pasture species.

Progressive rehabilitation in the extraction cells has not occurred on the site to date due to the lack of finished faces. Although this results in erosion on the internal faces of the extraction area, sediment is captured within the pit void and does not impact on surrounding land or waterways.

The 10 metre buffer on the northern site boundary has been reinstated and the bund wall vegetated with native species. The remaining areas on the site, outside the extraction footprint are well vegetated with pasture species and are stable and protected from erosion impacts.

Landscaping vegetation removed by an Endeavour Energy contractor in 2015 from the bund at the corner of Old Northern Road and Roberts Road requires re-instatement. This has been flagged as an action item from this audit.

4.13 Site inspection

The following areas were viewed and photographed as evidence during the onsite inspection:

- Active extraction areas
- Processing plant and equipment
- Drying ponds
- Weather station
- Onsite HVAS
- Depositional dust gauges
- Groundwater piezometers
- Workshop and laydown area
- Rehabilitation areas and remnant vegetation
- Site water storages
- Visual bunds and landscaping
- Perimeter fencing.

Photographs taken during the site inspection are attached as **Appendix D**.

4.14 Site interviews

The following additional evidence was supplied as a result of the interview process for the audit:

- Evidence of the submission of the EPL Annual Reviews (2020)
- Email evidence of a request to DPIE regarding the rehabilitation bond (2017)
- Email evidence regarding tree trimming and removal along Old Northern Road (2017)
- Email evidence of approval of the Operational Environmental Management Plan (2018)
- Letter evidence to the Department of Planning in regarding the removal of landscape plants by Active Trees Pty Ltd on behalf of Endeavour Energy (2015)
- Evidence of waste dockets from waste contractors
- Evidence of invoices from The Hills Shire Council for the payment of Section 7.11 contributions
- Email evidence of the receipt of the 2019 Annual Review and Compliance Report by DPIE (2020)
- Email evidence of the receipt of the 2019 Annual Review and Compliance Report by NRAR (2020)
- Email evidence of the receipt of the revised Surface Water Management Plan and Landscape and Rehabilitation Plan by DPIE (2018)
- Email evidence of reporting of air quality (PM₁₀) exceedances to DPIE (2019, 2020)
- Email evidence of correspondence with DPIE regarding the submission of the 2017 Annual Review and Compliance Report (2018)
- Excel file showing data evidence of a spot height survey at the quarry in 2019.

4.15 Previous Annual Review or Compliance Report recommendations

Table 6 below details the actions from the 2019 Annual Review to be addressed during the 2020 reporting period.

Table 6: 2019 Annual Review Actions and Recommendations

Aspect	Action	Timing	Status
Air Quality	A mobile sprinkler is used to water disturbed areas that the water cart has difficulty accessing.	Currently occurring	Ongoing
	Dust will continue to be monitored using high volume air samplers and dust deposition gauges. Relocation of HVAS monitored will be investigated.	HVAS location to be addressed once MOD 4 is approved	Outstanding
Water	Water Management Plans to be implemented and updated to include impact criteria.	To be completed once MOD 4 is approved	Outstanding
Noise	Undertake attended operational and road traffic noise monitoring, including compliance with conditions 47 (a) and (b). Any newly purchased equipment to tested for Sound Power compliance.	To be completed once MOD 4 is approved	Outstanding
Flora and Fauna	Biodiversity monitoring will be undertaken during the calendar year. Weed control will be undertaken as recommended in section 5.8.4 of Annual Review.	October to December 2020	Outstanding
Rehabilitation	Monitor and maintain perimeter vegetation. Temporarily fence off in-active area to minimise dust generation in unused areas.	July 2020 to February 2021	Ongoing

Administrative	An Independent Audit will be commissioned this year (2020).	June 2020	Complete
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4.16 Improvement opportunities

One of the main areas for improvement is to regularly update the OEMP and sub-plans. Regular updates of the Operational Environmental Management Plan and sub-plans would allow the operator to integrate reviews more proactively in response to operational and legislation changes. The OEMP will next be updated once MOD 4 is approved. Notwithstanding this, the OEMP should also be updated if there are other site changes or issues that warrant a more frequent review.

It is also recommended that the site induction program for contractors is improved to provide more detailed information on exclusion areas, rehabilitated areas, spill response, and the management of noise and dust impacts. Contractors and staff should be made fully aware of their responsibilities and actions should an environmental incident occur. The induction needs a more detailed focus on key environmental risks onsite and the reporting requirements. Recommend having all staff attend a half day environmental awareness training workshop onsite.

Timing for the reporting of exceedances need to be improved. There were several air quality exceedances during the reporting period that were not reported within the required timeframes and were instead reported as part of the Annual Review and Compliance Reporting.

4.17 Key strengths

A number of key strengths of the quarry operations were identified during the audit. These included:

- the management of onsite stormwater within active disturbance areas. This ensures no dirty water can discharge from the site
- no complaints were recorded for the audit reporting period
- no incidents were recorded for the audit reporting period
- Air quality results have generally been within statutory limits with the exception of those periods that were affected by adverse weather conditions
- Attended noise monitoring during the audit reporting period has indicated that there are no excessive noise impacts from the operation
- The operator is upgrading onsite plant and processing equipment which will reduce the volume of materials going to the drying ponds and provide additional process water for re-use onsite.

5 RECOMMENDATIONS

5.1 Non-compliances

DA267-11-99-PA-1

Table 7 below provides recommended actions for non-compliances identified during the audit of operations approved under DA267-11-99-PA-1.

Table 7: Recommended Actions for Non-compliances under DA267-11-99-PA-1

Item	Reference	Non-compliance	Recommended Action	Time Frame for Completion
1.	Condition 2	The development is generally being carried out in accordance with the EIS, Mod 1, Mod 2 and Mod 3, and with the conditions of development consent, however a number of non-compliances were identified.	Recommendations are provided against the specific conditions below.	See below.
2.	Condition 28	<p>Air quality exceedances were noted for exceedance of 24 hour average PM₁₀ criteria on 15 February 2018, 6 March, 5 April, 29 April, 19 November, and on 7, 19 and 31 December 2019. Exceedances were also noted for 12, 18, 24 and 30 January 2020 and 5 February 2020.</p> <p>2018 - This exceedance was reported in the 2018 Annual Review and Compliance Report. There was no correspondence observed from the Department with respect to this result.</p> <p>2019 - Exceedances for the months of November and December 2019 and for January 2020 were reported to the Department once results were available. There was no correspondence available to indicate if there was any follow up required for these exceedances.</p>	The operator is to ensure correspondence is followed up with the relevant regulators and that this correspondence is appropriately filed and documented for compliance purposes.	Ongoing
3.	Condition 36	Location of Dust Gauge 2 is impeded by trees. The trees in this area are part of remnant vegetation and subsequently can't be disturbed.	It is recommended that the location of Dust Gauge 2 is reviewed in light of the current constraints of this location, and access to monitoring equipment in other locations.	3 months
4.	Condition 42	The most current Water Management Plan is dated 20 March 2018. This was received and acknowledged by DPE.	The Water Management Plan has not been subject to annual review in consultation with DPIE-W for the three years from the date of approval of Mod 2. The current version is dated 20 March 2018. The Water Management Plan should be updated in consultation with DPIE-W in order to meet this requirement, and then subject to	6 months

			ongoing review as agreed by the Secretary.	
5.	Condition 45	Section 8.2 of the SWMP contains conflicting measures regarding consultation with the NSW Dams Safety Committee and the assessment of the dam construction by a suitably qualified engineer.	It is recommended that the SWMP is reviewed to detail and explain why the Dam Safety Committee and engineering sign-off is no longer relevant to the development.	6 months
6.	Condition 54	No additions to this bund wall observed. Vegetation established on these bunds has been removed by an Endeavour Energy contractor in 2015. No replanting has been undertaken to maintain vegetation and visual screening in this area.	It is recommended that revegetation of these areas is carried out in consultation with the electricity utility to establish and maintain this visual screening.	6 months
7.	Condition 61	Advice from the DPIE was requested when the Landscape and Rehabilitation Plan was developed. This plan included a proposed approach to the calculation of the rehabilitation bond, however this has not been finalised or lodged. The Landscape and Rehabilitation Plan included a proposed bond calculation approach, but this has not been determined, and consequently the bond has not been lodged.	It is recommended that DPIE be formally followed up in writing (not email) again. If a response is not forthcoming, then the bond should be calculated and lodged by a suitably qualified rehabilitation consultant in accordance with the methodology previously presented to DPIE.	3 months
8.	Condition 68	Refer to exceedances of PM ₁₀ 24 hour average and annual criteria as reported against Condition 28 above.	Refer to Condition 28 above.	Refer to Condition 28 above

EPL6535

Table 8 below provides recommended actions for non-compliances identified during the audit of operations approved under EPL6535.

Table 8: Recommended Actions for Non-compliance under EPL6535

Item	Condition	Non-compliance	Recommended Action	Time Frame for Completion
1.	4O 2.1	Approximately 13 x 200L drums of hydraulic oils were stored in the workshop. These drums were stored on standard timber pallets without any form of secondary containment. The workshop area is not bunded.	While the storage of these materials is inside the workshop, and consequently low risk, due to the movement of these items by forklift, and the evidence of minor spills it is recommended that these drums should be stored on bunded pallets, or in an appropriately bunded area to mitigate this risk.	3 months
2.	6R 1.5	The 2020 return was received >60days after the end of the reporting period due to a system issue. The annual return was due on 11 May 2020, however due to the system issue it wasn't	The licence holder shall ensure that Annual Returns are prepared and lodged within the 60 day period for reporting.	By 11 May 2021

re-submitted until 19 May
2020.

5.2 Opportunities for improvement

The following is a list of improvement opportunities identified from the audit. These include:

- Regular inspection and maintenance of screen plantings
- Regular inspection and maintenance of areas of erosion
- Provision of additional spill kits in operational areas in the event of a hydrocarbon spill or leak
- Further onsite segregation of wastes to allow for better recycling opportunities

6 CONCLUSION

RPS Australia East Pty Ltd (RPS) were engaged by VGT Environmental Solutions Pty Ltd (VGT), on behalf of Hodgson Quarries and Plant Hire Pty Ltd (the Operator), to undertake an Independent Environmental Audit (IEA) of the Roberts Road Maroota Sand Quarry ("the Quarry"), 28 Roberts Road, Maroota NSW. This IEA has been prepared to satisfy the requirements of Condition 70 and 71 of DA267-11-99-PA-1 and also the *Independent Audit - Post Approval Requirements (Department of Planning, Industry, and Environment, 2018)*. The IEA covers the reporting period from 16 March 2017 to 4 June 2020.

The audit team from RPS consisted of Ian Richardson (Lead Auditor) and Shaun Smith (Assisting Auditor), whose appointment was approved by the Department of Planning, Industry and Environmental (DPIE) on 19 May 2020. Site interviews and a site inspection were undertaken on 4 June 2020.

The audit included an assessment of compliance with the following development modifications:

- Modification 1: Approved 29 November 2000 seeking approval to amend the method of extraction and to construct an acoustic bund wall.
- Modification 2: Approved 18 March 2016 seeking approval to amend the dam construction process from two stages to three stages, modify the sequence and process of extraction and extend the life of extraction until 2025.
- Modification 3: Approved 18 August 2015 seeking approval to extend the life of operations for 1 year.

The audit also included an assessment of compliance with the site EMS, OEMP, management plans, monitoring reports, and annual reporting, and a comparison of predictions in the original Environmental Impact Statement and subsequent modifications to actual performance. The audit also included a compliance assessment of EPL6535 as required by DA267-11-99-PA-1.

An assessment of the actions recommended in the 2017 Independent Environmental Audit conducted by Newport Technical Services Pty Ltd (report dated 8 August 2017) was carried out during this audit and it was found that all but two actions have been completed.

The 2020 audit found a number of relatively minor non-compliances, including 8 non-compliances under DA267-11-99-PA-1 and 2 non-compliances under EPL6535.

Recommendations and actions have been provided for all non-compliances which are to be undertaken in accordance with set timeframes.

Areas for improvement have been recommended, including:

- Regular inspection and maintenance of screen plantings
- Regular inspection and maintenance of areas of erosion
- Provision of additional spill kits in operational areas in the event of a hydrocarbon spill or leak
- Further onsite segregation of wastes to allow for better recycling opportunities.

Overall, the environmental performance of the operation is good. Hodgson's operate the facility in accordance with the Operational Environmental Management Plan and sub-plans as required by the development consent. There were no complaints or environment incidents during the audit period which demonstrates that the facility is being operated in an environmentally sound manner generally in accordance with the conditions of consent.

7 APPENDIXES

Appendix A – Planning Secretary Audit Team Agreement



Lisa Thomson
VGT Environmental Compliance Solutions Pty Ltd
PO Box 2335
compliance@planning.nsw.gov.au
Greenhills, NSW 2323

Contact: Alfarid Hussain
Phone: 02 9274 6456
Email:

19 May 2020

Dear Ms Thomson

**Agreement of Independent Auditor
Roberts Road Maroota Sand Quarry - DA267-11-99**

I refer to your request relating to DA267-11-99-PA-4 seeking the agreement of the Secretary of the Department of Planning, Industry and Environment (**Department**) for a suitably qualified, experienced and independent audit team to undertake the 2020 Independent Environmental Audit of the Roberts Road Maroota Sand Quarry.

In accordance with Condition 70 of DA 267-11-99, as modified (**Consent**) the Secretary has approved the appointment of the following audit team:

1. Lead auditor - Ian Richardson of RPS Australia East Pty Ltd and
2. Assisting auditor - Shaun Smith of RPS Australia East Pty Ltd

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken and finalised in accordance with the requirements of Conditions 70 and 71 of the Consent. The Department also recommends consideration be given to the *Independent Audit Post Approval Requirements* (Department 2018) to the extent that it does not contradict Schedule 5, Condition 6 of the Consent. Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate auditor or audit team for future audits.

Notwithstanding the agreement for the above listed audit team for this Project, each respective project approval or consent requires a request for the agreement to the auditor or audit team be submitted to the Department, for consideration of the 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.

If you wish to discuss the matter further, please contact Alfarid Hussain on 02 9274 6456.

Yours sincerely

Julia Pope

Team Leader- Compliance - Metro

As the Secretary's nominee

Appendix B – Consultation



GOVERNMENT CONSULTATION LOG

Contact Details	Date	Method	Comment / Outcome
Department of Planning, Industry, and Environment			
Alfarid Hussain	27.5.2020	Phone: 02 9274 6456	Request for consultation. Response received. Directed by DPIE officer to lodge a request for consultation through the Major Projects web portal.
		Email: alfarid.hussain@planning.nsw.gov.au	
Central Email	27.5.2020	Major Project web portal	Request for consultation. Request notification received.
Alfarid Hussain	3.8.2020	By email	Letter received from DPIE in response to request for consultation. No further comments provided other than those requirements under Condition 70 and 71 of DA267-11-99-PA-5.
NSW Environment Protection Authority			
Central Email	27.5.2020	EPA.EDoperationsmetro@epa.nsw.gov.au	Request for consultation. No response received.
The Hills Council			
Central Email	27.5.2020	Email: council@thehills.nsw.gov.au	Response received from Kristine McKenzie. Requested to review landscape screening and ongoing maintenance of this screening.
DPIE – Water			
Central Email	27.5.2020	Email: landuse.enquiries@dpi.nsw.gov.au	Request for consultation. No response received.
NRAR			
Central Email	15.6.2020	Email: nrar.enquiries@nrar.nsw.gov.au	Request for consultation. No response received.

Our ref: PR147039-2

Unit 2A, 45 Fitzroy Street
Carrington NSW 2294
T +61 2 4940 4200

Date: 29 May 2020

Secretary
NSW Department of Planning, Industry and Environment
4 Parramatta Square
12 Darcy Street
PARAMATTA NSW 2150

Dear Sir/Madam,

RE: Roberts Road Sand Quarry DA267-11-99 – Request for Consultation as part of an Independent Environmental Audit

RPS have been engaged to undertake an Independent Environmental Audit (IEA) of the Roberts Road Sand Quarry at Roberts Road Maroota. The operations relate to DA267-11-99 (refer Attachment 1). The Department of Planning, Industry, and Environment (DPIE) approved RPS as the independent auditor on 19 May 2020 (refer Attachment 2).

As per condition 70(b) of the subject consent, the audit is required to include consultation with relevant agencies. As DPIE is the consent authority and responsible for compliance, we are formally contacting to Department to request consultation.

The purpose of this consultation is to address any concerns or issues that the DPIE may have with regard to this quarry operation.

Should you wish to discuss any further and provide comments, please contact Shaun Smith, Principal Environmental Planner, on (02) 4940 4226 or shaun.smith@rpsgroup.com.au.

Yours sincerely,
for RPS Australia East Pty Ltd



Shaun Smith
Principal Environmental Planner
shaun.smith@rpsgroup.com.au
+61 2 4940 4226

Attachment 1 – DA267-11-99

Attachment 2 – IEA Approval Letter from DPIE

From: [Shaun Smith](#)
To: sydney.region@epa.nsw.gov.au; landuse.enquiries@dpi.nsw.gov.au; kristine.mackenzie@thehills.nsw.gov.au; alfarid.hussain@planning.nsw.gov.au
Subject: Maroota Sand Quarry - DA267-11-99 - Independent Environmental Audit
Date: Wednesday, 27 May 2020 11:23:00 AM
Attachments: [Consolidated Consent DA267-11-99.pdf](#)
[Appointment of Experts5008029.pdf](#)
[image003.png](#)

Dear Agencies,

RPS have been engaged by Maroota Sand Quarry to undertake an Independent Environmental Audit of their operations at Roberts Road Maroota. The operations relate to DA267-11-99 (attached). The Department of Planning, Industry, and Environment approved RPS as the independent auditor on 19 May 2020 (see attached letter).

As part of the audit we would like to engage with relevant agencies to discuss any concerns or issues that the agencies may have with regard to this quarry operation.

Should you have any issues to discuss please feel free to respond to this email or contact Shaun Smith, Principal Environmental Planner, on 0419 715 665.

Regards,

Shaun Smith

Principal Environmental Planner
RPS | Australia Asia Pacific
Unit 2A, 45 Fitzroy Street
Carrington NSW 2294, Australia
T +61 2 4940 4200
D +61 2 4940 4226 **M** +61 419 715 665
E shaun.smith@rpsgroup.com.au



rpsgroup.com
[LinkedIn](#) | [Facebook](#) | [Instagram](#) | [YouTube](#)

In response to COVID-19, RPS has adapted the way we work to ensure we remain connected with you and our colleagues, and continue to deliver good work.

We recognise that the months ahead will pose challenges for many of our clients and partners. We're here to help in any way we can. While COVID-19 might separate us physically in the short term, please know that we're here, we're with you and we're stronger together.

If you need support or would like to discuss your forward looking priorities, please get in touch. You can continue to contact me in the usual ways via phone and email, or we can set up a virtual meeting.

From: [Shaun Smith](#)
To: council@thehills.nsw.gov.au
Subject: Maroota Sand Quarry - DA267-11-99 - Independent Environmental Audit
Date: Wednesday, 27 May 2020 11:34:00 AM
Attachments: [Consolidated Consent DA267-11-99.pdf](#)
[Appointment of Experts5008029.pdf](#)
[image001.png](#)

Dear Agencies,

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Should you have any issues to discuss please feel free to respond to this email or contact Shaun Smith, Principal Environmental Planner, on 0419 715 665.

Regards,

Shaun Smith

Principal Environmental Planner
RPS | Australia Asia Pacific
Unit 2A, 45 Fitzroy Street
Carrington NSW 2294, Australia
T +61 2 4940 4200
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From: [Shaun Smith](#)
To: Epa.EDoperationsmetro@epa.nsw.gov.au
Subject: Maroota Sand Quarry - DA267-11-99 - Independent Environmental Audit
Date: Wednesday, 27 May 2020 12:50:00 PM
Attachments: [Consolidated Consent DA267-11-99.pdf](#)
[Appointment of Experts5008029.pdf](#)
[image001.png](#)

Dear Agencies,

RPS have been engaged by Maroota Sand Quarry to undertake an Independent Environmental Audit of their operations at Roberts Road Maroota. The operations relate to DA267-11-99 (attached). The Department of Planning, Industry, and Environment approved RPS as the independent auditor on 19 May 2020 (see attached letter).

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Should you have any issues to discuss please feel free to respond to this email or contact Shaun Smith, Principal Environmental Planner, on 0419 715 665.

Regards,

Shaun Smith

Principal Environmental Planner
RPS | Australia Asia Pacific
Unit 2A, 45 Fitzroy Street
Carrington NSW 2294, Australia
T +61 2 4940 4200
D +61 2 4940 4226 **M** +61 419 715 665
E shaun.smith@rpsgroup.com.au



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We recognise that the months ahead will pose challenges for many of our clients and partners. We're here to help in any way we can. While COVID-19 might separate us physically in the short term, please know that we're here, we're with you and we're stronger together.

If you need support or would like to discuss your forward looking priorities, please get in touch. You can continue to contact me in the usual ways via phone and email, or we can set up a virtual meeting.

From: [Shaun Smith](#)
To: nrar.enquiries@nrar.nsw.gov.au
Subject: Maroota Sand Quarry - DA267-11-99 - Independent Environmental Audit
Date: Monday, 15 June 2020 12:14:00 PM
Attachments: [Consolidated Consent DA267-11-99.pdf](#)
[Appointment of Experts5008029.pdf](#)
[image002.png](#)

Dear Agencies,

RPS have been engaged by Maroota Sand Quarry to undertake an Independent Environmental Audit of their operations at Roberts Road Maroota. The operations relate to DA267-11-99 (attached). The Department of Planning, Industry, and Environment approved RPS as the independent auditor on 19 May 2020 (see attached letter).

As part of the audit we would like to engage with relevant agencies to discuss any concerns or issues that the agencies may have with regard to this quarry operation.

Should you have any issues to discuss please feel free to respond to this email or contact Shaun Smith, Principal Environmental Planner, on 0419 715 665.

Regards,

Shaun Smith

Principal Environmental Planner
RPS | Australia Asia Pacific
Unit 2A, 45 Fitzroy Street
Carrington NSW 2294, Australia
T +61 2 4940 4200
D +61 2 4940 4226 **M** +61 419 715 665
E shaun.smith@rpsgroup.com.au



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If you need support or would like to discuss your forward looking priorities, please get in touch. You can continue to contact me in the usual ways via phone and email, or we can set up a virtual meeting.

From: [Submissions](#)
To: [Shaun Smith](#)
Subject: FW: Roberts Road Quarry - Request for Consultation- IEA 2020 - Service Level Agreement
Date: Thursday, 4 June 2020 8:44:47 AM
Attachments: [image003.png](#)
[.datacontent\ImaqerteImagesNew DPIE_ Logo1561956956365.png](#)

CAUTION: This email originated from outside of RPS.

Regards,
Lisa Thomson
BAppSc, CChem

Phone: (02) 4028 6412 | Mobile: 0427 334471
www.vgt.com.au



From: no-reply@majorprojects.planning.nsw.gov.au <no-reply@majorprojects.planning.nsw.gov.au>
Sent: Wednesday, 3 June 2020 1:53 PM
To: Submissions <Submissions@vgt.com.au>
Cc: Alfarid.Hussain@planning.nsw.gov.au
Subject: Roberts Road Quarry - Request for Consultation- IEA 2020 - Service Level Agreement

The Department has now commenced its detailed assessment of the Request for Consultation- IEA 2020 for the Roberts Road Quarry.

The Department has classified this document as 'Minor'.

The Department may ask for additional information to complete its assessment.

If you have any enquiries, please contact Alfarid Hussain on 02 9274 6456 /at Alfarid.Hussain@planning.nsw.gov.au.

To sign in to your account click [here](#) or visit the [Major Projects Website](#).

Please do not reply to this email.

Kind regards

Department of Planning, Industry and Environment



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If you are not the intended recipient, please notify the sender and then delete it immediately.

From: [Kristine McKenzie](#)
To: [Shaun Smith](#)
Date: Tuesday, 2 June 2020 11:48:44 AM
Attachments: [image002.png](#)

CAUTION: This email originated from outside of RPS.

Hi Shaun,

Thank you for the opportunity to comment on your upcoming Independent Environmental Audit in regard to DA 267-11-99.

The only issue I would raise is the provision and maintenance of bunding and landscape screening around the site and resultant visual impact from external properties. This is a matter I have raised previously with the Department of Planning and also in the previous site audit (undertaken in/around July 2017). My view is that the landscape works in particular have not been provided/maintained to a reasonable standard in accordance with conditions of consent. I would request that this matter be reviewed as part of your audit.

Please don't hesitate to call or email me if you wish to discuss this matter further.

Regards, Kristine



Kristine McKenzie

Principal Executive Planner

+61298430319 | kmckenzie@thehills.nsw.gov.au

Administration Centre, 3 Columbia

Court Norwest NSW 2153

PO Box 7064, NORWEST NSW 2153 | DX 9966

Norwest

www.thehills.nsw.gov.au

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The sender does not accept liability for any viruses, errors or omissions in the contents of this message or attachment, which arise as a result of email transmission.

From: [CS Connect Service Centre](#)
To: [Shaun Smith](#)
Subject: FIN0132502 - Maroota Sand Quarry - DA267-11-99 - Independent Environmental Audit
Date: Monday, 15 June 2020 12:16:06 PM
Attachments: [cs_footer.png](#)

CAUTION: This email originated from outside of RPS.



Hi NRAR Customer,

Thank you for contacting the **Natural Resources Access Regulator (NRAR)**.

This is an automated email to advise you of the NRAR case number allocated to your enquiry: **FIN0132502**

We will register your enquiry/application and will be in contact with you in response to this matter:

Description - received from: nrar.enquiries@nrar.nsw.gov.au

Dear Agencies,

RPS have been engaged by Maroota Sand Quarry to undertake an Independent Environmental Audit of their operations at Roberts Road Maroota. The operations relate to DA267-11-99 (attached). The Department of Planning, Industry, and Environment approved RPS as the independent auditor on 19 May 2020 (see attached letter).

As part of the audit we would like to engage with relevant agencies to discuss any concerns or issues that the agencies may have with regard to this quarry operation.

Should you have any issues to discuss please feel free to respond to this email or contact Shaun Smith, Principal Environmental Planner, on 0419 715 665.

Regards,

Shaun Smith
Principal Environmental Planner
RPS | Australia Asia Pacific
Unit 2A, 45 Fitzroy Street
Carrington NSW 2294, Australia
T +61 2 4940 4200
D +61 2 4940 4226 M +61 419 715 665
E shaun.smith@rpsgroup.com.au
[cid:image002.png@01D6430E.79977320]<<http://rpsgroup.com/>>
rpsgroup.com<<http://rpsgroup.com>>
[LinkedIn](https://www.linkedin.com/company/rps-group)<<https://www.linkedin.com/company/rps-group>> |
[Facebook](https://www.facebook.com/RPSmakingcomplexeasy/)<<https://www.facebook.com/RPSmakingcomplexeasy/>> |
[Instagram](https://www.instagram.com/rps.group/)<<https://www.instagram.com/rps.group/>> |
[YouTube](https://www.youtube.com/channel/UCW82nGFvPwMSNpX-EMw8wFg)<<https://www.youtube.com/channel/UCW82nGFvPwMSNpX-EMw8wFg>>

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To access further information please visit www.industry.nsw.gov.au/nrar, or via the following Fact Sheets and Guidelines:

- **Application fees for controlled activity approvals**
- https://www.industry.nsw.gov.au/__data/assets/pdf_file/0006/160692/Fact-sheet-Application-fees-for-controlled-activity-approvals-2018-19.pdf
- **Guidelines for controlled activities on waterfront land**
- <https://www.industry.nsw.gov.au/natural-resources-access-regulator/policies-and-guidelines>
- **Investigating alleged breaches FAQs** - https://www.industry.nsw.gov.au/__data/assets/pdf_file/0005/156893/NRAR-Investigating-alleged-breaches-FAQs.pdf
- **Compliance with water legislation** - https://www.industry.nsw.gov.au/__data/assets/pdf_file/0008/156860/NRAR-Compliance-with-water-legislation.pdf
- **NRAR Prosecution guidelines** - https://www.industry.nsw.gov.au/__data/assets/pdf_file/0014/144041/NRAR-Prosecution-guidelines.pdf
- **NRAR compliance approach to Metering Regulations**
- https://www.industry.nsw.gov.au/__data/assets/pdf_file/0005/205790/NRAR-compliance-approach-metering-regulations-fact-sheet.pdf

Yours sincerely

Natural Resources Access Regulator

Protecting lawful water users and the environment from harmful water activity.

Email: nrar.enquiries@nrar.nsw.gov.au
Phone: 1800 633 362
Website: www.industry.nsw.gov.au/nrar

You can now **provide feedback** (compliments, complaints and suggestions) about NRAR's service via the Feedback Assist tool on the right side of the [NRAR website](#).



Stuart Reed
Environmental Officer, Hodgson Quarries
Hodgson Quarries and Plant Hire Pty Ltd
PO Box 1778
Gosford, NSW, 2250

3 August 2020

Dear Mr Reed

**Roberts Road Quarry (DA267-11-99-PA-5)
Independent Environmental Audit Consultation**

Reference is made to your request for consultation regarding Independent Environmental Audit (IEA) as required by Schedule 2 condition 70(b) of DA267-11-99, as modified (Consent) and submitted to the Department of Planning, Industry and Environment (the Department) via the Major Projects website (ref: DA267-11-99-PA-5).

The Independent Audit must be prepared, undertaken and finalised in accordance with the requirements of Conditions 70 and 71 of the Consent. The Department also recommends consideration be given to the recently released *Independent Audit Post Approval Requirements* (Department 2020) to the extent that it does not contradict Conditions 70 and 71 of the Consent. Failure to meet these requirements will require revision and resubmission.

If you wish to discuss the matter further, please contact me on 02 9274 6456.

Yours sincerely

A handwritten signature in black ink that reads 'Alfarid M. Hussain'.

Alfarid Hussain
Compliance Officer- Metro

Minutes

Unit 2A, 45 Fitzroy Street
Carrington NSW 2294
T +61 2 4940 4200

Reference:	147039-2
Meeting Name:	Pre-Audit Meeting
Meeting date:	2 June 2020
Meeting location:	By Phone

Attendees

Name	Initials	Company	Role
Stuart Reed	SR	Hodgson Quarry and Plant Pty Ltd	Environmental Officer
Lisa Thomson	LT	VGT	Principal Consultant
Shaun Smith	SS	RPS Group	Principal Environmental Consultant / Assisting Auditor
Ian Richardson	IR	RPS Group	Newcastle General Manager / Lead Auditor

Ref no.	Item	Initials
1.	Overview of audit process, information required, timing, and requirements	IR
2.	Documents to be reviewed	IR
3.	Site walk-over and PPE requirements	IR
4.	Requirement to audit EPL discussed	IR
5.	Reporting requirements discussed	IR
6.	Regulator consultation discussed	IR

AGENDA

Unit 2A, 45 Fitzroy Street
Carrington NSW 2294
T +61 2 4940 4200

Reference:	147039-2
Meeting Name:	Roberts Road Quarry – Independent Environmental Audit
Meeting date:	04 June 2020
Meeting location:	Roberts Road, Maroota

Invitees

Name	Initials	Company	Role
Martin Hodgson	MH	Hodgson Quarry and Plant Pty Ltd	Production Manager
Stuart Reed	SR	Hodgson Quarry and Plant Pty Ltd	Environmental Officer
Lisa Thomson	LT	VGT	Principal Consultant
Shaun Smith	SS	RPS Group	Principal Environmental Consultant / Assisting Auditor
Ian Richardson	IR	RPS Group	Newcastle General Manager / Lead Auditor

Ref no.	Item	Presenter	Time
1.	Opening Meeting <ul style="list-style-type: none"> - Arrival on site and initial introductions - Site induction and safety briefing - Overview of audit process - Overview of site history, operations and monitoring 	RPS, VGT, Hodgson's	8:30 – 9:30am
2.	Inspection of Site Operations	Hodgson's	9:30 – 10:30am
Mid-morning break			
3.	Site Interviews and Document Review <ul style="list-style-type: none"> - Environmental Management Strategy - Environmental Management Plan - Air Quality Management Plan - Water Management Plan - Noise Management Plan - Flora and Fauna Management Plan - CEMP 		11:00 – 12:45

Agenda

Ref no.	Item	Presenter	Time
4.	Morning session re-cap	RPS	12:45pm
	Break for Lunch		1:00pm
5.	Site Interviews and Document Review (continued) <ul style="list-style-type: none">- Rehabilitation Plan- PIRMP- Ground Water Management- EPL	RPS	1:45 – 3:00pm
6.	Additional site inspection	RPS	3:00pm – 4:00pm
7.	Closing Meeting	RPS	4:00pm
8.	Audit Close		4:30pm

ATTENDANCE REGISTER

Project: Roberts Road Sand Quarry – 2020 Independent Environmental Audit

Date: 4 June 2020

Name	Company	Title	Signature
Martin Hodgson	H.R.P.	Manager	M. Hodgson
Lisa Thomson S. REGR	VGT HWP	Consultant ENVO MGR	[Signature]
Shaun Smith	RPS	Principal Env. Planner	[Signature]
IAN RICHARDSON	RPS	LEAD AUDITOR	[Signature]

Appendix C – Independent Audit Tables

AUDIT TABLE: DA267-11-99-PA-1 AUDIT DATE: 4 JUNE 2020

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 2 Condition 1	<p>Obligation to Prevent and Minimise Harm to the Environment</p> <p>There is an obligation on the Applicant to prevent and minimise harm to the environment throughout the life of the project. This requires that all practicable measures are to be taken to prevent and minimise harm that may result from the construction, operation and, where relevant, the decommissioning of the development.</p>		During site inspections on 4th June 2020 environmental practices observed were generally considered appropriate to minimise harm to the environment. No significant environmental incidents were identified during the audit.	Compliant
Schedule 2 Condition 2	<p>Adherence to Terms of DA and EIS</p> <p>The Applicant shall:</p> <p>(a) carry out the development generally in accordance with the EIS, Modification 1, Modification 3 and Modification 2; and</p> <p>(b) comply with the conditions of this consent.</p> <p>If there is any inconsistency between the documents in Condition 2(a), the most recent documents shall prevail to the extent of the inconsistency. The conditions of this consent shall prevail over documents in Condition 2(a) to the extent of any inconsistency.</p>	The development is generally being carried out in accordance with the EIS, Mod 1, Mod 2 and Mod 3, and with the conditions of development consent, however a number of non-compliances were identified.	Recommendations are provided against the specific conditions below.	Non-Compliant
Schedule 2 Condition 3	<p>Compliance</p> <p>The Applicant shall comply with all reasonable requirements of the Secretary in respect of the implementation of the Conditions of this Consent, within such time as the Secretary agrees. The Secretary may order the Applicant to cease work until non-compliance has been addressed to the Secretary's satisfaction.</p>	Email receipts for submission of 2017 Independent Audit, 2018 Annual Review and Compliance Audit and 2019 Annual Review and Compliance Audit.	The 2017 Independent Audit report was provided to the Department. Correspondence was observed confirming follow up information to address air quality non-compliance, and the closure of this issue. The 2018 Annual Review and Compliance report was provided to the Department, however there was no documentation to demonstrate that there were any additional requirements from the Department. The 2019 Annual Review and Compliance Audit report was submitted to the Department, however there were no additional requirements from the Department at the time of the audit.	Compliant
Schedule 2 Condition 4	The Applicant shall ensure that all contractors and sub-contractors are aware of, and comply with, the Conditions of this Consent.	Environmental induction checklist	Observed copy of the induction materials for contractors and visitors. This induction material includes an environmental induction checklist addressing water, dust, spillst, waste and noise management. The current checklist revision was issued in November 2017, and records of induction were observed on site as far back as June 2017.	Compliant
Schedule 2 Condition 5	The Applicant shall comply with all relevant conditions prescribed in Part 7 of the <i>Environmental Planning and Assessment Regulation 1994</i> , as required by Section 80A (11) of the Act.	No new construction was undertaken during the audit period.		Not Triggered
Schedule 2 Condition 6	<p>The Applicant will submit a Conditions Compliance Report to the Secretary prior to the commencement of extraction in areas that are not currently subject to extraction. Subsequent reports will be submitted annually for the first three years of extraction in areas not currently subject to extraction. Further reports shall be submitted as required by the Secretary.</p> <p>To enable ready comparison with the EIS's predictions, diagrams and tables, the Conditions Compliance Reports shall include, but not be limited to, the following matters:</p> <p>(a) a compliance audit of the performance of the project against conditions of Consent and statutory approvals;</p> <p>(b) a review of the effectiveness of the environmental management of the development;</p> <p>(c) the results of environmental monitoring required under this Consent or other approvals, including interpretations and discussion by a suitably qualified person;</p> <p>(d) a listing of any variations obtained to approvals applicable to the DA since the last report;</p> <p>(e) a record of all complaints and the actions taken to mitigate all such complaints;</p> <p>(f) a report detailing the rehabilitation measures undertaken since the last report; and</p> <p>(g) environmental management targets and strategies for stages of the development yet to be completed.</p>	Annual compliance reports observed for the audit period. Sighted correspondence from DPIE for the 2017 and 2018 reports. 2019 report has been submitted, there has been confirmation of receipt, but no further correspondence at the time of the audit.	The 2017 Annual Review and Compliance Audit report was provided to the Department. Correspondence was observed confirming follow up information to address air quality non-compliance, and the closure of this issue. The 2018 Annual Review and Compliance report was provided to the Department, there was evidence of receipt of this report, however there was no documentation to demonstrate that there were any additional requirements from the Department. The 2019 Annual Review and Compliance Report was submitted to the Department, however there were no additional requirements from the Department at the time of the audit.	Compliant
Schedule 2 Condition 7	<p>The Secretary may, after considering a Conditions Compliance Report, notify the Applicant of any reasonable requirements for compliance with this Consent. The Applicant shall comply with those requirements within such time as the Secretary may direct.</p> <p><i>Note: The Applicant is obliged to ensure that all statutory requirements, including all relevant legislation, Regulations, Australian Standards, Codes, Guidelines and Notices, Conditions and Directions of the Councils and relevant government agencies are met and approvals obtained.</i></p>	Refer above	Refer to Condition 6 above.	Compliant
Schedule 2 Condition 8	<p>Commencement and duration</p> <p>No extraction shall commence in areas that are not currently subject to extraction, until the Applicant has:</p> <p>(a) constructed the bund walls at the corner of Roberts Road and Old Northern Road;</p> <p>(b) submitted the Conditions Compliance Report required under Condition 6; and</p> <p>(c) obtained all licences necessary for the commencement of extraction.</p>	Observed on site that no other areas outside the active disturbed area have been subject to extraction.	a) Bund wall in place. b) Condition Compliance Reports have been submitted - refer condition 6 above. c) Water licences are in place for dams and extraction/monitoring bores and copies of these are kept on site. EPL and Development Consent are valid.	Compliant
Schedule 2 Condition 9	The duration of extraction under this Consent is until 31 May 2025. The Applicant shall ensure that rehabilitation of all disturbed areas is completed within six months of completion of extraction.	Noted	Extraction is still within the approved extraction period.	Compliant
Schedule 2 Condition 10	<p>Complaints Procedures</p> <p>Prior to commencement of construction, the Applicant shall:</p> <p>(a) publicise a telephone number on which complaints about the subject development can be registered during the hours of operation in Condition 16; and</p> <p>(b) publicise a postal address where written complaints may be lodged.</p> <p>The telephone number and postal address shall be displayed on the property where it can be read from a public road, for the duration of the development.</p>	a) Telephone number is displayed on the front gate. b) Postal address is displayed on the front gate.		Compliant

Schedule 2 Condition 11	The Applicant shall record details of all complaints received and actions taken in response to complaints in an up-to-date log book. The log book shall be made available for inspection upon request by the Secretary , the EPA or the Council; and a summary of complaints received shall be included in the Conditions Compliance Reports under Condition 6.	Observed complaints register - no complaints received in the audit period.		Compliant
Schedule 2 Condition 12	The Applicant shall ensure that an initial response to complaints is provided to the complainant within 24 hours of receipt. The Applicant shall then: (a) investigate the concerns raised by the complainant and undertake all reasonable attempts to determine the cause of concern; and (b) if adverse impacts are identified, undertake all practicable measures to modify the activity which may be causing the impacts.	No complaints - refer above.		Compliant
Schedule 2 Condition 13	If the Applicant's response does not address the complaint to the satisfaction of the complainant within six weeks, the Applicant shall inform the Secretary and take any action as directed by the Secretary . This may include a requirement to carry out independent investigations of noise and/or dust at the cost of the Applicant, in accordance with Condition 14.	No complaints - refer above.		Compliant
Schedule 2 Condition 14	If the Secretary is satisfied that an independent investigation is required, the Applicant shall: (a) appoint a qualified independent person or team to plan and implement an investigation to qualify the impact and determine the sources of the impact; and (b) bear the cost of the independent investigation and make available plans, programs and other information necessary for the independent person to form an appreciation of the past, present and future works and their effects on dust and/or noise emissions. This investigation is to be carried out in accordance with a documented Plan. The Plan shall be designed and implemented to measure and/or compute (with appropriate calibration by measurement) the relevant noise and/or dust levels at the complainant's property, that are emitted by the development; and specify a monitoring period and reporting schedule. The independent person or team, the Plan and the timing of its implementation, shall be approved by the Secretary . The independent person or team shall report to the Secretary and the Applicant. Further independent investigations shall cease if the Secretary is satisfied that the relevant levels are not being exceeded and are unlikely to be exceeded in the future.	Not triggered - no complaints received in audit period.		Not Triggered
Schedule 2 Condition 15	Dispute Resolution In the event that the Applicant, Council, the PCA, or a government authority other than the Department, cannot agree on the specification or requirements applicable under this Consent, the matter shall be referred by either party to the Secretary or, if not resolved, to the Minister, whose determination of the disagreement shall be final and binding on the parties.	Not triggered		Not Triggered
Schedule 2 Condition 16	HOURS OF OPERATION Unless prior written approval of the EPA is obtained, the hours of operation are: • construction: 7.00am to 6.00pm Monday to Friday • extraction and processing of material: 7.00am to 6.00pm, Monday to Friday and 7.00am to 1.00pm on Saturdays • vehicle loading: 6.00am to 6.00pm, Monday to Friday and 6.00am to 1.00pm on Saturdays. No works shall be undertaken on Sundays or Public Holidays. These restrictions do not apply to routine maintenance work, such as the repair of machinery, provided the work does not result in exceedance of the noise limits in Condition 47.	Noted - Martin Hodgson (Managing Director) and Stuart Reed (Operations Manager) verbally confirmed hours of operation.		Compliant
Schedule 2 Condition 17	DEPTH OF EXTRACTION The Applicant shall ensure that extraction does not take place below a level 2 metres above the wet weather high groundwater level of the regional aquifer, as measured and mapped on the site (see Conditions 39(d) and 44).	RL's for extraction were provided in the Annual Review and Compliance Report 2018 and 2019. Refer to figures 19 and 21 in GW study 2018. Current depth of extraction is at RL189.	Wet weather high groundwater level ranges between RL184 and 186 AHD. Current depth of extraction is at RL189 AHD.	Compliant
Schedule 2 Condition 18	ENVIRONMENTAL MANAGEMENT PLAN The Applicant shall prepare a Construction Environmental Management Plan (EMP) to the satisfaction of the Secretary prior to commencement of construction. The Construction EMP shall contain appropriate measures which demonstrate how the environmental objectives for the project will be achieved, including objectives stated in this Consent; and contain a monitoring, reporting and response program. The Applicant shall implement the approved management plan as approved from time to time by the Secretary .	Noted - no new construction works in the audit period.		Not Triggered
Schedule 2 Condition 19	The Applicant shall prepare an Operational Environmental Management Plan (OEMP) in consultation with the relevant authorities and to the satisfaction of the Secretary , prior to the commencement of extraction under this Consent. The OEMP shall incorporate and integrate environmental management for the existing extraction areas, as well as the areas approved under this Consent.	The OEMP was last updated in 2018, and all management plans have been approved by the Department. These approvals are shown on the webpage. The Water Management had not been approved at the time of the previous audit, however this has now been approved.		Compliant
Schedule 2 Condition 20	The Operational EMP shall include, but not be limited to: (a) environmental objectives for the site; (b) the Air Quality Management Plan (Condition 29); (c) the Water Management Plan (Condition 42) ; (d) the Noise Management Plan (Condition 46); (e) the Road Noise Management Plan (Condition 48); (f) the Flora and Fauna Management Plan (Condition 55); and (g) the Rehabilitation Plan (Condition 58).	Noted	The OEMP was last updated in 2018, and all management plans have been approved by the Department. These approvals are shown on the webpage.	Compliant

Schedule 2 Condition 21	The Applicant shall make copies of both EMPs available to Council, EPA and DPI-Water within 14 days of approval by the Secretary . The Applicant shall also make a current copy of the EMPs available for inspection by the public or these agencies, for the duration of the Consent.	Noted - OEMP is available online.		Compliant
Schedule 2 Condition 22	The Applicant shall, in consultation with the Secretary , the EPA and the DPI-Water , update the Operational EMP from time to time in order to ensure continuing compliance with the Conditions of this Consent and all relevant approvals and licenses. The EMR shall be responsible for determining if any significant changes to the Operational EMP should be referred to the Secretary for approval. The Applicant shall implement the approved management plan as approved from time to time by the Secretary .	Last update of OEMP was 2018. PIRMP is updated annually. Correspondence from Council and EPA was observed confirming receipt of updated OEMP.	The OEMP was last updated in 2018, and all management plans have been approved by the Department. These approvals are shown on the webpage.	Compliant
Schedule 2 Condition 23	Deleted			
Schedule 2 Condition 24	Deleted			
Schedule 2 Condition 25	Deleted			
Schedule 2 Condition 26	Deleted			
Schedule 2 Condition 27	WASTE The Applicant must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal, or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the Protection of the <i>Environment Operations Act 1997</i> . This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the <i>Protection of the Environment Operations Act 1997</i> . ¹ ¹ Environment Protection Authority General Term of Approval	Waste disposal dockets for general solid waste and waste oil.	Wastes disposed from site consist of general solid waste or waste oils. Records of waste disposal were observed. Spill management is included in the PIRMP, and referred to in the site induction.	Compliant
Schedule 2 Condition 28	Air Quality Criteria The Applicant shall take all practical steps to manage the development so that the ambient air quality goals for total suspended particles (TSP) of 90 $\mu\text{g}/\text{m}^3$ (annual average), particulate matter (PM10) of 50 $\mu\text{g}/\text{m}^3$ (24 hours average) and 30 $\mu\text{g}/\text{m}^3$ (annual average) and the dust deposition goal of 4gm/m2 (annual average) are not exceeded as a result of the development, when measured at any monitoring location specified in the Air Quality Management Plan.	Air quality exceedances were noted for exceedance of 24 hour average PM10 criteria on 15 February 2018, 6th March, 5th April, 29 April, 19 November, and on 7, 19 and 31st December 2019. Exceedences were also noted for 12th, 18th, 24th and 30th January 2020 and 5th February 2020. 2018 - This exceedence was reported in the 2018 Annual Review and Compliance Report. There was no correspondence observed from the Department with respect to this result. 2019 - Exceedences for the months of November and December 2019 and for January 2020 were reported to the Department once results were available. There was no correspondence available to indicate if there was any follow up required for these exceedences.	The operator is to ensure correspondence is followed up with the relevant regulators and that this correspondence is appropriately filed and documented for compliance purposes.	Non-Compliant
Schedule 2 Condition 29	Air Quality Management The Applicant shall prepare an Air Quality Management Plan as part of the EMP. The Air Quality Management Plan shall: (a) identify existing and potential sources of dust deposition, TSP and fine particulates (PM10 and PM2.5) and specify appropriate monitoring intervals and locations. The purpose of the monitoring is to evaluate, assess and report on these emissions and the ambient impacts with the objective of understanding the development's contribution to levels of dust deposition, TSP and fine particulates in ambient air around the site; (b) provide a monitoring plan having regard to local meteorology and the relevant Australian Standards, identifying the methodologies to be used, including justification for monitoring intervals, weather conditions, seasonal variations, selecting locations, periods and times of measurements; (c) provide details of dust suppression measures for all sources of dust from the development, including a planting and watering regime to ensure that no more than 3 hectares of the site are exposed and active at any one time. The use of a polymer in the water to minimise dust impacts shall be investigated as part of this Plan; (d) provide details of actions to ameliorate impacts if they exceed the relevant criteria; and (e) provide the design of the reactive management system intended to reduce the day-to-day impacts of dust and fine particulates due to the development. The Applicant shall implement the approved management plan as approved from time to time by the Secretary .		The Air Quality Management Plan is hosted on the website and has been approved by the Department. a) Monitoring locations have been approved since the previous audit. b) Monitoring plan is included in Section 3 of the AQMP. c) Dust suppression measures are included in Section 4 of the AQMP. d) Mitigation of air quality impacts are included in Section 4 of the AQMP. e) There is a TARP referred to in Section 5 of the AQMP.	Compliant
Schedule 2 Condition 30	Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises. ² ² Environment Protection Authority General Term of Approval	On the date of site inspection no visible dust emissions were observed. Auditors observed water cart operating in the active extraction area, and on haul roads. Water sprays were also observed on transfer points for the conveyor and processing equipment.		Compliant

Schedule 2 Condition 31	The Applicant shall cease offending work at such times when the operations are resulting in visible dust emissions blowing in a direction so as to cross onto public roads or lands not owned by the Applicant.	Not observed - No dust events triggering the TARP were noted during the audit period.		Compliant
Schedule 2 Condition 32	The Applicant shall install, operate and maintain a sprinkler system to adequately water all cleared areas and stockpiles so as to minimise dust emissions to acceptable levels.	Sprinkler system was observed on top of stacker to minimise dust emissions.		Compliant
Schedule 2 Condition 33	The Applicant shall ensure that all vehicular movements on unsealed areas are restricted to specific routes and that all vehicles within the subject site keep to a speed limit of 30 km/h.	Vehicle restrictions observed on site. Site speed limit of 5km/h observed on signs on the gate.		Compliant
Schedule 2 Condition 34	The Applicant shall ensure that trucks are covered when entering and leaving the premises carrying loads of potentially dust generating material.	Signage at gate. Observed trucks leaving the site with covers in place during the site audit.		Compliant
Schedule 2 Condition 35	Air Quality Monitoring All monitoring equipment is to be installed and operational prior to commencement of construction.	Observed dust gauges and HVAS on site.		Compliant
Schedule 2 Condition 36	Operation of dust deposition gauges and monitoring must be carried out in accordance with; (a) Australian Standard 3580.10. 01 (1991) Particulates – Deposited Matter – Gravimetric Method. Approved method AM-19 referred to in Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales, December 1999. (b) Australian Standard 2724.3 (1984) Particulate Matter – Determination of Total Suspended Particulates (TSP) - High Volume Sampler Gravimetric Method. Approved method AM 15 referred to in Approved Methods for the sampling and Analysis of Air Pollutants in New South Wales, December 1999. (c) Australian Standard 3580.9.6 (1990) for Suspended Particulate Matter – PM10 High Volume Sampler with Size Selective Inlet-Gravimetric Method. Approved method AM-18 referred to in Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales, December 1999.3 3 Environment Protection Authority General Term of Approval	Note - location of Dust Gauge 2 is impeded by trees. The trees in this area are part of remnant vegetation and subsequently can't be disturbed.	It is recommended that the location of dust gauge 2 is reviewed in light of the current constraints of this location, and current monitoring equipment in other locations.	Not Compliant
Schedule 2 Condition 37	A meteorological station measuring wind speed and direction must be installed and operated by the Applicant at a site determined in consultation with the EPA.4 4 Environment Protection Authority General Term of Approval	Viewed meteorological station on site. This location has remained in the same location as previously approved. Data is made available on the website in a summary format on a monthly basis.		Compliant
Schedule 2 Condition 38	SOIL AND WATER <i>Note: The Applicant is required to obtain the necessary water licences for the development under the Water Act 1912 and/or Water Management Act 2000.</i> Limits on Extraction The Applicant shall not extract: (a) below a depth of 182 m AHD in the footprint of the Process Water Dam, if not already extracted as at the date of Modification 2; and (b) below a depth of 186.1 m AHD in all other areas of the site; unless in accordance with Condition 17, and following written notification to the Secretary and DPI- Water.	a) No extraction has occurred in the footprint of the Process Water Dam during the audit period. Survey of Process Water Dam shows max depth at 186m AHD b) Observations and verbal advice on site indicated that current depth of extraction is 189m AHD.	The most recent spot height data provided is dated 27 Feb 2019. It is recommended that regular survey of extraction areas is undertaken to document and confirm depth of extraction on the site.	Compliant
Schedule 2 Condition 39	Groundwater Study and Remediation Works Within six weeks of the date of approval of Modification 2, the Applicant shall commission a comprehensive groundwater study of the site. This study must: (a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Secretary and DPI-Water; (b) consult with DPI-Water; (c) examine all existing records of groundwater levels at the site; (d) develop an interim contour map of the wet weather high groundwater level of the regional aquifer, based on all available records (see also Condition 44); and (e) provide advice and recommendations on the Groundwater Monitoring Program as set out in Condition 43.	Letter from NRA dated 15 July 2018 observed indicating approval of the Groundwater Study.		Compliant
Schedule 2 Condition 40	Unless otherwise agreed by the Secretary, the Applicant shall submit a report of the study to the Secretary and DPI-Water within six months of commissioning the study. The report must be accompanied by a Groundwater Management Improvement Program, based on the study's findings and recommendations which includes a program of proposed timeframes for implementation. Should the Applicant propose not to implement any of the report's recommendations, it must provide detailed justification to this effect. The Groundwater Management Improvement Program must be prepared and implemented to the satisfaction of the Secretary. Progress against the Program shall be reported through Annual Reviews and considered as part of the Independent Environmental Audit.	Letter from DPIE dated 22 August 2018 confirming acceptance of the Groundwater Study. It is noted that no ongoing Groundwater Improvement actions were required as an outcome of the Groundwater Study.		Compliant
Schedule 2 Condition 41	Within six months of the submission of the Groundwater Study and accompanying documents (see Conditions 39 and 40), the Applicant must infill any area of the site identified as being below the wet weather high groundwater level to at least that level as mapped (see Condition 39(d)). Within six months of any update of the groundwater level contour map, the Applicant must infill any area of the site identified as being below the wet weather high groundwater level to at least that level as mapped (see Condition 44).	Not triggered - no areas of the site identified as being below the wet weather high groundwater level.		Not Triggered

<p>Schedule 2 Condition 42</p>	<p>Water Management Plan</p> <p>The Applicant shall prepare a Water Management Plan for the development to the satisfaction of the Secretary. This plan must be prepared in consultation with DPI-Water by suitably qualified and experienced person/s whose appointment has been approved by the Secretary, and be submitted to the Secretary for approval by 31 December 2016. The plan must be updated on an annual basis in consultation with DPI-Water for three years from the date of approval of Modification 2 and thereafter as agreed with by the Secretary.</p> <p>In addition to the standard requirements for management plans (see Condition 65), this plan must include a:</p> <p>(a) Site Water Balance that:</p> <ul style="list-style-type: none"> • includes details of: <ul style="list-style-type: none"> o sources and security of water supply, including contingency planning; o water use on site; o water management on site, including groundwater inflows to the quarry voids and site discharges; and o audit and reporting procedures, including comparisons of the site water balance each calendar year; and o describes the measures that would be implemented to minimise clean water use on site and maximise recycling opportunities; <p>(b) Surface Water Management Plan, that includes:</p> <ul style="list-style-type: none"> • a detailed description of the surface water management system on site, including the: <ul style="list-style-type: none"> o clean water diversion systems; o erosion and sediment controls; o effluent irrigation system; o water transfers from the extraction areas; o water storages; and o discharge points; • design objectives and performance criteria for proposed: <ul style="list-style-type: none"> o erosion and sediment control structures; o water storages, including quarry voids; o site discharges; and o control of water pollution from rehabilitated areas of the site; 	<p>The most current Water Management Plan is dated 20 March 2018. This was received and acknowledged by DPE.</p>	<p>The Water Management Plan has not been subject to annual review in consultation with DPIE-W for the three years from the date of approval of Mod 2. The current version is dated 20 March 2018. The Water Management Plan should be updated in consultation with DPIE-W in order to meet this requirement, and then subject to ongoing review as agreed by the Secretary.</p>	<p>Non-Compliant</p>
<p>Schedule 2 Condition 43</p>	<p>Groundwater Monitoring</p> <p>The Applicant shall prepare a Groundwater Monitoring Program for the development to the satisfaction of the Secretary. This program must:</p> <p>(a) be prepared in consultation with DPI-Water and be submitted to the Secretary for approval within four months of the date of approval of Modification 2;</p> <p>(b) include proposed construction of a network of at least five active monitoring bores around the south-eastern, southern, western and north-western boundaries of the extraction area (but outside of the overall extraction footprint) in proximity to extraction Phases 1 to 6 as identified in Modification 2, to collect continuous groundwater level monitoring data from the regional aquifer;</p> <p>(c) include proposed construction to deepen (or replace) PT84MW1 in order that a bore in that general location monitors the regional aquifer; and</p> <p>(d) include proposed construction of active monitoring bores within the largest components of at least the two forthcoming extraction Phases (on a rolling basis), each to collect at least 2 years of continuous baseline groundwater monitoring data prior to extraction commencing with that Phase.</p>	<p>The Groundwater Monitoring Program was issued on 17 July 2018 and was approved by DPE on 22 August 2018.</p>		<p>Compliant</p>
<p>Schedule 2 Condition 44</p>	<p>The results of the Groundwater Monitoring Program shall be reported the Department and DPI-Water, using contour plans depicting the surface topography, updated contour maps of the wet weather high groundwater level of the regional aquifer and proposed depth of extraction for each extraction Phase. Reporting is to occur on a six monthly basis for the duration of extractive operations, and throughout rehabilitation of the site, unless otherwise agreed with the Secretary.</p> <p>The Applicant shall implement the Groundwater Monitoring Program as approved from time to time by the Secretary.</p>	<p>Groundwater monitoring results are reported on a six monthly basis. These are reported online on a quarterly basis, with the most recent results available for 3rd April 2020.</p>		<p>Compliant</p>
<p>Schedule 2 Condition 45</p>	<p>Process Water Dam Design and Construction</p> <p>The Applicant must ensure that the Process Water Dam is designed and constructed in a manner that satisfies the design and construction criteria for the Process Water Dam as developed under the Surface Water Management Plan (see condition 42(b) above).</p>	<p>Surface Water Management Plan has been revised to address this condition (refer Section 8 of the SWMP). This section contains conflicting recommendations with respect to the requirement to consult with the Dam Safety Committee and the requirement for assessment by a suitably qualified engineer (refer section 8.2).</p>	<p>Section 8.2 of the SWMP contains conflicting measures regarding consultation with the NSW Dams Safety Committee and the assessment of the dam construction by a suitably qualified engineer. It is recommended that the SWMP is reviewed to detail and explain why the Dam Safety Committee and engineering sign-off is no longer relevant to the development.</p>	<p>Not Compliant</p>

<p>Schedule 2 Condition 46</p>	<p>NOISE</p> <p>Noise Management Plan The Applicant shall prepare a Noise Management Plan as part of the EMP. The Noise Management Plan shall:</p> <p>(a) identify existing and potential noise sources and their relative contribution to noise impacts from the development;</p> <p>(b) specify appropriate intervals for noise monitoring to evaluate, assess and report noise emission levels due to construction and normal operations of the development under prevailing weather conditions;</p> <p>(c) outline the methodologies to be used, including justification for monitoring intervals, weather conditions, seasonal variations, selecting locations, periods and times of measurements, the design of any noise modelling or other studies, including the means for determining the noise levels emitted by the development;</p> <p>(d) specify measures to be taken to document any higher level of impacts or patterns of temperature inversions, and detail actions to quantify and ameliorate enhanced impacts if they occur;</p> <p>(e) provide details of noise amelioration measures, including measures to be used to reduce the impact of intermittent, low frequency and tonal noise (including truck reversing alarms) and reactive management responses for particular noise sources; and</p> <p>(f) contingency measures to be implemented should noise complaints be received.</p> <p>(g) provision for the notification of adjoining property owners of the commencement and duration of works adjoining the boundary;</p> <p>(h) construction of temporary noise shielding to residences affected by short-term noise impacts, including the bund recommended under Modification 2, and include an assessment of the effectiveness of this measure in reducing noise levels; and</p> <p>(i) include a noise reduction strategy for typical operations to ensure the noise levels from these operations do not exceed the noise criteria specified in Condition 47.</p> <p>The Applicant shall implement the approved management plan as approved from time to time by the Secretary.</p>	<p>The Noise Management Plan was last reviewed 17th November 2016 and approved by the Department on 9th December 2016.</p>		<p>Compliant</p>
<p>Schedule 2 Condition 47</p>	<p>For typical operations, noise from the premises must not exceed:</p> <ul style="list-style-type: none"> • an LAeq,15 min noise emission criterion of 43 dB(A) (7am to 6pm) Monday to Saturday; • an LAeq,15 min noise emission criterion of 40 dB(A) (6am to 7am) Monday to Saturday; and • an LA1,1 minute noise emission criterion of 50 dB(A) (6am to 7am) Monday to Saturday. <p>Noise generated by the development is to be measured in accordance with the relevant requirements of the <i>NSW Industrial Noise Policy</i> (as may be updated or replaced from time-to-time).</p> <p>However, these criteria do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement."</p> <p>47(a) The excavator to be used is to be fitted with acoustic mufflers to achieve a noise level of approximately 76dB(A) when measured at 7 metres.</p> <p>47(b) The on-site generator is to be fitted with an acoustic enclosure to ensure that noise levels less than 44dB(A) at 30m are achieved.</p> <p>47(c) A noise compliance investigation is to undertaken within one month of the installation of the equipment to demonstrate compliance with the noise level limits stated in Conditions 47(a) and 47(b). The results of the compliance investigation are to be provided for the approval of the Secretary within 14 days of the completion of the investigations.</p> <p>47(d) The Applicant must ensure works associated with atypical operations, as described in Modification 2, only occur:</p> <p>(a) for a maximum of 24 days in a year, and only between 8 am to 5 pm on those days, Monday to Saturday;</p> <p>(b) after an investigation of options for avoiding multiple atypical operations at any one time so as to limit noise levels at affected receptors, and the outcomes of this investigation are detailed in the Noise Management Plan; and</p> <p>(c) at least 24 hours after notifying potentially affected receptors, with such notification to include information on the duration and extent of works, the likely noise to be experienced, and a contact telephone number.</p>	<p>No noise monitoring exceedences noted during the reporting period. Noise monitoring reports dated 15 May 2017, 31 May 2018 and 20 June 2019 were reviewed.</p>		<p>Compliant</p>
<p>Schedule 2 Condition 48</p>	<p>TRAFFIC AND TRANSPORT</p> <p>Road Noise Management Plan</p> <p>The Applicant shall ensure that traffic noise from the development does not exceed (L Aeq(1 hr)) 55 dB(A) between 7 am and 10 pm and 50 dB(A) between 10 pm and 7 am at any affected residence under adverse weather conditions. Where ambient Leq levels already exceed these criteria, the Applicant shall ensure that traffic noise from the development does not result in an increase of more than 2 dB(A).</p> <p><i>Note: Adverse weather conditions means in the presence of winds up to 3 metres per second and/or temperature inversions of up to 4 degrees Centigrade per 100 metres.</i></p>	<p>No exceedances of road noise criterion during audit period. No complaints with regard to noise received.</p>		<p>Compliant</p>
<p>Schedule 2 Condition 49</p>	<p>The Applicant shall prepare a Road Noise Management Plan as part of the EMP. The Plan shall document measures to be taken to meet the criteria, including a monitoring, reporting and response program; and methods for educating drivers in the reduction of road noise impacts.</p> <p>The Applicant shall implement the approved management plan as approved from time to time by the Secretary.</p>	<p>This is incorporated in the approved Noise Management Plan.</p>		<p>Compliant</p>

Schedule 2 Condition 50	<p>Truck movements</p> <p>The Applicant shall ensure that truck movements associated with the development do not exceed 100 movements per day (50 laden truck movements) or 20 (10 laden truck movements) movements per hour, during construction or operation.</p>	Truck data was provided for the audit period. Peak truck movements per day during the audit period was 24.		Compliant
Schedule 2 Condition 51	<p>Section 94A Contributions</p> <p>The Applicant shall pay to Council a contribution under Section 94A of the Act at the rate of \$0.65 per tonne of all extracted/ processed material transported from the subject site.</p> <p>The following conditions apply to the payment of this contribution:</p> <p>(A) The contribution will be calculated and paid monthly from the date of this Consent;</p> <p>(b) The contribution will be indexed and adjusted annually as from the date of Consent, in accordance with the Consumer Price Index. This adjustment will be applicable to each financial year for the duration of this Consent and shall take effect from and including July each year, commencing 1 July 2000;</p> <p>(c) On or before the fourteenth day of each month for the duration of the Consent, the Applicant shall deliver to Council weighbridge records showing the true quantities of extracted/processed material transported from the property during the immediately proceeding month and the Council will then, as soon as it can conveniently do so, issue an invoice to the Applicant, to be paid within fourteen days;</p> <p>(d) The Council has the right to inspect and have the original records relating to any extraction/processing material, including numbers and types of laden trucks, trailers and load quantities transported from the property audited, at any time when Council makes a written request to do so;</p> <p>(e) The Council will pay all the said contribution payments into a specially identified account for payment towards the rehabilitation, restoration, repair and/or maintenance of Old Northern and Wisemans Ferry Roads within the Baulkham Hills Shire boundary.</p> <p>Note: This condition has been imposed in accordance with Council's Contributions Plan No. 6 – Extractive Industries. A copy of this plan may be inspected at the Customer Service Centre, Council's Administration Complex, corner of Carrington and Showground Roads, Castle Hill, between the hours of 8:30 am and 4:30 pm weekdays.</p>	Records indicate Section 94 contributions are paid. Records of receipt of Section 94 contributions were observed for 2017, 2018 and 2019.		Compliant
Schedule 2 Condition 52	<p>FLORA AND FAUNA</p> <p>Deleted.</p>			
Schedule 2 Condition 53	The Applicant shall not clear the strip of remnant vegetation along the southern fence line (Old Northern Road) and the vegetation to the north of the site entrance (Roberts Road) containing Blue Mountains Mahogany (<i>Eucalyptus notabilis</i>). This area shall be fenced off to prevent vehicles entering the area.	Observed this area and viewed this area was appropriately fenced off.		Compliant
Schedule 2 Condition 54	In construction of the bund walls at the corner of Roberts Road and Old Northern Road, the Applicant shall minimise disturbance to existing native vegetation.	No additions to this bund wall observed. Vegetation established on these bunds has been removed by an Endeavour Energy contractor in 2015. No replanting has been undertaken to maintain vegetation and visual screening in this area. Refer to photographs.	Planted vegetation on the bund walls at the corner of Roberts Road and the Old Northern Road was removed during the prior audit period. It is recommended that revegetation of these areas is carried out in consultation with the electricity utility to establish and maintain this visual screening.	Non-Compliant
Schedule 2 Condition 55	<p>Flora and Fauna Management Plan</p> <p>The Applicant shall prepare a Flora and Fauna Management Plan as part of the EMP. The Plan shall be prepared in consultation with National Parks and Wildlife Service and Council, and shall:</p> <p>(a) describe the characteristics and location of species, populations and communities that the proposal may impact upon;</p> <p>(b) consider the feasibility and practicality of salvaging trees removed for the development for relocation to conserved or rehabilitated areas, for the purposes of reconstructing habitat for ground fauna</p> <p>(c) contain a program for the active management and maintenance of all conserved and rehabilitated vegetation (as detailed in the EIS and required under this Consent) including consideration of:</p> <ul style="list-style-type: none"> • post-extraction land use objectives for the site; • utilisation of local endemic species or species naturally occurring in the Maroota area; • planting around the conservation area to further buffer this area and enhance its long term viability as a bushland ecosystem; • connection of existing areas and future areas of revegetation to form a network of wildlife corridors throughout site and to adjoining lands to facilitate species recruitment through natural immigration; • provision of rocks of varying sizes to provide refuge and basking sites for herpetofauna; • fencing of revegetated areas to prohibit grazing by stock; and • provision of artificial nest boxes for a range of arboreal fauna. <p>(d) mitigation measures to be implemented should operations compromise the significant flora and fauna communities identified in the EIS;</p> <p>(e) an ongoing monitoring program of the existing and proposed revegetated areas to assess their floristical structure and diversity, resilience and robustness to disturbance, and fauna species diversity. The information obtained from the monitoring shall be used to guide future revegetation and management efforts; and</p> <p>(f) include detailed performance and completion criteria for evaluating the performance of the flora and fauna management measures and rehabilitation of the site, including triggers for any necessary remedial action.</p>	A Flora and Fauna Management Plan has been prepared and approved on 9th December 2016. Ongoing biodiversity monitoring reports were observed for 2018 and 2019.		Compliant

Schedule 2 Condition 56	<p>The Applicant shall maintain the revegetated areas for the duration of the Consent. Maintenance may include:</p> <ul style="list-style-type: none"> • replanting failed or unsatisfactory areas • repairing erosion problems • fire management – fire suppression or fire encouragement • pest and weed control • control of feral animal populations • maintain and repair fencing • fertiliser application • watering plants in drier areas, especially in the establishment phase • application of lime or gypsum to control pH and improve soil structure. 	Observed rehabilitation planting on the bund wall to the north of the process dam area. This area had established plantings.		Compliant														
Schedule 2 Condition 57	<p>HERITAGE</p> <p>If, during the development, the Applicant becomes aware of any heritage or archaeological material, all work likely to affect the material shall cease immediately and the relevant authorities consulted about an appropriate course of action prior to recommencement of work. The relevant authorities may include NPWS, the Heritage Office, and the Local Aboriginal Land Councils. Any necessary permits or consents shall be obtained and complied with prior to recommencement of work.</p>	None noted.		Not Triggered														
Schedule 2 Condition 58	<p>The Applicant shall rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must comply with the objectives in Table 1:</p> <table border="1" data-bbox="320 705 1181 1066"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Site (as a whole)</td> <td> <ul style="list-style-type: none"> • Safe, stable and non-polluting • 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 the Secretary agrees otherwise </td> </tr> <tr> <td>Quarry Benches</td> <td> <ul style="list-style-type: none"> • Landscaped and vegetated using native tree and understorey species </td> </tr> <tr> <td>Quarry Pit Floor</td> <td> <ul style="list-style-type: none"> • Landscaped and revegetated using improved pasture species, native trees and understorey species </td> </tr> <tr> <td>Final Void</td> <td> <ul style="list-style-type: none"> • Minimise the height and slope of batters • Minimise the drainage catchment </td> </tr> <tr> <td>Community</td> <td> <ul style="list-style-type: none"> • Ensure public safety • Minimise the adverse socio-economic effects of quarry closure </td> </tr> </tbody> </table>	Feature	Objective	Site (as a whole)	<ul style="list-style-type: none"> • Safe, stable and non-polluting • 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 the Secretary agrees otherwise 	Quarry Benches	<ul style="list-style-type: none"> • Landscaped and vegetated using native tree and understorey species 	Quarry Pit Floor	<ul style="list-style-type: none"> • Landscaped and revegetated using improved pasture species, native trees and understorey species 	Final Void	<ul style="list-style-type: none"> • Minimise the height and slope of batters • Minimise the drainage catchment 	Community	<ul style="list-style-type: none"> • Ensure public safety • Minimise the adverse socio-economic effects of quarry closure 	A Rehabilitation Plan has been prepared and submitted 20 March 2018. No feedback has been provided by the Department to date.		Not Triggered
Feature	Objective																	
Site (as a whole)	<ul style="list-style-type: none"> • Safe, stable and non-polluting • Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land 																	
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Schedule 2 Condition 59	<p>Progressive Rehabilitation</p> <p>The Applicant shall 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><i>Note: It is accepted that parts of the site that are progressively rehabilitated may be subject to further disturbance in future.</i></p>	Disturbed were generally limited to within extraction and processing areas. Some recent rehabilitation was observed on the bund wall to the north of the process dam. This revegetation appeared well established and maintained at the time of the audit.		Compliant														

<p>Schedule 2 Condition 60</p>	<p>Landscape and Rehabilitation Management Plan</p> <p>The Applicant shall prepare a Landscape and Rehabilitation Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be submitted to the Secretary for approval by 30 June 2017, unless otherwise agreed by the Secretary;</p> <p>(b) provide details of the conceptual final landform and associated land uses for the site;</p> <p>(c) describe the short, medium and long-term measures that would be implemented to ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent;</p> <p>(d) include a detailed description of the measures that would be implemented over the next 3 years (to be updated for each 3 year period following the 3 years covered by the initial approval of the plan) including the procedures to be implemented for:</p> <ul style="list-style-type: none"> • maximising the salvage of environmental resources within the approved disturbance area for beneficial reuse; • protecting vegetation and fauna habitat outside the approved disturbance area on-site; • minimising the impacts on native fauna; • landscaping the site to minimise visual and lighting impacts; • reviewing improved pasture species and application rates; • controlling weeds and feral pests; • controlling erosion; • controlling access; and • bushfire management; <p>(e) include a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria;</p> <p>(f) include a mass balance calculation to ensure that appropriate volumes of material are available to implement the final landform as described in this plan;</p> <p>(g) provide for the construction and maintenance of the process water dam in accordance with the approved design and construction criteria (see Condition 42(b));</p> <p>(h) identify the potential risks to the successful rehabilitation of the site, and include a description of the contingency measures that would be implemented to mitigate these risks; and</p> <p>(i) include details of who would be responsible for monitoring, reviewing, and implementing the plan.</p> <p>The Applicant shall implement the management plan as approved from time to time by the Secretary</p>	<p>a) The initial Landscape and Rehabilitation Plan was prepared in June 2016, with subsequent revisions in June 2017 and March 2018. The LRP was approved by the Department in August 2018.</p>		<p>Compliant</p>
<p>Schedule 2 Condition 61</p>	<p>Conservation and Rehabilitation Bond</p> <p>By 31 December 2017, the Applicant shall lodge a Conservation and Rehabilitation Bond with the Department to ensure that the management of biodiversity and the rehabilitation of the site are implemented in accordance with the performance and completion criteria set out in the Flora and Fauna Management Plan and Landscape and Rehabilitation Plan. The sum of the bond shall be determined by:</p> <p>(a) calculating the cost of rehabilitating the site taking into account the likely surface disturbance over the following 3 years of quarrying operations; and</p> <p>(b) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs, to the satisfaction of the Secretary.</p> <p><i>Note: If the rehabilitation of the site is completed to the satisfaction of the Secretary, then the Secretary will release the bond. If the rehabilitation of the site is not completed to the satisfaction of the Secretary, then the Secretary will call in all or part of the bond, and arrange for the completion of the relevant works.</i></p>	<p>Advice from the Department was requested when the Landscape and Rehabilitation Plan was developed. This plan includes a proposed approach to the calculation of the rehabilitation bond, however this has not been finalised or lodged.</p> <p>The rehab plan includes a proposed approach, but this has not been determined, and consequently the bond has not been lodged.</p>	<p>It is recommended that DPIE be formally followed up in writing (not email) again. If a response is not forthcoming, then the bond should be calculated and lodged by a suitably qualified rehabilitation consultant in accordance with the methodology previously presented to DPIE.</p>	<p>Not Compliant</p>
<p>Schedule 2 Condition 62</p>	<p>Within 3 months of each Independent Environmental Audit (see Condition 70), the Applicant shall review, and if necessary revise, the sum of the Conservation and Rehabilitation Bond to the satisfaction of the Secretary. This review must consider the:</p> <p>(a) effects of inflation;</p> <p>(b) likely cost of rehabilitating the site (taking into account the likely surface disturbance over the next 3 years of the development); and</p> <p>(c) performance of the implementation of the rehabilitation of the site to date.</p>	<p>This condition hasn't been triggered during the current audit period, as the Conservation and Rehabilitation Bond had not been determined at the time of the prior audit.</p>		<p>Not triggered</p>
<p>Schedule 2 Condition 63</p>	<p>ENVIRONMENTAL MANAGEMENT</p> <p>Environmental Management Strategy</p> <p>The Applicant shall prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:</p> <p>(a) be submitted to the Secretary for approval by 30 June 2016;</p> <p>(b) provide the strategic framework for environmental management of the development;</p> <p>(c) identify the statutory approvals that apply to the development;</p> <p>(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</p> <p>(e) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> • keep the local community and relevant agencies informed about the operation and environmental performance of the development; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the course of the development; • respond to any non-compliance; • respond to emergencies; and <p>(f) include:</p> <ul style="list-style-type: none"> • copies of any strategies, plans and programs approved under the conditions of this consent; and • a clear plan depicting all the monitoring required to be carried out in relation to the development. <p>The Environmental Management Strategy is to include a copy of the sequence of extraction as updated under Modification 2, with all dam areas on the site clearly labelled and described.</p> <p>The Applicant shall implement the approved strategy as approved from time to time by the Secretary.</p>	<p>a) As per previous audit the EMS was submitted on 30 June 2016 for approval and was approved by the Department in a letter dated 9 December 2016.</p> <p>b) Reviewed document during audit. Approved by Department Dec 2016. The current EMS is dated 26 July 2018.</p> <p>c) Addressed in Section 2.0</p> <p>d) Addressed in Section 3.0</p> <p>e) Addressed in Section 4.0</p> <p>f) Addressed in Appendix D</p>		<p>Compliant</p>

<p>Schedule 2 Condition 64</p>	<p>Adaptive Management</p> <p>The Applicant shall assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in this Consent. Any exceedance of these criteria and/or performance measures constitutes a breach of this Consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</p> <p>Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity:</p> <p>(a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;</p> <p>(b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and</p> <p>(c) implement remediation measures as directed by the Secretary, to the satisfaction of the Secretary.</p>	<p>Refer exceedances of PM10 24 hour and annual criteria as reported against Condition 28.</p>	<p>The development is generally being carried out in accordance with the EIS, Mod 1, Mod 2 and Mod 3, and with the conditions of development consent, however a number of non-compliances were identified. These are addressed against the specific conditions (refer Condition 28).</p>	<p>Compliant</p>
<p>Schedule 2 Condition 65</p>	<p>Management Plan Requirements</p> <p>The Applicant shall ensure that the management plans required under this Consent are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> • the relevant statutory requirements (including any relevant approval, licence or lease conditions); • any relevant limits or performance measures/criteria; • the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> • impacts and environmental performance of the development; • effectiveness of any management measures (see c above); <p>(e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> • incidents; • complaints; • non-compliances with statutory requirements; and • exceedances of the impact assessment criteria and/or performance criteria; and <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>	<p>Review of OEMP and specific management plans. Plans have been prepared and approved by the Department.</p>		<p>Compliant</p>
<p>Schedule 2 Condition 66</p>	<p>Annual Review</p> <p>By the end of March each year (or as otherwise agreed by the Secretary), the Applicant shall review the environmental performance of the development for the previous calendar year to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the current calendar year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the development over the past year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • relevant statutory requirements, limits or performance measures/criteria; • monitoring results of previous years; and • relevant predictions in the EIS, Modification 1 and Modification 2; <p>(c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the development;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the next year to improve the environmental performance of the development.</p>	<p>The 2018 Annual Review and Compliance report was provided to the Department, however there was no documentation to demonstrate that there were any additional requirements from the Department. The annual review for 2019 calendar year was completed and transmitted to the Department on 27th March 2020. No correspondence has been received to date to confirm acceptance. Non-compliances and actions to be taken are addressed in Section 7.0.</p>		<p>Compliant</p>
<p>Schedule 2 Condition 67</p>	<p>Revision of Strategies, Plans and Programs</p> <p>Within 3 months of the submission of:</p> <p>(a) an annual review under Condition 66 above;</p> <p>(b) an incident report under Condition 68 below;</p> <p>(c) an audit report under Condition 70 below; or</p> <p>(d) any modification to the conditions of this Consent (unless the conditions require otherwise), the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this Consent to the satisfaction of the Secretary.</p> <p>Where this review leads to revisions in any such document, then within 4 weeks of the review, unless the Secretary agrees otherwise, the revised document must be submitted to the Secretary for approval.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</i></p>	<p>There was a requirement from the Department for the 2017 IEA and annual report for additional work to be done. These records have been provided. No response was received from the Department for the 2018 and 2019 annual review and compliance reports.</p>	<p>The 2019 Annual Review and Compliance Audit report was submitted to the Department, however there were no additional requirements from the Department at the time of the audit.</p>	<p>Compliant</p>


Schedule 2 Condition 68	<p>REPORTING</p> <p>Incident Reporting</p> <p>The Applicant shall immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.</p>	Air quality exceedances were noted for exceedance of 24 hour average PM10 criteria on 15 February 2018, 6th March, 5th April, 29 April, 19 November, and on 7, 19 and 31st December 2019. Exceedances were also noted for 12th, 18th, 24th and 30th January 2020 and 5th February 2020.	2018 - This exceedance was reported in the 2018 Annual Review and Compliance Report. There was no correspondence observed to indicate the date that this was notified to the Department. There was also no correspondence from the Department with respect to this result. 2019 - Exceedances for March and April 2019 were reported in the 2018 Annual Review and Compliance Report. There was no correspondence observed to indicate the date that this was notified to the Department. There was also no correspondence from the Department with respect to this result. Exceedance for November and December 2019 were reported to the Department once results were available. There was no correspondence available to indicate if there was any follow up required for these exceedances.	Not Compliant
Schedule 2 Condition 69	<p>Regular Reporting</p> <p>The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this Consent.</p>	The 2018 Annual Review and Compliance Report has been uploaded to the website. The 2019 report has not been uploaded at the time of the audit, as the site is waiting on response from the Department. Air, water, flora and fauna, noise and groundwater monitoring results are included on the webpage.		Compliant
Schedule 2 Condition 70	<p>INDEPENDENT ENVIRONMENTAL AUDIT</p> <p>Every 3 years from the date of this consent and at the completion of works under this consent, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the development and assess whether it is complying with the requirements in this Consent and any relevant EPL (including any assessment, plan or program required under these approvals);</p> <p>(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and</p> <p>(e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under the abovementioned approvals.</p> <p><i>Note: This audit team must be led by a suitably qualified auditor and include experts in any field specified by the Secretary.</i></p>	Noted - previous audit was in 2017		Compliant
Schedule 2 Condition 71	Within 6 weeks of the completion of this audit, unless the Secretary agrees otherwise, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	The 2017 Audit Report was dated 8th August 2017. This was provided to the Department on 14th September 2017 with a response action plan.		Compliant
Schedule 2 Condition 72	<p>ACCESS TO INFORMATION</p> <p>By 30 June 2016 the Applicant shall:</p> <p>(a) make copies of the following publicly available on its website:</p> <ul style="list-style-type: none"> • the documents identified in Condition 2(a) above; • current statutory approvals for the development; • approved strategies, plans and programs required under the conditions of this Consent; • a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this Consent, or any approved plans and programs; • a complaints register, which is to be updated monthly; • the annual reviews of the development (for the last 5 years, if applicable); • any independent environmental audit of the development, and the Applicant's response to the recommendations in any audit; • any other matter required by the Secretary; and <p>(b) keep this information up-to-date, to the satisfaction of the Secretary.'</p>	Noted - these are available on the website.		Compliant

This instrument includes changes made by DA 267-11-99 Mod 1 in 29 November 2000 (marked red).

This instrument includes changes made by DA 267-11-99 Mod 3 in 18 August 2015 (marked blue).

This instrument includes changes made by DA 267-11-99 Mod 2 in 18 March 2016 (marked green).

AUDIT TABLE: EPL6535 AUDIT DATE: 4 JUNE 2020

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status								
1	Administrative Conditions											
A1	What the licence authorises and regulates											
A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.</p> <p>Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <table border="1"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Crushing, Grinding or Separating</td> <td>Crushing, grinding or separating</td> <td>> 100000 - 500000 T processed</td> </tr> <tr> <td>Extractive Activities</td> <td>Land-based extractive activity</td> <td>> 100000 - 500000 T extracted, processed or stored</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Crushing, Grinding or Separating	Crushing, grinding or separating	> 100000 - 500000 T processed	Extractive Activities	Land-based extractive activity	> 100000 - 500000 T extracted, processed or stored	<p>During the 2019 reporting period 107,000 tonnes of material were sold. This is reported in the 2019 Annual Review and Compliance Report.</p>	Compliant
Scheduled Activity	Fee Based Activity	Scale										
Crushing, Grinding or Separating	Crushing, grinding or separating	> 100000 - 500000 T processed										
Extractive Activities	Land-based extractive activity	> 100000 - 500000 T extracted, processed or stored										
A2	Premises or plant to which this licence applies											
A2.1	<p>The licence applies to the following premises:</p> <p>Premises Details</p> <p>HB MAROOTA PTY LTD CNR ROBERTS & OLD NORTHERN ROADS MAROOTA NSW 2756</p> <p>LOT 1 DP 228308, LOT 2 DP 228308, LOT 2 DP 312327</p>	Noted		Noted								
A2.2	<p>The premises location is shown on the map below.</p> 	Noted		Noted								
A3	Other activities											
A3.1	<p>This licence applies to all other activities carried on at the premises, including:</p> <p>Ancillary Activity Agricultural Produce Industries Aircraft (helicopter) facilities</p>	Noted		Noted								
A4	Information supplied to the EPA											
A4.1	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.</p> <p>In this condition the reference to "the licence application" includes a reference to:</p> <p>a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</p> <p>b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>	Refer to findings of audit of conditions of consent.		Compliant								
2	Discharges to Air and Water and Applications to Land											
P1	Location of monitoring/discharge points and areas											
P1.1	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.	Noted - no table included in the licence.		Compliant								
3	Limit Conditions											
L1	Pollution of waters											
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	No discharge of waters from site. Observations during the site audit indicated that there were no visible signs of off site impacts on waters.		Compliant								
L2	Noise Limits											
L2.1	Noise from the premises must not exceed the sound pressure level expressed as LA10 (15 minute) of 45 dB(A), except as expressly provided by this licence.	Noise monitoring reports indicate that all noise criteria were achieved.		Compliant								
L2.2	Noise from the premises is to be measured or computed at any point within one metre of any residential boundary, or at any point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary, to determine compliance with the noise level limits in Condition L2.1.	Refer Noise Monitoring Plan and Noise Monitoring Reports.		Compliant								
4	Operating Conditions											
01	Activities must be carried out in a competent manner											
01.1	Licensed activities must be carried out in a competent manner. This includes:	Waste disposal dockets for general solid waste and waste oil.	Wastes disposed from site consist of general solid waste or waste oils. Records of waste disposal were observed. Spill management is included in the PIRMP, and referred to in the site induction.	Compliant								
02	Maintenance of plant and equipment											
02.1	All plant and equipment installed at the premises or used in connection with the licensed activity:	Site inspection identified that hydraulic oils were stored in the workshop area without secondary containment.	Approximately 13 x 200L drums of hydraulic oils were stored in the workshop. These drums were stored on standard timber pallets without any form of secondary containment. The workshop area is not bunded.	Not Compliant								
02.1	a) must be maintained in a proper and efficient condition; and		While the storage of these materials is inside the workshop, and consequently low risk, due to the movement of these items by forklift, and the evidence of minor spills it is recommended that these drums should be stored on bunded pallets, or in an appropriately bunded area to mitigate this risk.									
02.1	b) must be operated in a proper and efficient manner.											
03	Dust											

03.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	On the date of site inspection no visible dust emissions were observed. Auditors observed water cart operating in the active extraction area, and on haul roads. Water sprays were also observed on transfer points for the conveyor and processing equipment.		Compliant
03.2	All loaded trucks entering or leaving the premises must have their loads covered.	Signage at gate. Observed trucks leaving the site with covers in place during the site audit.		Compliant
04	Other operating conditions			
04.1	The licensee must prevent any tracking of mud on to public roads by vehicles leaving the premises.	Observed road conditions - no visible mud observed on the day of the audit. Road is cleaned regularly by the site to ensure mud is not tracked onto the public road.		Compliant
5	Monitoring and Recording Conditions			
M1	Monitoring records			
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Refer to monitoring records in annual reports - no EPA monitoring sites required.		Compliant
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Noted - copies are maintained online.		Compliant
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Noted		Compliant
M2	Recording of pollution complaints			
M2.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Refer audit findings		Compliant
M2.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Refer audit findings		Compliant
M2.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Not triggered		Not triggered
M2.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Not triggered		Not triggered
M3	Telephone complaints line			
M3.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	Telephone number is displayed on the front gate.		Compliant
M3.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Telephone number is displayed on the front gate.		Compliant
M3.3	The preceding two conditions do not apply until 3 months after the date of the issue of this licence.	Noted		Compliant
6	Reporting Conditions			
R1	Annual return documents			
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: a) a Statement of Compliance; and b) a Monitoring and Complaints Summary. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.	Annual returns have been submitted during the reporting period and are available online.		Compliant
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	Refer above		Compliant
R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.	Not triggered		Not triggered
R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.	Not triggered		Not triggered
R1.5	The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	The EPA licence register indicated lodgement of the 2020 Annual Return on 19 May 2020.	The 2020 return was received >60days after the end of the reporting period. The licence holder shall ensure that Annual Returns are prepared and lodged within the 60 day period for reporting.	Not Compliant
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Copies are maintained online		Compliant
R1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder. Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.	Noted		Compliant
R2	Notification of environmental harm			
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Not triggered		Not triggered
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred. Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	Not triggered		Not triggered
R3	Written report			
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	Not triggered		Not triggered
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	Not triggered		Not triggered

R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.	Not triggered		Not triggered
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Not triggered		Not triggered
7	General Conditions			
G1	Copy of licence kept at the premises or plant			
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Licence observed on site		Compliant
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Noted		Noted
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Noted		Noted

Appendix D – Site Inspection Photographs



Plate 1 – Bulk oils stored in maintenance shed



Plate 2 - Oils stored in maintenance shed



Plate 3 – Drying area 1



Plate 4 – Active extraction area



Plate 5 – Process area



Plate 6 – Loading area



Plate 7 – Laydown area and equipment storage



Plate 8 – Dam 1 process water



Plate 9 – Process area



Plate 10 – Flocking plant



Plate 11 – Drying area 2



Plate 12 – Waste oil and grease storage



Plate 13 – Northern bund rehabilitation



Plate 14 – Northern bund rehabilitation



Plate 15 – Northern bund rehabilitation



Plate 16 – Visual bund corner Old Northern Road and Roberts Road



Plate 17 - Visual bund corner Old Northern Road and Roberts Road

Appendix E – Independent Audit Declaration

INDEPENDENT AUDIT DECLARATION


Project Name:	Maroota Sand Quarry Independent Environmental Audit
Consent Number:	DA 267-11-99-PA-1
Description of Project:	Maroota Sand Quarry Independent Environmental Audit
Project Address:	28 Roberts Road, Maroota, NSW
Proponent:	Hodgson Quarries and Plant Hire Pty Ltd
Title of Audit:	Maroota Sand Quarry Independent Environmental Audit
Date:	5 August 2020

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2018)*;
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Auditor:	Ian Richardson
Signature:	
Qualification:	Bachelor of Environmental Science Graduate Diploma in Occupational Health & Safety
Company:	RPS Australia East Pty Ltd
Company Address:	Unit 2A, Fitzroy Street, Carrington NSW 2294