

Appendices

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Appendix 1

Planning Secretary Audit Team Agreement

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Planning,
Industry &
Environment

Contact: Alfarid Hussain
Phone: 9274 6456
Email: compliance@planning.nsw.gov.au

Dixon Sand Pty Ltd
4610 Old Northern Road
MAROOTA NSW 2756

Attn: Ms Hunny Churcher – Environmental Officer

Dear Ms Churcher

**Old Northern Road and Haerses Road Quarries (DA 165-7-2005 and DA250-09-01)
Independent Environmental Auditor**

I refer to your email dated 28 June 2019 seeking the Secretary's endorsement of R.W. Corkery & Co Pty Ltd ("**R.W. Corkery**") to undertake the independent environmental audits ("IEA") for the Old Northern Road Quarry and Haerses Road Quarry.

In accordance with Schedule 5, Condition 13 of DA 250-09-01, as modified, and Schedule 5, Condition 13 of DA 165-7-2005, as modified, the Secretary has agreed to the following audit team from R. W. Corkery for the 2019 IEAs:

- Mr Robert Corkery as the lead auditor;
- Mr Scott Hollamby and Mr Jack Flanagan in assisting roles during the audit.

Please note that this approval is conditional upon the audit team's independence from the project.

In preparing the IEA, you should ensure the audits:

- consider Department's Independent Audit Post Approval Requirements (IAPAR)¹, dated June 2018, available at <https://www.planning.nsw.gov.au/~media/Files/DPE/Other/independent-audit-post-approval-requirements-2018-06.ashx>;
- includes a declaration of independence similar to *Appendix C - Independent Audit Declaration Form Template* in the IAPAR;
- include a compliance table as an attachment to the main report indicating the compliance status of each condition of the approval (and any other statutory instrument required to be audited). This table should be consistent with *Appendix A- Independent Audit Table Example* of the IAPAR;
- avoid terms such as "partial compliance". An audit is to make findings of either "compliant" or "non-compliant";
- include recommended actions in response to non-compliances and identify opportunities for improved environmental management and performance;
- consult with all relevant regulatory agencies well ahead of the audit inspection dates and include details of the consultation and investigation in the report in accordance with section 3.2 of the IAPAR;

¹ While Dixon Sand Pty Ltd may voluntarily elect to comply with the IAPAR, it must comply with the conditions of both the Consents.



- review the IEA reports to ensure it complies with the relevant conditions of consent, prior to submitting the report to the Secretary; and
- submit an action plan with the audit reports detailing your response to the auditor's recommendations and timeframes to implement any adopted recommendations. If you do not agree with an observation or a recommendation, please provide reasons as to why a recommendation can't be adopted.

Finally, the Department requests Dixon Sand Pty Ltd to submit two individual reports for the two projects. All conditions under the consents should be assessed to determine whether they are compliant. If a condition is not triggered or has lapsed, please state so in the compliance table and briefly explain the reason why they are not triggered or have lapsed in the *Independent Audit Findings and Recommendations* column of the table.

Should you have any further enquiries about this matter, please contact Alfarid Hussain on (02) 9274 6456 or compliance@planning.nsw.gov.au.

Yours sincerely



Chris Mathieson
Team Leader- Compliance (Metro)
As nominee of the Secretary

11.7.2019

Appendix 2

Independent Audit Declaration Form

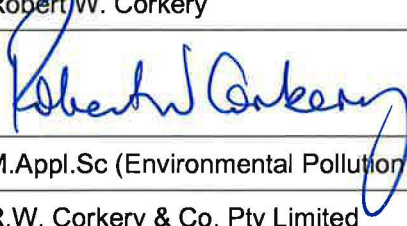
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INDEPENDENT AUDIT DECLARATION FORM

Project Name:	Haerses Road Quarry – Maroota
Consent Number:	DA165-7-2005
Description of Project:	Sand Extraction and Processing Operation
Project Address:	Haerses Road, Maroota
Proponent:	Dixon Sand Pty Ltd
Title of Audit:	Independent Environmental Audit of the Old Northern Road Quarry
Audit Date:	22 October 2019
<p>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:</p> <ul style="list-style-type: none"> • the audit has been undertaken in accordance with relevant condition(s) of consent and the <i>Independent Audit Post Approval Requirements (Department 2018)</i>; • 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. <p>Notes:</p> <p>a) Under section 10.6 of the <i>Environmental Planning and Assessment Act 1979</i> 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</p> <p>b) The <i>Crimes Act 1900</i> 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)</p>	
Name of Lead Auditor:	Robert W. Corkery
Signature:	
Qualification:	M.Appl.Sc (Environmental Pollution Control); B.Appl.Sc (Hons) (Geology)
Company:	R.W. Corkery & Co. Pty Limited
Company Address:	Level 1, 12 Dangar Road BROOKLYN NSW 2083



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Appendix 3

Consultation with Government Agencies and Community Consultative Committee

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From: Kristine McKenzie <kmckenzie@thehills.nsw.gov.au>
Sent: Monday, 9 September 2019 8:44 AM
To: Rob Corkery <rob@rwcorkery.com>
Subject:

Hi Rob,

Thank you for your email regarding Condition 13 of DAs 250-09-01 and 165-7-2005 in regard to the Independent Environmental Audit for Dixon Sand.

As Council is not the consent authority for the above DAs, detailed review/assessment regarding compliance with conditions of consent has not been undertaken during the assessment period by Council staff.

Notwithstanding this, the following matters are considered particularly relevant for review with the audit and it would be appreciated if you could include these matters with your assessment:

1. Compliance with setback requirements;
2. Compliance with depth of extraction;
3. Compliance with on-going rehabilitation works.

Regards,



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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From: Maria Divis <Maria.Divis@planning.nsw.gov.au>
Sent: Monday, 16 September 2019 10:27 AM
To: Jack Flanagan
Cc: Chris Mathieson; Alfarid Hussain
Subject: RE: 1021_DPIE_Consultation for Independent Audit of Old Northern Road & Haerses Road Quarries_20190913

Good morning Jack,

Thank you for consulting with the Department in relation to the independent audit scope for the Older Northern Road and Haerese Road Quarries. Alfarid Hussain is currently on leave and I have been asked to respond this matter in his absence.

At this stage the Department has not identified any key issues for consideration beyond the audit scope requirements outlined within the Independent Audit Post Approval Requirements (Department 2018).

Please let me know if you have any questions.

Regards,

Maria Divis
Senior Compliance Officer (Mon-Thurs)
NSW Department of Planning Industry & Environment
320 Pitt Street | GPO Box 39 | Sydney NSW 2001
T 02 8275 1156 | M 0436 675 078 | E maria.divis@planning.nsw.gov.au

Please direct all email correspondence to: compliance@planning.nsw.gov.au



Planning,
Industry &
Environment

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Jack Flanagan <jack@rwcorkery.com>
Sent: Friday, 13 September 2019 4:32 PM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Cc: Scott Hollamby <scott@rwcorkery.com>
Subject: 1021_DPIE_Consultation for Independent Audit of Old Northern Road & Haerses Road Quarries_20190913

Good afternoon,

This email is just to follow up on correspondence requesting any consultation requirements regarding an upcoming environmental audit of the Old Northern Road and Haerses Road Quarries.

The original request for consultation requirements was sent out on 20 August 2019 and a copy of the email transmission which accompanied that request is attached for your convenience.



As previously stated, it would be appreciated if any comments or requests regarding the upcoming audit could be provided by 17 September 2019.

Please don't hesitate to contact me if you have any questions or if you would like to discuss the upcoming environmental audit.

Regards,
Jack

Jack Flanagan

Graduate Environmental Consultant

Mobile: 0402 060 522

Email: jack@rwcorkery.com

RW Corkery & Co Pty Limited
Geological and Environmental Consultants



Brooklyn

Level 1, 12 Dangar Road
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DOC19/711069-1
Your Ref: 1021/1022

Mr Rob Corkery
Lead Auditor
R.W. Corkery & Co. Pty Limited
1st Floor, 12 Dangar Road
BROOKLYN NSW 2083

16 September 2019

Dear Mr Corkery

By Electronic Mail

Consultation for Independent Environmental Audits - Dixon Sand Quarries

On 20 August 2019 the Environment Protection Authority ("EPA") received correspondence from R.W. Corkery Co Pty Limited, advising that the Department of Planning, Industry and Environment (DPIE) has approved it as an auditor to undertake independent environmental audits of the two below Dixon Quarries, for the period 19 November 2016 to late October 2019. It is noted that separate reports will be prepared for each quarry.

- EPL 3916 - Dixon Sand (Penrith) Pty Ltd - 4610 Old Northern Road, Maroota NSW 2756
- EPL 12513 - Dixon Sand Pty Ltd - Haerses and Wisemans Ferry Road, Maroota NSW 2756

The EPA was requested to identify any specific matters they deem appropriate to be considered/assessed during the audit process. The EPA has considered this request and have identified no specific matters to be considered/assessed during the audit. It should be noted however, that dust exceedances recorded at the air monitoring station seem to be the most common issue resulting in self-reports to the EPA by Dixon Sand. Some of these exceedances are not related to quarry operations, such as poor air quality from weather events/dust storms and fires/hazard reduction burning. Dixon has generally responded to these exceedances by taking appropriate mitigation actions, including dust suppression and/or ceasing or restricting quarry operations.

All environment protection licences are publicly available on the EPA's website, it also lists any non-compliances, with a short description, for each licence annual return (12 month) period - <https://apps.epa.nsw.gov.au/prpoeoapp/>.

Should you have any questions, please contact Lisa Crambrook on 02 8837 6079 or email lisa.crambrook@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jacqueline Ingham'.

Jacqueline Ingham
Unit Head Sydney Industry
Environment Protection Authority

Phone 131 555	Fax +61 2 9995 5999	PO Box 668	L13, 10 Valentine Ave
Phone +61 2 9995 5555 (from outside NSW)	TTY 133 677	Parramatta	Parramatta NSW
	ABN 43 692 285 758	NSW 2124 Australia	2150 Australia
			info@epa.nsw.gov.au
			www.epa.nsw.gov.au



From: Rob Corkery
Sent: Tuesday, 17 September 2019 2:48 PM
To: Scott Hollamby; Jack Flanagan
Subject: FW: 1021_Consultation for Independent Audit of Old Northern Road & Haerses Road Quarries

From: Richard Bonner <Richard.Bonner@environment.nsw.gov.au>
Sent: 17 September, 2019 1:43 PM
To: Rob Corkery <rob@rwcorkery.com>
Subject: RE: 1021_Consultation for Independent Audit of Old Northern Road & Haerses Road Quarries

Hi Rob,

The Environment, Energy and Science Group of the Department of Planning, Industry and Environment (formerly the Office of Environment and Heritage) have no specific matters for consideration or assessment during the Old Northern Road & Haerses Road Quarries audit process.

Regards

Richard Bonner
Senior Conservation Planning Officer, Greater Sydney

Climate Change and Sustainability | Department of Planning, Industry and Environment
T 02 9995 6917 | E richard.bonner@environment.nsw.gov.au
Level 2, 10 Valentine Avenue, Parramatta, NSW 2150
www.dpie.nsw.gov.au



**Planning,
Industry &
Environment**

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Rob Corkery <rob@rwcorkery.com>
Sent: Tuesday, 20 August 2019 1:43 PM
To: Susan Harrison <Susan.Harrison@environment.nsw.gov.au>
Cc: 'Environment' <environment@dixonsand.com.au>; Jack Flanagan <jack@rwcorkery.com>; Scott Hollamby <scott@rwcorkery.com>
Subject: 1021_Consultation for Independent Audit of Old Northern Road & Haerses Road Quarries

Greetings Susan

Please find attached correspondence regarding the above Project.

Regards
Rob

Robert W. Corkery
Principal Environmental Consultant



From: Rob Corkery
Sent: Wednesday, 18 September 2019 6:35 AM
To: Jack Flanagan; Scott Hollamby
Subject: RE: 1021_Lisa Andrews Response_20190917

Thanks Jack

In light of Lisa's comment it will be necessary to review the CCC minutes over the audit period and identify the issues raised.

Many thanks Rob

From: Jack Flanagan <jack@rwcorkery.com>
Sent: Tuesday, 17 September 2019 3:07 PM
To: Rob Corkery <rob@rwcorkery.com>; Scott Hollamby <scott@rwcorkery.com>
Subject: 1021_Lisa Andrews Response_20190917

Hi Rob and Scott,

I have just spoken with Lisa Andrews with regard to the CCC committee for the Old Northern Road and Haerses Road quarries.

She indicated that the CCC members have raised no specific issues for consideration during the audit beyond any issues which have previously been raised during CCC meetings (and included in CCC meeting minutes).

Regards,
Jack

Jack Flanagan
Graduate Environmental Consultant
Mobile: 0402 060 522
Email: jack@rwcorkery.com

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Appendix 4

Compliance Review – Approvals

(Total No. of pages including blank pages = 78)

Table A4-1	DA 165-7-2005
Table A4-2	EPL 12513
Table A4-3	WAL 25941
Table A4-4	WAL 25956

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Table A4-1
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
SCHEDULE 2 – ADMINISTRATIVE CONDITIONS				
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT				
1	In addition to meeting the specific performance measures and criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the development.	Compliant	Observations Reviewed management documentation This audit	Whilst this audit has recommended a range of improvements, the Company generally appears to be adequately implementing reasonable and feasible measures to prevent or minimise the potential for environmental harm.
TERMS OF CONSENT				
2	The Applicant must carry out the development:			
2 (a)	generally in accordance with the EIS, EA (Mod 1) and EA (Mod 2); and	Compliant	HR11-2019. HR12-2019. HR13-2019. Observations.	The Quarry was found to be generally in accordance with the operations as outlined in the project descriptions and impact assessments contained within the various assessment documents. It is noted that extraction within the Mod 1 area has yet to commence.
2 (b)	in accordance with the conditions of this consent and the Development Layout Plans. <i>Note: The Development Layout Plan is shown in Appendix 1</i>	Non-Compliant	HR14-2019. Observations.	The Quarry layout was observed to reflect the Development Layout Plans included as Appendix 1 of DA 167-7-2005. However, several non-compliances have been recorded against the conditions of this consent during the audit period and hence contributed to the non-compliance status for this condition. See Conditions 2(10b), 3(9), 3(16e), 3(36f), 3(37), 3(43), 5(7c), and 5(11).
3	If there is any inconsistency between the documents in condition 2(a), the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.	-	-	Noted.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
SCHEDULE 2 – ADMINISTRATIVE CONDITIONS				
TERMS OF CONSENT (Cont'd)				
4	The Applicant must comply with any written requirement/s of the Secretary arising from the Department's assessment of:	Compliant	HR30-2019. HR49-2019. HR50-2019. HR43-2019. HR44-2019. HR45-2019.	Approval for the current components of the EMS for the Quarry was granted by DPE between May 2018 and September 2018. Responses to actions arising from the review of previous Annual Reviews are outlined in Annual Reviews during the audit period.
4 (a)	any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent (including any stages of these documents);			
4 (b)	any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with this consent; and			
4 (c)	the implementation of any actions or measures contained in these documents.			
LIMITS ON CONSENT				
5	The Applicant may carry out quarrying operations on the site until 14 February 2046.	Compliant	-	The approved timing for quarrying operations has not expired.
	Note: Under this consent, the Applicant is required to rehabilitate the site and carry out additional requirements and undertakings to the satisfaction of the Secretary. Consequently, this consent will continue to apply in all respects other than the right to conduct quarrying operations until the rehabilitation of the site and those requirements and undertakings have been carried out to the standard required by the applicable conditions.	Compliant	-	The Quarry remains within the approved operational period.
6	The Applicant must not extract more than 250,000 tonnes of quarry products per year from the quarry.	Compliant	HR43-2019. HR44-2019. HR45-2019.	Total extraction did not exceed 250 000tpa from the Quarry during the audit period with the following total production reported. <ul style="list-style-type: none"> - 2016/2017 = 95 333t. - 2017/2018 = 80 631t. - 2018/2019 = 71 799t. Improvement HR I3/19.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
SCHEDULE 2 – ADMINISTRATIVE CONDITIONS				
TERMS OF CONSENT (Cont'd)				
7	The Applicant must not transport more than 190,000 tonnes of quarry products per year to the Old Northern Road Quarry for processing.	Compliant	HR43-2019. HR44-2019. HR45-2019.	Total product transported to the Old Northern Road Quarry did not exceed 190 000tpa from the Quarry during the audit period. - 2016/2017 = 89 948t. - 2017/2018 = 71 958t. - 2018/2019 = 63 936t.
8	"Truck movements at the site (i.e. either arrival or dispatch), including truck movements between the site and the Old Northern Road Quarry, must not exceed: (a) 56 per day; and (b) 20 between 6.00 am and 7.00 am."	Compliant.	HR43-2019. HR44-2019. HR45-2019. Dixon Sand Website. Observation.	Truck movement records within Annual Reviews during the audit period and truck movement summary data on the Dixon Sand website indicates compliance with truck movement limits. A spot check of weighbridge dockets for the Quarry also indicated compliance with truck movement limits.
9	The Applicant must not receive more than 100,000 tonnes of VENM and ENM (in total) at the site in any calendar year. No other materials classified as waste under the EPA's Waste Classification Guidelines 2009 (or its latest version) may be received or processed on the site.	Compliant	HR43-2019. HR44-2019. HR45-2019.	A total of 1,950t of VENM was imported to the Quarry during the audit period. No ENM was imported during the audit period.
10 10 (a)	The Applicant must: maintain accurate records of all VENM and ENM received at the site (including the date, time and quantity received); and	Compliant	HR31-2019.	Details of VENM receipt at the site are maintained in the VENM register. Receipt of VENM to the HR Quarry commenced in June 2019.
10 (b)	include a copy of this data in the Annual Review.	Non-Compliant	-	Amount of VENM received at the Quarry is reported in the Annual Review. However, the date and time of receipt are not reported. See Recommendation HR R2/19 .

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
SCHEDULE 2 – ADMINISTRATIVE CONDITIONS				
STRUCTURAL ADEQUACY				
11	<p>The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.</p> <p><i>"Notes:</i></p> <ul style="list-style-type: none"> <i>Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for any proposed building works;</i> <i>Part 8 of the EP&A Regulation sets out the requirements for the certification of the development."</i> 	Not Triggered	Advice from Environmental Officer.	No new structures or facilities were constructed at the Quarry during the audit period.
DEMOLITION				
12	The Applicant must ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	Not Triggered	Advice from Environmental Officer	No demolition work was undertaken during the audit period.
PROTECTION OF PUBLIC INFRASTRUCTURE				
13	Unless the Applicant and the applicable authority agree otherwise the Applicant must:			
13 (a)	repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and	Compliant	HR44-2019. HR45-2019. HR15-2019.	Section 94 monthly payment statements included in the 2017/2018 and 2018/2019 Annual Reviews. Section 94 monthly payment statements for 2016/2017 Annual Review period also provided.
13 (b)	relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.	Not Triggered	Advice from Environmental Officer.	No public infrastructure was required to be relocated during the audit period.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
SCHEDULE 2 – ADMINISTRATIVE CONDITIONS				
OPERATION OF PLANT EQUIPMENT				
14	The Applicant must ensure that all the plant and equipment used at the site, or to monitor the performance of the development is:	Compliant	Observations.	Plant and equipment used at the Quarry, including monitoring equipment, were considered to be compliant. Maintenance records indicated regular maintenance as appropriate.
14 (a)	maintained in a proper and efficient condition; and			
14 (b)	operated in a proper and efficient manner.	Compliant.	HR43-2019. HR44-2019. HR45-2019.	No inappropriate operations were sighted during the audit inspection. No incidents were recorded during the audit period where plant or equipment were not operated in a proper and efficient manner.
Section 94 Contribution				
15	The Applicant must pay Council a monthly financial contribution toward the maintenance of local roads used for haulage of quarry products. The contribution must be determined in accordance with The Hills Shire Council Contributions Plan No. 6 Extractive Industries, or any subsequent relevant contributions plan adopted by Council.	Compliant	HR44-2019. HR45-2019. HR15-2019.	Section 94 monthly payment statements included in the 2017/2018 and 2018/2019 Annual Reviews. Section 94 monthly payment statements for 2016/2017 Annual Review period also provided.
Production Data				
16	The Applicant must:	Compliant.	HR16-2019. HR17-2019.	Annual Returns containing production data submitted to DRG for 2016/2017 and 2017/2018 periods. It is noted that the 2018/2019 DRG Annual Return is not yet due.
16 (a)	provide calendar year annual quarry production data to DRG using the standard form for that purpose; and			
16 (b)	include a copy of this data in the Annual Review.	Compliant	HR43-2019. HR44-2019. HR45-2019.	Production data included in Annual Reviews during the audit period.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
OPERATION OF PLANT EQUIPMENT (Cont'd)				
Compliance				
17	The Applicant must ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.	Compliant	Induction records sighted. Advice from Environmental Officer.	All employees and contractors are required to undergo inductions which include the identification of conditions relevant to their positions. Regular toolbox talks are used to highlight key conditions relevant to site personnel.
LIMITS OF EXTRACTION				
Buffer Zones				
18	Within 6 months of the determination of Modification 2, the Applicant must:			
18 (a)	engage a registered surveyor to mark out the boundaries of the: <ul style="list-style-type: none"> • approved limits of extraction; • buffer zones shown in Appendix 2; and • MTSGS buffer zone; 	Compliant	HR32-2019.	Dixon Sand engaged McKinlay Morgan and Associates Pty Ltd to survey boundaries at the Quarry.
18 (b)	submit a survey plan of these boundaries to the Secretary; and	Compliant	HR32-2019.	The boundary survey plan was submitted to DPE on 31 August 2018.
18 (c)	ensure that the boundaries of each operational extraction area are clearly marked on site in a permanent manner that allows operating staff and inspecting offers to clearly identify these limits, to the satisfaction of the Secretary.	Compliant	Observations.	High visibility fencing and timber markers delineating extraction area boundaries were observed during the site inspection.
	The Applicant must not undertake any quarrying operations within the buffer zones shown in Appendix 2. <i>Note: This condition does not prevent the construction or maintenance of acoustic bunds shown in Appendix 3.</i>	Compliant	Observation. HR06-2019.	Quarrying operations are restricted to the designated extraction areas. Disturbance in the Maroota State Forest buffer zone is described in the BRMP as pre-existing disturbance which occurred prior to Dixon Sands' acquisition of the Quarry site.
Maximum Extraction Depth				
19	The Applicant must not undertake any extraction within 2 metres of the highest recorded wet weather groundwater level of both the MTSGS and the SCBGS.	Compliant	HR01-2019. Advice from Company Director.	A Maximum Extraction Depth Map is included in SWMP. Quarry personnel regularly check extraction depth progress using a GPS. A procedure for engaging a surveyor once extraction reaches within 5m of the maximum extraction depth is outlined in the SWMP.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
LIMITS OF EXTRACTION (Cont'd)				
Maximum Extraction Depth (Cont'd)				
20	Within 6 months of the determination of Modification 1, the Applicant must:	Compliant	As below.	All requirements completed by 25 May 2018, i.e. well within 6 months from 22 January 2018.
20 (a)	establish the highest recorded wet weather groundwater levels for the site based on all available local and site-specific groundwater monitoring data; and	Compliant	HR01-2019	Highest recorded wet weather groundwater levels for the site confirmed by Dundon Consulting Pty Limited on 15 May 2018.
20 (b)	engage a suitably qualified and experienced person to prepare a Maximum Extraction Depth Map (contour map or similar) for the development to ensure compliance with condition 19 above and submit this map to the Secretary for approval.	Compliant	HR01-2019	Maximum Extraction Depth Map prepared by Dundon Consulting Pty Limited. Maximum Extraction Depth Map submitted to DPE on 18 May 2018 and approved on 18 May 2018.
	Within 14 days of the approval of the Maximum Extraction Depth Map, the Applicant must submit a copy of the approved map and the supporting groundwater monitoring data to Dol.	Compliant	HR01-2019	Draft SWMP containing Maximum Extraction Depth Map and groundwater monitoring data submitted to DPI Water on 25 May 2018.
21	The Applicant must comply with the extraction depths specified in the approved Maximum Extraction Depth Map, to the satisfaction of the Secretary.	Compliant	HR01-2019. Advice from Company Director.	A Maximum Extraction Depth Map is included in SWMP. Quarry personnel regularly check extraction depth progress using a GPS. A procedure for engaging a surveyor once extraction reaches within 5m of the maximum extraction depth is outlined in the SWMP.
22	The Applicant must review and update the Maximum Extraction Depth Map:	Compliant	HR01-2019.	The baseline groundwater monitoring program commenced on 30 July 2018. The Maximum Extraction Depth Map contained within the SWMP is dated April 2018. The 2019 Annual Review confirms no impacts or issues have been recorded and that the Maximum Extraction Depth Map will be reviewed following the 2019 Independent Environmental Audit. See Improvement HR 18/19.
22 (a)	annually, for the duration of the baseline groundwater monitoring program (see condition 17 of Schedule 3); and			
22 (b)	"within 3 months of the completion of each Independent Environmental Audit (see condition 13 of Schedule 5), to the satisfaction of the Secretary."	Compliant	HR33-2019.	The Maximum Extraction Depth Map was reviewed by Dixon Sand and approved by DPE on 22 May 2017 following the completion of the 2016 Independent Environmental Audit.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions										
SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS														
NOISE														
Hours of Operation														
1	<p>The Applicant must comply with the operating hours set out in Table 1.</p> <table border="1"> <caption>Table 1: Operating hours</caption> <thead> <tr> <th>Activity</th> <th>Permissible Hours</th> </tr> </thead> <tbody> <tr> <td>Quarrying operations (excluding truck arrival, loading and dispatch)</td> <td>7.00 am to 6.00 pm Monday to Saturday At no time on Sundays or public holidays</td> </tr> <tr> <td>Truck arrival, loading and dispatch</td> <td>6.00 am to 6.00 pm Monday to Saturday At no time on Sundays or public holidays</td> </tr> <tr> <td>Acoustic bund construction and road and intersection works on Haerses Road and Wisemans Ferry Road</td> <td>8.00 to 5.00 pm Monday to Friday At no time on Saturdays, Sundays or public holidays</td> </tr> <tr> <td>Maintenance</td> <td>At any time, provided that these activities are not audible at any privately-owned residence outside of permissible hours for quarrying operations</td> </tr> </tbody> </table>	Activity	Permissible Hours	Quarrying operations (excluding truck arrival, loading and dispatch)	7.00 am to 6.00 pm Monday to Saturday At no time on Sundays or public holidays	Truck arrival, loading and dispatch	6.00 am to 6.00 pm Monday to Saturday At no time on Sundays or public holidays	Acoustic bund construction and road and intersection works on Haerses Road and Wisemans Ferry Road	8.00 to 5.00 pm Monday to Friday At no time on Saturdays, Sundays or public holidays	Maintenance	At any time, provided that these activities are not audible at any privately-owned residence outside of permissible hours for quarrying operations	Compliant	HR43-2019. HR44-2019. HR45-2019. Observation.	<p>No complaints regarding operations outside of the approved hours were received during the audit period.</p> <p>A spot check of truck despatch records indicated that truck arrival and despatch occurred within approved operating hours.</p>
Activity	Permissible Hours													
Quarrying operations (excluding truck arrival, loading and dispatch)	7.00 am to 6.00 pm Monday to Saturday At no time on Sundays or public holidays													
Truck arrival, loading and dispatch	6.00 am to 6.00 pm Monday to Saturday At no time on Sundays or public holidays													
Acoustic bund construction and road and intersection works on Haerses Road and Wisemans Ferry Road	8.00 to 5.00 pm Monday to Friday At no time on Saturdays, Sundays or public holidays													
Maintenance	At any time, provided that these activities are not audible at any privately-owned residence outside of permissible hours for quarrying operations													
2	The following activities may be carried out outside the hours specified in condition 1 above:													
2 (a)	delivery or dispatch of materials as requested by the NSW Police Force or other public authorities; and	Not Triggered	Advice from Environmental Officer	No despatch of materials outside of approved operational hours was requested by a public authority during the audit period.										
2 (b)	emergency work to avoid the loss of lives, property or to prevent environmental harm. In such circumstances, the Applicant must notify the Secretary and affected residents prior to undertaking the activities, or as soon as is practical thereafter.	Not Triggered	Advice from Environmental Officer	No emergency work was required outside of approved operational hours during the audit period.										





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions																																									
NOISE (Cont'd)																																													
Hours of Operation (Cont'd)																																													
3	<p>The Applicant must ensure that operational noise generated by the development (excluding acoustic bund construction) does not exceed the criteria in Table 2 at any residence on privately-owned land.</p> <p><i>Table 2: Operational noise criteria dB(A)</i></p> <table border="1"> <thead> <tr> <th rowspan="2">Receiver</th> <th>Day</th> <th colspan="2">Shoulder (6.00 am to 7.00 am)</th> <th rowspan="2">LA(max)</th> </tr> <tr> <th>L_{Aeq} (15 minute)</th> <th>L_{Aeq} (15 minute)</th> <th></th> </tr> </thead> <tbody> <tr> <td>R1</td> <td>37</td> <td>37</td> <td></td> <td rowspan="8">45</td> </tr> <tr> <td>R2</td> <td>40</td> <td>40</td> <td></td> </tr> <tr> <td>R3</td> <td>38</td> <td>38</td> <td></td> </tr> <tr> <td>R4</td> <td>37</td> <td>37</td> <td></td> </tr> <tr> <td>R6</td> <td>37</td> <td>35</td> <td></td> </tr> <tr> <td>R7</td> <td>36</td> <td>35</td> <td></td> </tr> <tr> <td>R8</td> <td>36</td> <td>35</td> <td></td> </tr> <tr> <td>All other receivers</td> <td>35</td> <td>35</td> <td></td> </tr> </tbody> </table>	Receiver	Day	Shoulder (6.00 am to 7.00 am)		LA(max)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)		R1	37	37		45	R2	40	40		R3	38	38		R4	37	37		R6	37	35		R7	36	35		R8	36	35		All other receivers	35	35		Compliant	HR43-2019. HR44-2019. HR45-2019.	Attended noise monitoring undertaken during December 2016, June 2017, June 2018 and June 2019 indicated that predicted noise impacts associated with the Quarry were compliant with the relevant assessment criteria. These results incorporate setback calculations which utilise at-source noise monitoring to determine predicted noise impacts.
Receiver	Day		Shoulder (6.00 am to 7.00 am)		LA(max)																																								
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)																																											
R1	37	37		45																																									
R2	40	40																																											
R3	38	38																																											
R4	37	37																																											
R6	37	35																																											
R7	36	35																																											
R8	36	35																																											
All other receivers	35	35																																											
	Noise generated by the development is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. Appendix 5 sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.	Compliant	HR43-2019. HR44-2019. HR45-2019.	Noise compliance reports contained in Annual reviews during the audit period indicate that compliance noise monitoring has been undertaken in accordance with the NSW Industrial Noise Policy or the NSW Noise Policy for Industry.																																									
	However, the noise criteria in Table 2 do not apply if the Applicant has an agreement with the relevant landowner to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	Compliant	Advice from Environmental Officer.	The NMP indicates that noise agreements exist between Dixon Sand and residences to the east of Hitchcock Road and residence R2. This agreement was formed in 2005 and DPE was made aware of the agreement during the Modification 1 submission process.																																									
	<i>"Note: Should an agreement with a landowner be terminated for any reason, the Applicant must comply with the noise criteria in Table 2."</i>	-	-	Noted.																																									
	The Applicant must manage noise from construction activities (including acoustic bund construction) in accordance with the noise management levels defined in Table 2 of the Interim Construction Noise Guideline, except where the Applicant has an agreement with the relevant landowner to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of the agreement.	Compliant.	HR02-2019. HR43-2019. HR44-2019. HR45-2019.	Noise compliance monitoring reports contained within the Annual Reviews during the reporting period indicate compliance with the relevant noise criteria. The NMP indicates that noise agreements exist between Dixon Sand and residences to the east of Hitchcock Road and residence R2.																																									

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
NOISE (Cont'd)				
Acoustic Bund Construction				
5	The Applicant must:			
5 (a)	design, construct and maintain the acoustic bunds shown in Appendix 3 to the satisfaction of the Secretary; and	Not Triggered	Observations. HR18-2019.	Construction of acoustic bunds has not yet commenced. Construction details and management measures are outlined in the Construction Noise management Plan.
5 (b)	limit all bund construction activities to a period of not more than four weeks in any calendar year, unless otherwise approved by the Secretary.	Not Triggered		
6	Prior to the construction of any acoustic bunds, the Applicant must prepare an Acoustic Bund Construction Noise Management Plan, which details the procedures that would be undertaken to:	Not Triggered		
6 (a)	keep surrounding residents informed of the proposed timing and duration of bund construction;	Not Triggered		
6 (b)	minimise and mitigate the noise impacts generated by the works; and	Not Triggered		
6 (c)	receive, handle and respond to complaints relating to the works.	Not Triggered		
	The Applicant must implement the Acoustic Bund Construction Noise Management Plan as approved by the Secretary.	Not Triggered		
Operating Conditions				
7	The Applicant must:			
7 (a)	take all reasonable steps to minimise the construction, operational, low frequency and road transportation noise of the development;	Compliant	HR02-2019.	Noise management measures are outlined in the NMP for the Quarry.
7 (b)	take all reasonable steps to minimise the noise impacts of the development during meteorological conditions when the noise criteria in this consent do not apply (see Appendix 5);	Compliant	HR02-2019.	Reactive management measures targeting noise in the event of adverse meteorological conditions are outlined in Section 5.2 of the NMP.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
NOISE (Cont'd)				
7 (c)	operate a noise management system to guide the day to day planning of quarrying operations and the implementation of noise mitigation measures to ensure compliance with the relevant conditions of this consent;	Compliant	HR02-2019.	The NMP, including proactive and reactive noise management measures outlined in Section 5, is used to guide quarry operations to ensure compliance with the relevant noise criteria.
7 (d)	carry out regular noise monitoring in accordance with Appendix 5 to determine whether the development is complying with the relevant conditions of this consent; and	Compliant	HR43-2019. HR44-2019. HR45-2019.	Compliance noise monitoring is undertaken annually at the Quarry.
7 (e)	modify or stop operations on the site to comply with the relevant conditions of this consent. <i>Note: Monitoring under this consent is not required at all residences and the use of representative monitoring locations can be used to demonstrate compliance with criteria, if agreed to by the Secretary.</i>	Compliant.	HR02-2019. HR43-2019. HR44-2019. HR45-2019.	No exceedances of the relevant noise criteria have been recorded during compliance noise monitoring rounds. Noise management measures, including modification to Quarry operations, are outlined in the NMP.
Noise Management Plan				
8	The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Secretary. This plan must:	Compliant	HR48-2019.	The current NMP was approved by DPE on 3 June 2019.
8 (a)	be prepared in consultation with the EPA;	Compliant	HR02-2019	Consultation included in Appendix 2 of the NMP.
8 (b)	be submitted to the Secretary for approval within 6 months of the determination of Modification 1, unless otherwise agreed by the Secretary;	Compliant	HR34-2019.	Mod 1 was approved on 22 January 2018. The NMP was submitted to DPE on 18 July 2018.
8 (c)	describe the measures to be implemented to ensure: <ul style="list-style-type: none"> compliance with the noise criteria and operating conditions of this consent; best practice management is being employed; and the noise impacts of the development are minimised during meteorological conditions under which the noise criteria in this consent do not apply (see Appendix 5); 	Compliant	HR02-2019.	Section 5 of the NMP describes the pro-active and reactive noise management measures necessary to ensure compliance with noise and operating conditions. Section 9 outlines responsibilities for implementing management and monitoring measures, including: <ul style="list-style-type: none"> – reviewing meteorological forecasts on a daily basis; – evaluating and reporting noise monitoring results; and – undertaking regular reviews of the plan.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
NOISE (Cont'd)				
8 (d)	describe the proposed noise management system;	Compliant	HR02-2019.	The NMP represents the noise management system for the Quarry.
8 (e)	include a noise monitoring program that: <ul style="list-style-type: none"> • is capable of evaluating the performance of the development; • includes a protocol for determining any exceedances of the relevant conditions of this consent; and • effectively supports the noise management system. The Applicant must implement the Noise Management Plan as approved by the Secretary.	Compliant	HR02-2019. HR43-2019. HR44-2019. HR45-2019.	Section 6 of the Noise Management Plan presents a suitable noise monitoring program. Section 5.2 presents reactive management measures which include actions to be undertaken in the event that noise criteria exceedances are identified. Noise monitoring results reported in Annual Reviews during the audit period indicate that monitoring frequency matches that specified in the Noise Management Plan. Results indicating no exceedances of relevant noise monitoring criteria indicate that management measures are being implemented.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions															
AIR QUALITY																			
Air Quality Impact Assessment Criteria																			
9	<p>The Applicant must ensure that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 3 at any residence on privately-owned land.</p> <p><i>Table 3: Air quality criteria</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>^{a,d} 30 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>^b 50 µg/m³</td> </tr> <tr> <td>Total suspended particulates (TSP)</td> <td>Annual</td> <td>^{a,d} 90 µg/m³</td> </tr> <tr> <td>^c Deposited dust</td> <td>Annual</td> <td>^b 2 g/m²/month ^{a,d} 4 g/m²/month</td> </tr> </tbody> </table> <p>Notes to Table 3:</p> <p>a Cumulative impact (ie increase in concentrations due to the development plus background concentrations due to all other sources).</p> <p>b Incremental impact (ie increase in concentrations due to the development alone, with zero allowable exceedances of the criteria over the life of the development).</p> <p>c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.</p> <p>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.</p>	Pollutant	Averaging Period	Criterion	Particulate matter < 10 µm (PM ₁₀)	Annual	^{a,d} 30 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m ³	Total suspended particulates (TSP)	Annual	^{a,d} 90 µg/m ³	^c Deposited dust	Annual	^b 2 g/m ² /month ^{a,d} 4 g/m ² /month	Compliant	<p>HR43-2019. HR44-2019. HR45-2019.</p>	<p>Annual Reviews during the audit period record multiple exceedances of the relevant air quality criteria, which are attributed to either non-Quarry related activities and extraordinary weather events (e.g. dust storms, bushfires) or occurred outside of Quarry operating hours. No non-compliances are reported for PM₁₀ or TSP.</p> <p>It is noted that, whilst exceedance for deposited dust at dust gauge D10 occurred during the 2016/2017 and 2017/2018 periods. The likely cause of the dust exceedances were attributed to agricultural activities undertaken in the neighbouring property, including earthworks associated with establishment of a nursery. Whilst the upper 4g/m²/month criteria is cumulative (i.e. includes all other sources), the requirement is that the development does not cause exceedances.</p>
Pollutant	Averaging Period	Criterion																	
Particulate matter < 10 µm (PM ₁₀)	Annual	^{a,d} 30 µg/m ³																	
Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m ³																	
Total suspended particulates (TSP)	Annual	^{a,d} 90 µg/m ³																	
^c Deposited dust	Annual	^b 2 g/m ² /month ^{a,d} 4 g/m ² /month																	
10 10 (a)	<p>The Applicant must:</p> <p>implement best practice management to minimise the dust emissions of the development;</p>	Compliant	<p>HR09-2019. Observations.</p>	<p>The AQMP for the Quarry includes best practice management measures targeting the minimisation of dust emissions.</p>															

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
AIR QUALITY (Cont'd)				
Air Quality Impact Assessment Criteria (Cont'd)				
10 (b)	"operate a continuous monitoring system to minimise air quality impacts at sensitive sites such as the Maroota Public School, including:• a monitoring device that is connected to an alarm system at the site;• trigger level(s) as agreed with the EPA; and• procedures to cease or modify operations in the event that the trigger level(s) are reached, to ensure compliance with the criteria in condition 9 above, to the satisfaction of the EPA;"	Compliant	HR09-2019. Observations. Advice from Environmental Officer.	A continuous air quality monitoring system, including a PM ₁₀ monitoring station and a weather station, have been installed at the relevant monitoring locations at the Quarry. An alarm system indicates exceedances of the 42µg/m ³ trigger value by informing site personnel of exceedances via text. Procedures to adjust operations in the event that trigger levels are reached or exceeded are outlined in the AQMP.
10(c)	regularly assess meteorological and air quality monitoring data on an ongoing basis and relocate, modify and/or stop operations on site to ensure compliance with the air quality criteria in this consent;	Compliant	HR09-2019. Advice from Environmental Officer. HR43-2019. HR44-2019. HR45-2019.	Procedures to adjust operations in the event that trigger levels are reached or exceeded are outlined in the AQMP. Air quality monitoring data is reviewed regularly and has been comprehensively reviewed in the Annual Reviews during the audit period.
10 (d)	minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note under Table 3);	Compliant	HR09-2019. Advice from Environmental Officer.	Requirements to minimise air quality impacts during adverse meteorological conditions and extraordinary events are discussed in the AQMP. Weather forecasts and potential implications for air quality impacts are reviewed daily by site personnel.
10 (e)	monitor and report on compliance with the relevant air quality conditions in this consent; and	Compliant	HR43-2019. HR44-2019. HR45-2019.	Air quality monitoring and compliance with relevant criteria and trigger values was reported in the Annual reviews during the audit period.
10 (f)	"minimise the area of surface disturbance and undertake progressive rehabilitation of the site, to the satisfaction of the Secretary."	Compliant	Observations. Photo E1022A_93	Exposed operational areas and active extraction areas have been minimised. Both temporary and progressive rehabilitation was observed during the site inspection.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
AIR QUALITY (Cont'd)				
Air Quality Management Plan				
11	The Applicant must prepare an Air Quality Management Plan for the development to the satisfaction of the Secretary. This plan must:	Compliant	HR09-2019.	The Quarry currently operates in accordance with the AQMP as approved by the (then) DPE on 3 June 2019.
11 (a)	be prepared in consultation with the EPA;	Compliant	HR09-2019.	Appendix 2 of the AQMP summarises the consultation outcomes with the EPA and provides a copy of the correspondence.
11(c)	describe the measures to be implemented to ensure: <ul style="list-style-type: none"> compliance with the air quality criteria and operating conditions of this consent; best practice management is being employed; and the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events; 	Compliant	HR09-2019.	The AQMP includes best practice management measures, measures addressing impacts of weather conditions, and procedures to ensure the implementation of management measures.
11 (d)	describe the proposed air quality management system; and	Compliant	HR09-2019.	The AQMP outlines the air quality management system employed at the Quarry.
11 (e)	include an air quality monitoring program that <ul style="list-style-type: none"> is capable of evaluating the performance of the development and informing day to day operational decisions; includes a protocol for determining any exceedances of the relevant conditions of this consent; and effectively supports the air quality management system. 	Compliant	HR09-2019.	The AQMP includes an air quality monitoring program which informs day to day operations at the Quarry, includes a protocol for determining exceedances of relevant criteria and trigger values and supports the air quality management system.
	The Applicant must implement the Air Quality Management Plan as approved by the Secretary.	Compliant	HR09-2019.	The high level review of the AQMP indicates that it has been satisfactorily implemented.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
AIR QUALITY (Cont'd)				
Meteorological Monitoring				
12	For the life of the development, the Applicant must ensure that there is a suitable meteorological station operating in the vicinity of Maroota Public School that complies with the requirements in the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales guideline.	Compliant	Weather station and weather records sighted during site inspection.	A weather station has been installed and was operational during the audit period at the relevant monitoring location adjacent to Maroota Public School.
Greenhouse Gas Emissions				
13	The Applicant must implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site.	Compliant	HR09-2019.	Management measures targeting the minimisation of greenhouse gas emissions are included in the AQMP.
Soil and Water				
	Note: Under the <i>Water Act 1912</i> and/or the <i>Water Management Act 2000</i> , the Applicant is required to obtain all necessary approvals and/or water licences for the development.	Compliant	HR19-2019. HR20-2019. HR21-2019. HR22-2019.	Dixon Sand hold WAL25956 (Works Approval 10CA105044) and WAL25941 (Works Approval 10CA104191) for the Quarry, representing a total allocation of 182ML.
Water Supply				
14	The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of operations under the consent to match its available water supply, to the satisfaction of the Secretary.	Compliant	HR23-2019. HR24-2019.	Water usage reporting indicates that water usage is significantly below the total water allocation.
Water Discharges				
15	The Applicant must comply with the discharge limits in any EPL, or with section 120 of the POEO Act.	Not Triggered	-	No water discharges from the Quarry were recorded during the reporting period.
Groundwater Management				
16	Prior to the commencement of quarrying operations within the Mod 1 extraction area, the Applicant must:	Compliant	As below.	It is noted that extraction in the Mod 1 extraction area has yet to commence.
16 (a)	install additional monitoring bores in accordance with EA (Mod 1);	Compliant	HR25-2019. Observations.	Monitoring bores required in accordance with the Mod 1 Environmental Assessment were sighted during the site inspection. Correspondence between Dixon Sand and the Natural resource Access regulator indicate that additional bores were installed.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
AIR QUALITY (Cont'd)				
Groundwater Management (Cont'd)				
16 (b)	install one additional monitoring bore in the south-western corner of the Mod 1 extraction area;	Compliant	HR04-2019	Monitoring bore BH5 in south-western corner of MOD1 extraction area shown in Environmental Monitoring Locations plan.
16 (c)	install loggers in each on-site bore to enable continuous groundwater level monitoring;	Compliant	HR03-2019	The SWMP indicates that bores are equipped with continuous data loggers.
16 (d)	install water level loggers in all existing on-site quarry dams and in new quarry dams when constructed; and	Not Triggered	HR03-2019	Data loggers are to be installed prior to commencement of extraction within the Mod 1 extraction area.
16 (e)	carry out an aquifer pumping test within the SCBGS, to the satisfaction of Dol.	Not Triggered	HR25-2019. HR26-2019.	Records indicate that Dixon Sand submitted evidence of aquifer test pumping to Dol on 16 November 2018. Despite numerous attempts to seek confirmation of Dol's satisfaction with these works, Dol have yet to definitively confirm satisfaction. The latest correspondence from Dol dated 16 October 2019 indicates that they are still discussing the project. See Improvement HR 112/19 . Given that extraction has not yet commenced within the Mod 1 extraction area, this requirement is not yet triggered.
17.	Prior to commencing quarrying operations within the MTSGS buffer zone, the Applicant must complete a baseline groundwater monitoring program, in consultation with Dol and to the satisfaction of the Secretary. The program must include monthly monitoring of groundwater levels and quality within the MTSGS buffer zone for a period of not less than 2 years.	Compliant	Observation. HR43-2019. HR44-2019. HR45-2019.	Extraction has not yet commenced within the MTSGS buffer zone. Groundwater monitoring of bores in the MTSGS buffer zone commenced in July 2018.
	The Applicant must not commence quarrying operations within the MTSGS buffer zone without the prior approval of the Secretary.	Not Triggered	Observation.	Extraction has not yet commenced within the MTSGS buffer zone.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
AIR QUALITY (Cont'd)				
Groundwater Management (Cont'd)				
18.	The Applicant must ensure that groundwater in the regional groundwater sources managed under the Water Sharing Plan for the Greater Metropolitan Groundwater Sources 2011 is not intercepted or contaminated by its operations. In the event of this groundwater being intercepted or contaminated, operations are to cease within the vicinity of the affected area and the Applicant must consult with the Secretary and DoI to determine the basis upon which extraction may recommence.	Compliant	HR03-2019	Section 5.2 outlines a groundwater monitoring program which covers groundwater quality and inflow volumes. Tables 6.3 and 6.5 outline appropriate procedures in the event that groundwater is intercepted or contaminated.
	Note: Perched groundwater lenses that are above the regional groundwater source may be intercepted, however Water Access Licences must be held to account for all groundwater taken.	Compliant	HR03-2019	Section 5.2.2 of the SWMP identifies measures to be implemented to estimate the volume of any groundwater inflows resulting from the interception of perched groundwater lenses. Table 6.5 indicates that additional licencing would be sought in the event that inflows in excess of licence limits are identified.
Soil and Water Management				
19.	The Applicant must prepare a Soil and Water Management Plan for the development to the satisfaction of the Secretary. This plan must:	Compliant	HR48-2019	The current SWMP was approved by DPE on 3 June 2019.
19. (a)	be prepared by a suitably qualified and experienced person/s approved by the Secretary;	Compliant	HR03-2019	DPE endorsement of Chris Bonomini and Melissa Swan to prepare the SWMP dated 18 April 2018.
19. (b)	be prepared in consultation with the EPA and DoI;	Compliant	HR03-2019	Consultation with EPA and DoI Water included as Appendix 2 of the SWMP.
19. (c)	be submitted to the Secretary for approval prior to the commencement of quarrying operations within the Mod 1 extraction area, unless otherwise agreed by the Secretary; and	Compliant	Observation.	Extraction within the Mod 1 extraction area has not yet commenced.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
AIR QUALITY (Cont'd)				
Soil and Water Management (Cont'd)				
19. (d) 19. (d)(i)	Include a: <ul style="list-style-type: none"> (i) Site Water Balance that includes: <ul style="list-style-type: none"> • details of: <ul style="list-style-type: none"> – sources and security of water supply; – water use and management on site; – any off-site water transfers; and – reporting procedures; and • measures to be implemented to minimise clean water use on site; 	Compliant	HR03-2019	A detailed water balance including the required components and reporting procedures is presented in Section 4 of the SWMP. Measures to minimise clean water use are outlined in Section 3.1.
19. (d)(ii)	(ii) Surface Water Management Plan, that includes: <ul style="list-style-type: none"> • a program for obtaining detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development; • a detailed description of the surface water management system on site including the: <ul style="list-style-type: none"> – clean water diversion system; – erosion and sediment controls; – dirty water management system; and – water storages, including the area, depth and capacity of any in-pit sumps; and • a program to monitor and report on: <ul style="list-style-type: none"> – any surface water discharges; – the effectiveness of the water management system; – the quality of water discharged from the site to the environment; and – surface water flows and quality in local watercourses; and 	Compliant	HR03-2019	Section 2.1.4 of the SWMP outlines a program to obtain baseline data for potential receiving water bodies. Section 3 of the SWMP details the surface water management system for the Quarry, including all necessary components. No licenced discharge point exists for the Quarry, however Section 3.1.2 outlines an approach to monitor future operations and the necessity for a licenced discharge point. Section 5.1 of the SWMP outlines monitoring and reporting procedures covering the effectiveness of the water management system and the quality of receiving waters.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
AIR QUALITY (Cont'd)				
Soil and Water Management (Cont'd)				
19. (d)(iii)	(iii) Groundwater Management Plan that: <ul style="list-style-type: none"> • includes detailed management measures to ensure that quarrying operations do not intercept the highest recorded wet weather groundwater level of the MTSGS and/or the SCBGS; • includes a protocol to obtain appropriate water licence(s) to cover the volume of any unforeseen groundwater inflows into the quarry from the quarry face or floor; and • includes a monitoring program to manage potential impacts, if any, on any alluvium and associated surface water source near the proposed extraction area that includes: <ul style="list-style-type: none"> – monitoring of groundwater inflows into the quarry from the quarry face or floor, or into any in-pit sumps; – identification of a methodology for determining threshold water level criteria; – contingency measures in the event of a breach of thresholds; and – a program to regularly report on monitoring. The Applicant must implement the Soil and Water Management Plan as approved by the Secretary.	Compliant	HR03-2019	Section 2.2.2 and Appendix 3 of the SWMP contain extraction limits with reference to wet weather groundwater levels and the Maximum Extraction Depth Map respectively. The Trigger Action Response Plans presented in Section 6 include a protocol for obtaining appropriate licencing for unforeseen groundwater seepage. Section 5.2.2 outlines procedures for monitoring groundwater inflows, Section 2.2.2.2 identifies criteria used to establish threshold water level criteria, and Section 6 includes response measures in the event of a threshold breach. Section 5.1.3 outlines a program to regularly report on monitoring.
		Compliant	HR03-2019	The site currently operates in accordance with the SWMP dated May 2019.
TRANSPORT				
Roadworks				
20.	Prior to carrying out any development, the Applicant must upgrade Haerses Road to meet the requirements for 'internal haul roads', under Baukham Hills Development Control Plan No. 16 – <i>Extractive Industries, to the satisfaction of Council.</i>	Compliant	Advice from Environmental Officer.	Hearses Road upgrade works were completed prior to the audit period in accordance with the original consent for the Quarry.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
TRANSPORT (Cont'd)				
Roadworks (Cont'd)				
21. 21 (a)	The Applicant must: maintain safe access to the site for the public and emergency services for the duration of the development; and	Compliant	Observation.	The Quarry access road is well maintained.
21. (b)	reinstate the extracted length of Haerses Road to the satisfaction of Council.	Not Triggered	-	Hearses Road will be reinstated following the completion of extraction activities in the relevant areas, in accordance with the Baulkham Hills Shire Council Proposed Future Road Design Hearses Road, Maroota plan.
	Notes: <ul style="list-style-type: none"> The Applicant must ensure that the final alignment and design of Haerses Road is approved by Council prior to the commencement of the development. The Applicant must bear the full costs associated with the design, survey and construction of the road works, including the relocation of utilities, if required. All works are to be in accordance with Council's Design Guidelines and Work Specifications for Subdivisions and Developments. Following the reconstruction of Haerses Road, the Applicant must rehabilitate any temporary access roads that were established on site. 	Not Triggered	-	
22. 22. (a)	Prior to carrying out any development, the Applicant must: provide for appropriate sight distances at the intersection of Haerses Road and Wisemans Ferry Road, by clearing and/or loping vegetation along the eastern approach of Wisemans Ferry Road; and	Compliant	Advice from Environmental Officer.	Road works completed prior to the audit period in accordance with the 2006 development consent.
22. (b)	provide warning signage ("Truck Turning") on the eastern and western approaches of Wisemans Ferry Road, to the satisfaction of RMS.	Compliant		

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
TRANSPORT (Cont'd)				
Roadworks (Cont'd)				
23.	<p>Within 12 months of the commencement of the development, the Applicant must construct a Type 'AUR' treatment at the intersection of Haerses Road and Wisemans Ferry Road to the satisfaction of RMS. Until the intersection works have been completed to the satisfaction of RMS, the Applicant must limit the number of trucks entering the site to 15 truck movements per day.</p> <p>Notes:</p> <ul style="list-style-type: none"> • Prior to the Construction Certificate being released the Applicant must: <ul style="list-style-type: none"> – enter into a Memorandum of Understanding with the RMS that the Type 'AUR' intersection treatment shall be fully constructed and handed over to the RMS within 12 months of the commencement of the development; and – issue a bank guarantee in favour of the RMS for the total cost of the intersection works (the cost to be determined following the approval of detailed design plans by the RMS). • The Applicant shall ensure that the intersection works comply with the RMS Road Design Guide. • The Applicant shall bear the full costs associated with the design, survey and construction of the works, including the relocation of utilities, if required. 	Compliant		
24.	<p>Prior to transporting any quarry products derived from quarrying operations within the Mod 1 extraction area, the Applicant must construct a channelised right-turn 'CHR' treatment at the intersection of Hearses Road and Wisemans Ferry Road to the satisfaction of RMS. The Applicant must:</p> <p>24. (a) submit detailed design plans to RMS for approval prior to the issue of a construction certificate by Council or the commencement of road works; and</p> <p>24. (b) design and construct the intersection treatment in accordance with the Austroads Guide to Road Design.</p>	Not Triggered	Observation.	<p>Extraction in the MOD1 extraction area has not yet commenced.</p> <p>The Environmental Officer advises that the required design plans are currently being prepared.</p>





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
TRANSPORT (Cont'd)				
Construction Traffic Management				
25.	Prior to commencement of the works referred to in condition 24 above, the Applicant must prepare and implement a Traffic Control Plan for the development to the satisfaction of the RMS.	Not Triggered	Observation.	Extraction in the MOD1 extraction area has not yet commenced. Construction of the CHR treatment at the intersection of Hearses Road and Wisemans Ferry Road has not yet commenced.
Monitoring of Product Transport				
26.	The Applicant must keep accurate records of all laden truck movements to and from the site (including time of arrival and dispatch) and publish a summary of these records on its website every 6 months.	Compliant	Spot check of truck records. Dixon Sand Website.	The latest six-monthly truck record summary is available on the Dixon Sand website. A spot check of weighbridge dockets was undertaken during the site inspection.
Operating Conditions				
27. 27.(a)	The Applicant must: ensure that all laden trucks have their loads covered when arriving at or leaving the site;	Compliant	Observation. HR05-2019.	The requirement for vehicles entering or leaving the site to have loads covered is outlined in Section 5 of the TMP. No trucks were observed entering or leaving the site during the site inspection.
27.(b)	ensure that all laden trucks are cleaned of material that may fall from vehicles, before leaving the site; and	Compliant	HR05-2019.	The requirement for vehicles to be cleaned of materials that may fall from vehicles is included in Section 5 of the TMP. No trucks were observed entering or leaving the site during the site inspection.
27. (c)	use its best endeavours to ensure that appropriate signage is displayed on all trucks used to transport product from the development so they can be easily identified by road users.	Compliant	HR05-2019.	The requirement for vehicles to be maintained in a clean state to allow visibility of signage is included in Section 5 of the TMP. No trucks were observed entering or leaving the site during the site inspection.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
TRANSPORT (Cont'd)				
Traffic Management Plan				
28	The Applicant must prepare a Traffic Management Plan for the development to the satisfaction of the Secretary. This plan must:	Compliant	HR48-2019.	The current TMP was approved by DPE on 3 June 2019.
28 (a)	be prepared in consultation with the RMS and Council;	Compliant	HR05-2019.	Consultation with RMS and the Hills Shire Council is presented as Appendix 2 of the TMP.
28 (b)	be submitted to the Secretary for approval within 6 months of the determination of Modification 1, unless otherwise agreed by the Secretary;	Compliant	HR35-2019.	Modification 1 was approved on 22 January 2018. The TMP was submitted to DPE on 2 July 2018.
28 (c)	describe the processes in place to control the arrival and dispatch of trucks;	Compliant	HR05-2019.	Section 6.1 of the TMP identifies the processes in place to control the arrival and despatch of trucks.
28 (d)	include a Drivers' Code of Conduct that details the safe and quiet driving practices that must be used by drivers travelling to and from the site, particularly in the vicinity of Maroota Public School;	Compliant	HR05-2019	Section 4 of the TMP forms the Drivers Code of Conduct.
28 (e)	describe the measures to be put in place to ensure compliance with the Drivers' Code of Conduct;	Compliant	HR05-2019	Section 4.2 of the TMP outlines measures to ensure compliance with the Drivers Code of Conduct.
28 (f)	include specific measures to minimise the impact of heavy vehicles, including restrictions on routes and times (particularly in relation to peak hours, holiday periods and times immediately before and after school hours, i.e. 8.30 am – 9.00 am and 3.00 pm – 3.30 pm); and	Compliant	HR05-2019	Measures to minimise heavy vehicle impacts are outlined in the Site Traffic Management Plan which forms Appendix 3 of the TMP.
28 (g)	propose measures to minimise the transmission of dust and tracking of material onto the surface of the public road from vehicles leaving the quarry. The Applicant must implement the approved Traffic Management Plan as approved by the Secretary.	Compliant Compliant	HR05-2019 HR05-2019.	Section 2.1.1 of the TMP outlines measures to minimise the transmission and tracking of dust and material onto public roads. The site currently operates under the TMP dated June 2019.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
ABORIGINAL HERITAGE				
29	If any suspected object or place of Aboriginal heritage significance is identified on site, the Applicant must ensure that:	Not Triggered	Advice from Environmental Officer.	No suspected objects or places of Aboriginal heritage significance have been identified at the Quarry during the audit period. One Aboriginal site has been identified within the Hearses Road Biodiversity offset Area. A procedure for unanticipated Aboriginal finds is not included in the EMS (or other management plan) for the Quarry. See Improvement HR I4/19 .
29 (a)	all work in the immediate vicinity of the suspected Aboriginal object or place ceases immediately			
29 (b)	a 10 m buffer area around the suspected Aboriginal object or place is cordoned off; and			
29 (c)	the OEH is contacted immediately. Work in the immediate vicinity of the suspected Aboriginal object or place may only recommence in accordance with the provisions of Part 6 of the National Parks and Wildlife Act 1974.			

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions																								
BIODIVERSITY AND REHABILITATION																												
Biodiversity Offset Strategy																												
30	<p>The Applicant must retire the biodiversity credits specified in Table 4 to the satisfaction of the Secretary and OEH. The Applicant must retire the credits prior to commencing any vegetation clearing within the Mod 1 extraction area, except the minimum clearing required to comply with condition 16 of this Schedule.</p> <p><i>Table 4: Biodiversity credits to be retired prior to the commencement of vegetation clearing</i></p> <table border="1"> <thead> <tr> <th>Credit type</th> <th>Number of Credits</th> </tr> </thead> <tbody> <tr> <td colspan="2">Ecosystem Credits</td> </tr> <tr> <td>HN560 Needlebush – Banksia Wet Heath on Sandstone Plateaux of the Sydney Basin Bioregion</td> <td align="center">3</td> </tr> <tr> <td>HN566 Red Bloodwood – Scribbly Gum Heathy Woodland on Sandstone Plateaux of the Sydney Basin Bioregion</td> <td align="center">377</td> </tr> <tr> <td>HN582 Scribbly Gum – Hairpin Banksia – Dwarf Apple Heathy Woodland on Hinterland Sandstone Plateaux of the Central Coast, Sydney Basin Bioregion</td> <td align="center">181</td> </tr> <tr> <td>HN586 Smooth-barked Apple – Red Bloodwood – Sydney Peppermint Heathy Open Forest on Slopes of Dry Sandstone Gullies of Western and Southern Sydney, Sydney Basin Bioregion</td> <td align="center">44</td> </tr> <tr> <td colspan="2">Species Credits</td> </tr> <tr> <td><i>Darwinia biflora</i></td> <td align="center">360</td> </tr> <tr> <td>Dural Land Snail (<i>Pommerhelix duralensis</i>)</td> <td align="center">98</td> </tr> <tr> <td>Eastern Pygmy Possum (<i>Cercartetus nanus</i>)</td> <td align="center">148</td> </tr> <tr> <td><i>Grevillea parviflora</i> subsp. <i>supplicans</i></td> <td align="center">338</td> </tr> <tr> <td><i>Tetradlea glandulosa</i></td> <td align="center">288</td> </tr> </tbody> </table>	Credit type	Number of Credits	Ecosystem Credits		HN560 Needlebush – Banksia Wet Heath on Sandstone Plateaux of the Sydney Basin Bioregion	3	HN566 Red Bloodwood – Scribbly Gum Heathy Woodland on Sandstone Plateaux of the Sydney Basin Bioregion	377	HN582 Scribbly Gum – Hairpin Banksia – Dwarf Apple Heathy Woodland on Hinterland Sandstone Plateaux of the Central Coast, Sydney Basin Bioregion	181	HN586 Smooth-barked Apple – Red Bloodwood – Sydney Peppermint Heathy Open Forest on Slopes of Dry Sandstone Gullies of Western and Southern Sydney, Sydney Basin Bioregion	44	Species Credits		<i>Darwinia biflora</i>	360	Dural Land Snail (<i>Pommerhelix duralensis</i>)	98	Eastern Pygmy Possum (<i>Cercartetus nanus</i>)	148	<i>Grevillea parviflora</i> subsp. <i>supplicans</i>	338	<i>Tetradlea glandulosa</i>	288	Not Triggered	Observation.	Vegetation clearing has not commenced in the MOD1 area, with the exception of minimal clearing required for monitoring bore and fence installation.
Credit type	Number of Credits																											
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31	<p>The Applicant must retire the biodiversity credits specified in Table 5 to the satisfaction of the Secretary and OEH. The Applicant must retire the credits prior to commencing any vegetation clearing in extraction cells 1B, 2B or 3B (as shown in Figure 2, Appendix 1), except the minimum clearing required to comply with condition 16 of this Schedule.</p> <p><i>Table 5: Biodiversity credits to be retired prior to vegetation clearing in extraction cells 1B, 2B or 3B</i></p> <table border="1"> <thead> <tr> <th>Credit type</th> <th>Number of Credits</th> </tr> </thead> <tbody> <tr> <td colspan="2">Species Credits</td> </tr> <tr> <td>Dural Land Snail (<i>Pommerhelix duralensis</i>)</td> <td align="center">132</td> </tr> </tbody> </table>	Credit type	Number of Credits	Species Credits		Dural Land Snail (<i>Pommerhelix duralensis</i>)	132	Not Triggered																				
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Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions										
BIODIVERSITY AND REHABILITATION (Cont'd)														
Biodiversity Offset Strategy (Cont'd)														
32	<p>The Applicant must retire the biodiversity credits specified in Table 6 to the satisfaction of the Secretary and OEH. The Applicant must retire the credits prior to commencing any vegetation clearing in extraction cells 1B, 2B, 3A, 3B, 4A, 4B and 5B (as shown in Figure 2, Appendix 1), except the minimum clearing required to comply with condition 16 of this Schedule.</p> <p>Prior to commencing vegetation clearing in any of extraction cells 1B, 2B, 3A, 3B, 4A, 4B and 5B, the Applicant must demonstrate that the credits required in respect of that cell have been retired, to the satisfaction of the Secretary.</p> <p><i>Table 6: Biodiversity credits to be retired progressively</i></p> <table border="1"> <thead> <tr> <th>Credit type</th> <th>Number of Credits</th> </tr> </thead> <tbody> <tr> <td colspan="2">Ecosystem Credits</td> </tr> <tr> <td>HN582 Scribbly Gum – Hairpin Banksia – Dwarf Apple Heathy Woodland on Hinterland Sandstone Plateaux of the Central Coast, Sydney Basin Bioregion</td> <td>357</td> </tr> <tr> <td colspan="2">Species Credits</td> </tr> <tr> <td>Eastern Pygmy Possum (<i>Cercartetus nanus</i>)</td> <td>75</td> </tr> </tbody> </table>	Credit type	Number of Credits	Ecosystem Credits		HN582 Scribbly Gum – Hairpin Banksia – Dwarf Apple Heathy Woodland on Hinterland Sandstone Plateaux of the Central Coast, Sydney Basin Bioregion	357	Species Credits		Eastern Pygmy Possum (<i>Cercartetus nanus</i>)	75	<p>Not Triggered</p> <p>Not Triggered</p>		
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Species Credits														
Eastern Pygmy Possum (<i>Cercartetus nanus</i>)	75													
33	<p>In retiring the ecosystem and species credits set out in conditions 30 to 32 above, the Applicant may apply the Biodiversity Offset Strategy (see Appendix 4) or, with the agreement of the Secretary, may use other land or alternate mechanisms permitted under the Framework for Biodiversity Assessment: NSW Biodiversity Offsets Policy for Major Projects.</p>	-	-	Noted.										
Rehabilitation Objectives														
34	<p>The Applicant must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must be generally consistent with the final landform shown in Appendix 6 and must comply with the objectives in Table 6.</p>	Not Triggered	<p>Observations. HR06-2019. Advice from Company Director.</p>	<p>Quarry operations have generally not progressed to the stage at which rehabilitation to the final landform can be undertaken. Limited rehabilitation has been undertaken within the Stage 1 extraction area, however the Company Director advises that this area will require additional work to be compliant with the final landform.</p>										

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions										
BIODIVERSITY AND REHABILITATION (Cont'd)														
Rehabilitation Objectives (Cont'd)														
	<p><i>Table 6: Rehabilitation Objectives</i></p> <table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>All areas of the site affected by the development</td> <td> <ul style="list-style-type: none"> Safe Hydraulically and geotechnically stable Non-polluting Fit for the intended final land use(s) Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land </td> </tr> <tr> <td>Surface infrastructure</td> <td> <ul style="list-style-type: none"> Decommissioned and removed, unless otherwise agreed by the Secretary </td> </tr> <tr> <td>Quarry benches and pit floor</td> <td> <ul style="list-style-type: none"> Landscaped and vegetated using native tree and understorey species </td> </tr> <tr> <td>Final void</td> <td> <ul style="list-style-type: none"> Minimise the size, depth and slope of the batters of the final void Minimise the drainage catchment of the final void </td> </tr> </tbody> </table>	Feature	Objective	All areas of the site affected by the development	<ul style="list-style-type: none"> Safe Hydraulically and geotechnically stable Non-polluting Fit for the intended final land use(s) Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land 	Surface infrastructure	<ul style="list-style-type: none"> Decommissioned and removed, unless otherwise agreed by the Secretary 	Quarry benches and pit floor	<ul style="list-style-type: none"> Landscaped and vegetated using native tree and understorey species 	Final void	<ul style="list-style-type: none"> Minimise the size, depth and slope of the batters of the final void Minimise the drainage catchment of the final void 			
Feature	Objective													
All areas of the site affected by the development	<ul style="list-style-type: none"> Safe Hydraulically and geotechnically stable Non-polluting Fit for the intended final land use(s) Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land 													
Surface infrastructure	<ul style="list-style-type: none"> Decommissioned and removed, unless otherwise agreed by the Secretary 													
Quarry benches and pit floor	<ul style="list-style-type: none"> Landscaped and vegetated using native tree and understorey species 													
Final void	<ul style="list-style-type: none"> Minimise the size, depth and slope of the batters of the final void Minimise the drainage catchment of the final void 													
Progressive Rehabilitation														
35	The Applicant must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable 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.	Compliant	Observation. Advice from Company Director.	Limited rehabilitation has been undertaken within the Stage 1 extraction area, however the Company Director advises that this area will require additional work to be compliant with the final landform. Quarry development remains at an early stage and therefore opportunities to undertake progressive rehabilitation have been limited.										
Biodiversity and Rehabilitation Management Plan														
36	The Applicant must prepare a Biodiversity and Rehabilitation Management Plan for the development to the satisfaction of the Secretary. This plan must:	Compliant	HR48-2019.	The current BRMP was approved by DPE on 3 June 2019. In reviewing the BRMP a range of Section cross referencing issues were identified (Improvement HR 15/19) .										
36 (a)	be prepared by a suitably qualified expert;	Compliant	HR06-2019. Advice from Environmental Officer.	The BRMP was prepared by prepared by Alison Riley, Umwelt NSW Ecology Manager.										
36 (b)	be prepared in consultation with OEH and Council;	Compliant	HR06-2019	Consultation with the Hills Shire Council and OEH presented as Appendix 2 of the BRMP.										
36 (d)	provide details of the conceptual final landform and associated final land use(s) for the site;	Compliant	HR06-2019	Sections 6.3 and 6.4 of the BRMP present the conceptual final landform and land use for the Quarry.										





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
BIODIVERSITY AND REHABILITATION (Cont'd)				
Biodiversity and Rehabilitation Management Plan (Cont'd)				
36 (e)	describe how the implementation of the Biodiversity Offset Strategy will be integrated with the overall rehabilitation of the site;	Compliant	HR06-2019	Section 3.2 of the BRMP outlines how the biodiversity offset strategy area will be integrated with rehabilitation of the Quarry site.
36 (f)	describe the short, medium and long term measures to be implemented to: <ul style="list-style-type: none"> manage remnant vegetation and habitat on site, including within the Biodiversity Offset Strategy area; and ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent; 	Non-Compliant	HR06-2019	Section 5 and Table 5.1 of the BRMP outline the short-, medium- and long-term management measures to achieve the rehabilitation objectives. However, Section 5.4 of the BRMP simply indicates that management and monitoring measures for the biodiversity offset area (Hearses Road Biobank Site) are outlined in the approved Biobanking Agreements. To ensure compliance with the development approval, this information must be included in the BRMP either as a summary or by appending the Biobanking Agreement to the Plan. See Recommendation HR R3/19.
36 (g)	include a detailed description of the measures described in paragraph (f) to be implemented over the next 3 years (to be updated for each 3 year period following initial approval of the plan) including the procedures to be implemented for:	Compliant	HR06-2019 Advice from Environmental Officer.	Section 6.2 of the BRMP outlines a rehabilitation strategy over the next 3 years (2018-2020).
	<ul style="list-style-type: none"> maximising the salvage of environmental resources within the approved disturbance area, including tree hollows, vegetative and soil resources, for beneficial reuse in the enhancement of the offset area or site rehabilitation; 			Sections 5.1.1, 5.1.3 and 5.1.4 outline measures targeting the salvage of environmental resources.
	<ul style="list-style-type: none"> restoring and enhancing the quality of native vegetation and fauna habitat in the biodiversity offset and rehabilitation areas through assisted natural regeneration, targeted vegetation establishment and the introduction of fauna habitat features; 			Section 5.3 of the BRMP outlines on-site revegetation activities in rehabilitation areas. Revegetation activities in the biodiversity offset area are not described, rather Section 5.4 confirms that management and monitoring actions for the offset sites will be undertaken in accordance with the approved Biobanking Agreements. See Recommendation HR R3/19.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
BIODIVERSITY AND REHABILITATION (Cont'd)				
Biodiversity and Rehabilitation Management Plan (Cont'd)				
36 (g) Cont'd	<ul style="list-style-type: none"> protecting vegetation and fauna habitat outside the approved disturbance area on-site, paying particular attention to any occurrences of <i>Hibbertia superans</i> adjacent to the approved extraction areas; 	Compliant		Section 5.1.1.1 describes measures to define limits of vegetation clearing with specific reference to <i>Hibbertia superans</i> .
	<ul style="list-style-type: none"> minimising the impacts on native fauna, including undertaking pre-clearance surveys and avoiding clearing activities during sensitive hibernation and breeding periods; 			Sections 5.1.1.2 and 5.1.1.3 of the BRMP outline pre-clearing survey and timing requirements.
	<ul style="list-style-type: none"> establishing vegetation screening to minimise the visual impacts of the site on surrounding receivers; 			Sections 5.3.2 and 5.3.3 of the BRMP outline vegetation screening measures.
	<ul style="list-style-type: none"> ensuring minimal environmental consequences for threatened species, populations and habitats; 			Sections 5.1, 5.2 and 5.3 of the BRMP outline biodiversity management controls, operational controls and revegetation strategies aimed at minimising environmental consequences.
	<ul style="list-style-type: none"> collecting and propagating seed; 			Section 5.1.2 of the BRMP outlines a seed collection procedure and indicates that a propagation procedure will be implemented. A propagation procedure is not described. The Company relies upon the seed collection and propagation procedures of suitable contractors commissioned to undertake this work.
	<ul style="list-style-type: none"> controlling weeds and feral pests; 			Sections 5.2.2 and 5.2.3 of the BRMP outline weed and pest management strategies.
	<ul style="list-style-type: none"> controlling erosion; and 			Section 5.2.4 of the BRMP details erosion and sediment control measures.
	<ul style="list-style-type: none"> managing bushfire risk; 			Section 5.2.5 of the BRMP details fire management measures.
36 (h)	include a program to monitor the effects of the development on flora and fauna;	Compliant	HR06-2019	Section 7.3 of the BRMP describes rehabilitation inspections and ecological rehabilitation monitoring parameters and frequencies.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
BIODIVERSITY AND REHABILITATION (Cont'd)				
Biodiversity and Rehabilitation Management Plan (Cont'd)				
36 (i)	include detailed performance and completion criteria for evaluating the performance of the Biodiversity Offset Strategy and the rehabilitation of the site (including progressive rehabilitation), including triggers for any necessary remedial action;	Compliant	HR06-2019	Section 6.5 of the BRMP provides performance and completion criteria for the Quarry within a single column, in addition to triggers and potential corrective actions.
36 (j)	include a program to monitor and report on the effectiveness of the measures described in paragraphs (f) and (g), and progress against the performance and completion criteria;	Compliant	HR06-2019	Section 7 of the BRMP includes a program to monitor and report on progress against performance and completion criteria.
36 (k)	identify the potential risks to the successful implementation of the plan, and include a description of the contingency measures to be implemented to mitigate against or address these risks, including specific measures to be implemented in the event that the performance and completion criteria are not satisfied; and	Compliant	HR06-2019	Section 10 of the BRMP identifies threats and corrective actions in the event that criteria are not achieved.
36 (l)	include details of who is responsible for monitoring, reviewing, and implementing the plan. The Applicant must implement the Biodiversity and Rehabilitation Management Plan as approved by the Secretary.	Compliant	HR06-2019.	Section 11 of the BRMP describes accountabilities for monitoring, reviewing and implementing the plan.
		Compliant	HR30-2019.	The site currently operates under the BRMP dated May 2019.
Biodiversity and Rehabilitation Bond				
37	Within 6 months of the approval of the Biodiversity and Rehabilitation Management Plan, the Applicant must lodge a Biodiversity and Rehabilitation Bond with the Department to ensure that the Biodiversity Offset Strategy and rehabilitation of the site are implemented in accordance with the performance and completion criteria set out in the Biodiversity and Rehabilitation Management Plan and the relevant conditions of this consent. The sum of the bond must be determined by:	Non-Compliant	HR36-2019.	The BRMP was approved on 18 September 2018 and the Biodiversity and Rehabilitation Bond was lodged on 25 March 2019, i.e. 1 week past the required timeframe and is considered an administrative non-compliance with no further action required.
37 (a)	calculating the full cost of implementing the Biodiversity Offset Strategy;	Compliant	HR36-2019. Advice from Environmental Officer.	The Biodiversity and rehabilitation Bond was lodged on 25 March 2019. Approval of the bond amount was granted by DPE on 13 March 2019. The calculated costs were reviewed by Narla Environmental Pty Ltd.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
BIODIVERSITY AND REHABILITATION (Cont'd)				
Biodiversity and Rehabilitation Management Plan (Cont'd)				
37 (b)	calculating the cost of rehabilitating all disturbed areas of the site, taking into account the likely surface disturbance over the next 3 years of quarrying operations; and	Compliant		
37 (c)	employing a suitably qualified quantity surveyor or other expert to verify the calculated costs, to the satisfaction of the Secretary.	Compliant		
37 (c) Cont'd	<p>Notes:</p> <ul style="list-style-type: none"> Alternative funding arrangements for long term management of the Biodiversity Offset Strategy, such as provision of capital and management funding as agreed by OEH as part of a BioBanking Agreement, or transfer to conservation reserve estate can be used to reduce the liability of the Biodiversity and Rehabilitation Bond. If capital and other expenditure required by the Biodiversity and Rehabilitation Management Plan is largely complete, the Secretary may waive the requirement for lodgement of a bond in respect of the remaining expenditure. If the Biodiversity Offset Strategy and/or rehabilitation of the site area are completed (or partially completed) to the satisfaction of the Secretary, then the Secretary will release the bond (or relevant part of the bond). If the Biodiversity Offset Strategy and rehabilitation of the site are 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. Any redundant rehabilitation or biodiversity bonds currently held by the Department in relation to the development may be released following acceptance of the Biodiversity and Rehabilitation bond required under this condition. 	-	-	Noted.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
BIODIVERSITY AND REHABILITATION (Cont'd)				
Biodiversity and Rehabilitation Management Plan (Cont'd)				
38	The Biodiversity and Rehabilitation Bond must be reviewed and (if required), an updated bond must be lodged with the Department within 3 months following:			
38 (a)	an update or revision to the Biodiversity and Rehabilitation Management Plan;	Compliant	HR37-2019.	The current BRMP was approved by DPE on 3 June 2019. A review of the Biodiversity and Rehabilitation Bond was completed by 5 June 2019.
38 (b)	the completion of an Independent Environmental Audit in which recommendations relating to the implementation of the Biodiversity Offset Strategy and/or rehabilitation of the site have been made; or	Not Triggered	HR46-2019	The 2016 Independent Environmental Audit did not make any recommendations in relation to the implementation of the Biodiversity offset Strategy or rehabilitation of the site.
38 (c)	in response to a request by the Secretary.	Not Triggered	Advice from Environmental Officer	No such requests were received from the Secretary during the audit period.
VISUAL				
39	The Applicant must implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development to the satisfaction of the Secretary.	Compliant	Observation.	No significant lighting sources were observed during the site inspection. Approved hours of operation (6:00am to 6:00pm) limit the potential for lighting impacts.
WASTE				
40	The Applicant must:			
40 (a)	manage on-site sewage treatment and disposal in accordance with the requirements of its EPL, and to the satisfaction of the EPA and Council;	Compliant	Advice from Environmental Officer.	No new structures or facilities were constructed at the Quarry during the audit period. The Quarry relies upon existing sewage infrastructure inherited with the purchase of properties which form the Quarry Site.
40 (b)	minimise the waste generated by the development;	Compliant	Observations. Advice from Environmental Officer.	Waste minimisation is targeted through daily/weekly/monthly site inspections of the waste management and recycling system and the discussion of waste management issues during toolbox meetings. Appropriate waste bin labelling and the inclusion of waste management posters on notice boards were sighted during the site inspection.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
WASTE (Cont'd)				
40 (c)	ensure that the waste generated by the development is appropriately stored, handled, and disposed of; and	Compliant	Observations. HR43-2019. HR44-2019. HR45-2019.	Waste was observed to be appropriately stored on site during the site inspection. Waste registers contained in the Annual reviews during the audit period indicate that appropriate waste collection and disposal procedures have been implemented.
40 (d)	report on waste management and minimisation in the Annual Review, to the satisfaction of the Secretary.	Compliant	HR43-2019. HR44-2019. HR45-2019.	Waste management and minimisation are reported on in the Annual Reviews during the audit period.
41	Except as expressly permitted in an EPL and/or the conditions of this consent, the Applicant must not receive waste on the site for storage, treatment, processing, reprocessing or disposal.	Compliant	HR43-2019. HR44-2019. HR45-2019.	Annual Reviews during the audit period indicate that no waste was received at the Quarry with the exception of VENM material received during the 2018/2019 Annual review period.
Liquid Storage				
42	The Applicant must ensure that all tanks and similar storage facilities (other than for water) are protected by appropriate bunding or other containment, in accordance with the relevant Australian Standards.	Compliant	Observation	No tanks or storage facilities (other than for water) were observed on site during the site inspection.
Dangerous Goods				
43	The Applicant must ensure that the storage, handling, and transport of dangerous goods is done in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the Dangerous Goods Code.	Non-Compliant	Observation. Photo E1022A_022 HR27-2019.	A single drum of hydrocarbons was observed within the Quarry site, adjacent the water pump. Whilst the drum and pump were covered, the drum was unbunded (Recommendation HR R20/19). Proactive measures concerning dangerous goods management are outlined in the PIRMP.
Bushfire				
44 44 (a)	The Applicant must: ensure that the development is suitably equipped to respond to any fires on site; and	Compliant	HR07-2019 Observations.	Section 5 of the BMP outlines bushfire management and mitigation measures. A fire extinguisher and fire extinguisher service records were observed during the site inspection.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
WASTE (Cont'd)				
Bushfire (Cont'd)				
44 (b)	assist the Rural Fire Service and emergency services to the extent practicable if there is a fire in the vicinity of the site.	Not Triggered	-	Section 7 of the BMP outlines responsibilities of all employees and contractors, including assisting the RFS in firefighting where feasible.
45	Within 6 months of the determination of Modification 1, the Applicant must prepare a Bushfire Management Plan for the site in consultation with Council and to the satisfaction of the Rural Fire Service.	Compliant	HR07-2019	The BMP was prepared by June 2018, within 6 months of the determination of Mod 1 in January 2018. Consultation with the Hills Shire Council is presented as Appendix 1 of the BMP.
SCHEDULE 4 ADDITIONAL PROCEDURES				
Notification of Landowners				
1	As soon as practicable, and no longer than 7 days, after obtaining monitoring results showing:	Not Triggered	-	The exceedance of the cumulative deposited dust levels (resulting from non-Quarry related activities) occurred at gauge D10, located on land owned by Dixon Sand.
1 (a)	an exceedance of any criteria in Schedule 3, the Applicant must notify the affected landowners in writing of the exceedance, and provide regular monitoring results, at least every 3 months, to each affected landowner until the development is again complying with the relevant criteria; and			
1 (b)	an exceedance of any air quality criteria in Schedule 3, the Applicant must send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and current tenants of the land (including the tenants of land which is not privately-owned).			

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Independent Review				
2	<p>If a landowner considers the development to be exceeding the relevant criteria in Schedule 3, they may ask the Secretary in writing for an independent review of the impacts of the development on their land.</p> <p>If the Secretary is not satisfied that an independent review is warranted, the Secretary will notify the landowner in writing of that decision, and the reasons for that decision, within 21 days of the request for a review.</p> <p>If the Secretary is satisfied that an independent review is warranted, within 3 months, or as otherwise agreed by the Secretary and the landowner, of the Secretary's decision, the Applicant must:</p>	Not Triggered	Advice from Environmental Officer	No landowner requested an independent review of impacts associated with the Quarry during the audit period.
2 (a)	<p>commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:</p> <ul style="list-style-type: none"> • consult with the landowner to determine his/her concerns; • conduct monitoring to determine whether the development is complying with the relevant criteria in Schedule 3; and • if the development is not complying with these criteria, then identify measures that could be implemented to ensure compliance with the relevant criteria; 			
2 (b)	give the Secretary and landowner a copy of the independent review; and			
2 (c)	comply with any written requests made by the Secretary to implement any findings of the review.			





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
SCHEDULE 5 ENVIRONMENTAL MANAGEMENT REPORTING AND AUDITING				
ENVIRONMENTAL MANAGEMENT				
Environmental Management Strategy				
1	The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:	Compliant	HR48-2019.	The current EMS was approved by DPE on 3 June 2019.
1 (a)	be submitted to the Secretary for approval within 6 months of the approval of Modification 1, unless otherwise agreed by the Secretary;	Compliant	HR34-2019.	Mod 1 was approved on 22 January 2018. The EMS was submitted to DPE on 18 July 2018.
1 (b)	Provide the strategic framework for the environmental management of the development;	Compliant	HR08-2019	The EMS provides the strategic framework for the Quarry.
1 (c)	identify the statutory approvals that apply to the development;	Compliant	HR08-2019	Section 2 of the EMS identifies the statutory approvals applicable to the Quarry.
1 (d)	describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;	Compliant	HR08-2019	Section 4 describes the roles and responsibilities of personnel associated with the Quarry.
1 (e)	describe the procedures to be implemented to: <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the operation and environmental performance of the development; receive, record, handle and respond to complaints; resolve any disputes that may arise during the course of the development; respond to any non-compliance; respond to emergencies; and 	Compliant	HR08-2019	Reporting, communication, complaint handling, dispute resolution, non-compliance response and emergency response protocols are included in the EMS.
1 (f)	include: <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 to be carried out under the conditions of this consent. 	Compliant	HR08-2019 HR04-2019	Copies of the relevant plans are included as appendices to the EMS. Monitoring locations are shown in the Environmental Monitoring Locations document and monitoring procedures are detailed in the relevant plans.
	The Applicant must implement any Environmental Management Strategy as approved by the Secretary.	Compliant	HR08-2019	The site currently operates under the Environmental Management Strategy dated May 2019.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Evidence of Consultation				
2	Where consultation with any State or local agency is required by the conditions of this consent, the Applicant must:	Compliant	HR08-2019	Consultation is included in the EMS and as appendices to the relevant plans. Consultation is discussed in the relevant plans.
2 (a)	consult with the relevant agency prior to submitting the required document to the Secretary for approval;	Compliant	HR01-2019	
2 (b)	submit evidence of this consultation as part of the relevant document;	Compliant	HR02-2019	
2 (c)	describe how matters raised by the agency have been addressed and any matters not resolved; and	Compliant	HR03-2019	
2 (d)	include details of any outstanding issues raised by the agency and an explanation of disagreement between any agency and the Applicant.	Compliant	HR05-2019	
Management Plan Requirements				
3	The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:		HR10-2019	Plans contain all identified components and have been prepared in accordance with the relevant guidelines, where applicable. Appendix 1 of the EMS provides a Plan Preparation Checklist and Certification confirming plan component inclusion.
3 (a)	detailed baseline data;	Compliant	HR08-2019	
3 (b)	a description of: <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; and the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; 	Compliant	HR01-2019	
			HR02-2019	
			HR03-2019	
			HR05-2019	
3 (c)	a description of the measures that to be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;	Compliant	HR06-2019	
			HR07-2019	
			HR09-2019	





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
3 (d)	a program to monitor and report on the: <ul style="list-style-type: none"> impacts and environmental performance of the development; and effectiveness of any management measures (see (c) above); 	Compliant		
3 (e)	a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;	Compliant		
3 (f)	a program to investigate and implement ways to improve the environmental performance of the development over time;	Compliant		
3 (g)	a protocol for managing and reporting any: <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 	Compliant		
3 (h)	a protocol for periodic review of the plan.	Compliant		
	<i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i>	-	-	Noted
Application of Existing Strategies, Plans and Programs				
4	The Applicant must continue to apply existing management plans, strategies or monitoring programs approved prior to the approval of Modification 1, until the approval of a similar plan, strategy or program following the approval of Modification 1.	Compliant	Advice from Environmental Officer	The Quarry was operated under existing management plans until revised plans were approved following the determination of Modification 1.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Revision of Strategies, Plans & Programs				
5	<p>Within 3 months of the submission of an:</p> <p>(a) incident report under condition 10 below;</p> <p>(b) Annual Review under condition 12 below;</p> <p>(c) Independent Environmental Audit report under condition 14 below; and</p> <p>(d) any modifications to this consent,</p> <p>the Applicant must review the strategies, plans and programs required under this consent, to the satisfaction of the Secretary. The Applicant must notify the Department in writing of any such review being undertaken. Where this review leads to revisions in any such document, then within 6 weeks of the review the revised document must be submitted for the approval of the Secretary.</p> <p>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve environmental performance of the development.</p>	Compliant	<p>HR34-2019.</p> <p>HR35-2019.</p> <p>HR38-2019.</p> <p>HR30-2019.</p> <p>HR39-2019.</p> <p>HR40-2019.</p> <p>HR49-2019.</p> <p>HR50-2019.</p> <p>HR51-2019.</p> <p>HR52-2019.</p>	<p>Management strategies and plans were reviewed within the applicable timeframes or an extension to the timeframes was requested from the Department. Reviews were notified to the Department as required.</p>
Updating and Staging of Strategies, Plans or Programs				
6	<p>To ensure that strategies, plans or programs required under this consent are updated on a regular basis, and that they incorporate any appropriate additional measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis.</p> <p>The Secretary may approve a revised strategy, plan or program required under this consent, or the staged submission of any of these documents, at any time. With the agreement of the Secretary, the Applicant may prepare the revised or staged strategy, plan or program without undertaking consultation with all parties nominated under the applicable condition in this consent.</p>	-	-	Noted.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Updating and Staging of Strategies, Plans or Programs (Cont'd)				
6 Cont'd	<p>While any strategy, plan or program may be submitted on a staged basis, the Applicant will need to ensure that the operations associated with the development are covered by suitable strategies, plans or programs at all times.</p> <p>If the submission of any strategy, plan or program is to be staged; then the relevant strategy, plan or program must clearly describe the specific stage/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program.</p>			
Adaptive Management				
7	<p>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</p> <p>Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must as soon as becoming aware of any exceedance:</p>	Compliant	HR43-2019 HR44-2019 HR45-2019.	<p>The only exceedance of criteria within Schedule 3 was cumulative deposited dust. Given that the source was identified as not being Quarry-related, no adaptive management measures were required.</p> <p>In general, the Company appears to proactively assess and manage risks to reduce the potential for exceedances or impacts.</p>
7 (a)	take all reasonable and feasible steps to ensure that the exceedance ceases and does not reoccur;	Not Triggered	HR43-2019, HR44-2019, HR45-2019.	As above.
7 (b)	consider all reasonable and feasible options for remediation (where relevant);	Not Triggered	HR43-2019, HR44-2019, HR45-2019.	As above.
7 (c)	within 14 days of the exceedance occurring, submit a report to the Secretary describing these remediation options and any preferred remediation measures or other course of action; and	Non-Compliant	HR43-2019. HR44-2019. HR45-2019.	Whilst the EPA was notified, the (then) DPE was not notified of the exceedance of the deposited dust criteria (albeit the exceedance not being caused by Quarry generated dust) (see DA <i>Condition 3(7)</i>). See Recommendation HR R1/19 .
7 (d)	implement remediation measures as directed by the Secretary;	Not Triggered	-	As above.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Community Consultative Committee				
8	<p>The Applicant must establish and operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Secretary. The CCC must be established by 30 June 2018 and operated in general accordance with the Department's Community Consultative Committee Guidelines, November 2016 (or later version).</p> <p>Notes:</p> <ul style="list-style-type: none"> The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent. In accordance with the guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, Council and the local community. The CCC established and operated prior to the approval of Modification 1 must continue to be operated in accordance with the procedures required by the consent prior to the approval of Modification 1 until such time as the CCC required by this condition is established. The Applicant may, with the approval of the Secretary, combine the function of this CCC with the functions of other CCCs in the area. 	Compliant	HR51-2019.	Approval from DPE on 1 March 2018 to maintain existing CCC arrangement.
REPORTING				
Incident Reporting				
9	<p>The Applicant must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing to compliance@planning.nsw.gov.au and identify the development (including the development application number and name) and set out the location and nature of the incident.</p>	Not Triggered	HR43-2019, HR44-2019, HR45-2019. Advice from Environmental Officer.	No reportable incidents occurred during the audit period. The Company appears to proactively assess and manage risks to reduce the potential for exceedances or impacts.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
REPORTING (Cont'd)				
Incident Reporting (Cont'd)				
10	Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested. This report must include the time and date of the incident, details of the incident, measures implemented to prevent re-occurrence and must identify any non-compliance with this consent.	Not Triggered	As above	As above.
Non-Compliance Notification				
11	<p>Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing to compliance@planning.nsw.gov.au and identify the development (including the development application number and name), set out the conditions of this consent and that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.</p> <p>Note: a non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</p>	Non-Compliant	<p>HR43-2019. HR44-2019. HR45-2019.</p>	<p>Whilst the EPA was notified, the (then) DPE was not notified of the exceedance of the deposited dust criteria (see <i>DA Condition 3(7)</i>). This audit has determined that, due to the exceedance occurring as a result of non-Quarry related activities, there was no non-compliance. However, the Company reported these exceedance within the Annual Reviews as non-compliances. Therefore, it is considered that the intent of this condition has not been complied with. See Recommendation HR R1/19.</p>
Annual Review				
12	By the end of March each year, or other timing as may be agreed by the Secretary, the Applicant must submit a review to the Department reviewing the environmental performance of the development to the satisfaction of the Secretary. This review must:	Compliant	<p>HR49-2019. HR50-2019. HR51-2019. HR52-2019. Advice from Environmental Officer.</p>	Annual reviews submitted by relevant date during audit period.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
REPORTING (Cont'd)				
12 (a)	describe the development (including any progressive rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;	Compliant	HR43-2019. HR44-2019. HR45-2019.	Annual Reviews during the audit period describe development and rehabilitation activities during the reporting period as well as proposed activities during the next reporting period.
12 (b)	include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against the: <ul style="list-style-type: none"> • relevant statutory requirements, limits or performance measures/criteria; • requirements of any plan or program required under this consent; • monitoring results of previous years; and • relevant predictions in the documents listed in condition 2(a) of Schedule 2; 	Compliant		Annual Reviews during the audit period include a review of monitoring results and a comparison of these results against relevant criteria, plans, results from previous years, and predictions listed in relevant previous assessments.
12 (c)	evaluate and report on: <ul style="list-style-type: none"> • the effectiveness of the air quality and noise management systems; and • compliance with the performance measures, criteria and operating conditions in this consent. 	Compliant		Annual Reviews during the audit period evaluate the effectiveness of management systems and impacts associated with air and noise emissions with reference to relevant criteria and operating conditions.
12 (d)	identify any non-compliance over the past calendar year, and describe what actions were (or are being) taken to ensure compliance;	Compliant		Non-compliances and follow up actions (if required) are discussed in the Annual Reviews during the audit period.
12 (e)	identify any trends in the monitoring data over the life of the development;	Compliant		Trends in historical monitoring data are discussed in the Annual Reviews during the audit period.
12 (f)	identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and	Compliant		Discrepancies between predicted and actual impacts of the development are discussed in Annual Reviews during the audit period.
12 (g)	describe what measures will be implemented over the current calendar year to improve the environmental performance of the development.	Compliant		Changes to environmental procedures (if any) are identified in Annual Reviews for the audit period.
	The Applicant must ensure that copies of the Annual Review are submitted to Council and are available to the Community Consultative Committee (see condition 8 of Schedule 5) and any interested person upon request.	Compliant	HR41-2019. Dixon Sand Website.	Annual Reviews during the audit period were distributed to the relevant stakeholders and were available on the Dixon Sand website.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
REPORTING (Cont'd)				
Independent Environmental Audit				
13	By the end of November 2019, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission, commence and pay the full cost of an Independent Environmental Audit of the development. This audit must	Compliant	This Audit	Audit commenced in October 2019.
13 (a)	be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary	Compliant	HR53-2019	The RWC audit team consisting of Rob Corkery as lead auditor and Scott Hollamby and Jack Flanagan in assisting roles was confirmed by DPIE on 11 July 2019.
13 (b)	include consultation with the relevant agencies and the CCC;	Compliant	HR54-2019	Consultation for the audit was undertaken with DPIE, BCD, EPA, NRAR, RMS, RR, HSC and CCC.
13 (c)	assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals);	Compliant	This Audit	-
13 (d)	review the adequacy of strategies, plans or programs required under the abovementioned approvals;	Compliant	This Audit	-
13 (e)	recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and	Compliant	This Audit	-
13 (f)	be conducted and reported to the satisfaction of the Secretary.	Not Determined	This Audit	The satisfaction of the Secretary with this audit report is not yet known.
14	Within 12 weeks of commencing this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of these recommendations as required. The Applicant must implement these recommendations, to the satisfaction of the Secretary.	Not Triggered	-	Submission of the audit and response to the recommendations will occur following the finalisation of this audit.

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
REPORTING (Cont'd)				
Access to Information				
15	Within 3 months of the determination of Modification 1, until the completion of all works, including rehabilitation and remediation the Applicant must:	Compliant	Advice from Environmental Officer.	All relevant information was available on the Dixon Sand Website within 3 months of the determination of Modification 1 and was current as at the date of this Audit.
15 (a)	make the following information publicly available on its website: <ul style="list-style-type: none"> • the documents listed in condition 2(a) of Schedule 2; • current statutory approvals for the development; • all approved strategies, plans and programs required under the conditions of this consent; • a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; • a complaints register, updated monthly; • the annual reviews of the development; • any independent environmental audit as described in condition 13 above, and the Applicant's response to the recommendations in any audit; and • any other matter required by the Secretary; and 	Compliant	Dixon Sand Website..	All relevant approvals, plans, annual reviews, monitoring result summaries, and complaints are available on the Dixon Sand website.
15 (b)	keep this information up-to-date, to the satisfaction of the Secretary.	Compliant	Dixon Sand Website.	Information on the Dixon Sand website is up to date as required.





Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Appendix 5 Noise Compliance Assessment				
Applicable Meteorological Conditions				
1	The noise criteria in Table 2 are to apply under all meteorological conditions except the following: (a) wind speeds greater than 3 m/s at 10 m above ground level; or (b) temperature inversion conditions between 1.5°C and 3°C/100 m and wind speed greater than 2 m/s at 10 m above ground level; or (c) temperature inversion conditions greater than 3°C/100 m.	-	-	Noted
Determination of Meteorological Conditions				
2	Except for wind speed at microphone height, the data to be used for determining meteorological conditions must be that recorded by the meteorological station required under condition 12 of Schedule 3.	Compliant	HR43-2019. HR44-2019. HR45-2019.	Noise Monitoring Reports included in Annual reviews during the audit period indicate that meteorological data from the weather station adjacent to Maroota Public School was used for noise compliance assessments.
Compliance Monitoring				
3	A noise compliance assessment must be undertaken within six months of the approval of Modification 1. The assessment must be conducted by a suitably qualified and experienced acoustical practitioner and must assess compliance with the noise criteria in Table 2. A report must be provided to the Secretary and EPA within 1 month of the assessment.	Compliant	HR44-2019.	A Noise Compliance Assessment was undertaken in June 2018 by Hunsamon Churcher of Project Environmental Services Pty Lt, with noise monitoring occurring between 12 June and 29 June 2018. The report was submitted to DPE and EPA on 27 July 2018.
	Unless the Secretary agrees otherwise, this monitoring is to be carried out in accordance with the relevant requirements for reviewing performance set out in the NSW Industrial Noise Policy (as amended from time to time), in particular the requirements relating to:	Compliant	HR44-2019.	The Noise Monitoring Report indicates that the noise assessment was undertaken in accordance with the <i>Noise Policy for Industry</i> (EPA, 2017).
	(a) monitoring locations for the collection of representative noise data;			

Table A4-1 (Cont'd)
Compliance Review – Development Consent DA 165-7-2005 Mod 2

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Appendix 5 Noise Compliance Assessment (Cont'd)				
Compliance Monitoring (Cont'd)				
	(b) equipment used to collect noise data, and conformity with Australian Standards relevant to such equipment; (c) modifications to noise data collected, including for the exclusion of extraneous noise and/or penalties for modifying factors apart from adjustments for duration; and (d) the use of an appropriate modifying factor for low frequency noise to be applied during compliance testing at any individual residence if low frequency noise is present (in accordance with the NSW Industrial Noise Policy) and before comparison with the specified noise levels in the consent.			





**Table A4-2
Compliance Review – EPL 12513 (Mar 2019)**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions									
1 Administrative Condition													
A1 What the licence authorises and regulates													
	<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 annual processing capacity</td> </tr> <tr> <td>Extractive activities</td> <td>Land-based extractive activity</td> <td>> 100000 - 500000 T annual capacity to extract, process or store</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity	Extractive activities	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store	Compliant	HR43-2019. HR44-2019. HR45-2019.	Production data included in Annual reviews during the audit period indicates that operations did not exceed the relevant activity scale.
Scheduled Activity	Fee Based Activity	Scale											
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity											
Extractive activities	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store											
A2 Premises or plant to which this licence applies													
A2.1	<p>The licence applies to the following premises:</p> <table border="1"> <thead> <tr> <th>Premises Details</th> </tr> </thead> <tbody> <tr> <td>DIXON SAND PTY LTD</td> </tr> <tr> <td>HAERSES ROAD AND INTERSECTION OF WISEMANS FERRY ROAD</td> </tr> <tr> <td>MAROOKA</td> </tr> <tr> <td>NSW 2756</td> </tr> <tr> <td>LOT A DP 407341, LOT B DP 407341, LOT 170 DP 664766, LOT 170 DP 664767, LOT 176 DP 752039, LOT 177 DP 752039, LOT 216 DP 752039</td> </tr> </tbody> </table>	Premises Details	DIXON SAND PTY LTD	HAERSES ROAD AND INTERSECTION OF WISEMANS FERRY ROAD	MAROOKA	NSW 2756	LOT A DP 407341, LOT B DP 407341, LOT 170 DP 664766, LOT 170 DP 664767, LOT 176 DP 752039, LOT 177 DP 752039, LOT 216 DP 752039	-	-	Noted			
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**Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions																
1 Administrative Condition (Cont'd)																				
A3 Information supplied to the EPA																				
A3.1	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.</p> <p>In this condition the reference to "the licence application" includes a reference to:</p> <p>a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</p> <p>b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>	Compliant	HR27-2019.	A letter dated 13 June 2006 which accompanied the EPL application for the Quarry indicates that the EPL application was made in accordance with details contained in Development Consent 165-7-2005, Notice of Modification DA 250-9-2001-MOD, and two maps of the site. Works and activities have generally been carried out in accordance with the activities described in these documents.																
1 Discharges to Air and Water and Applications to Land																				
P1 Location of monitoring/discharge points and areas																				
P1.1	<p>The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.</p> <table border="1"> <thead> <tr> <th colspan="4"><i>Air</i></th> </tr> <tr> <th>EPA identification no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Ambient air monitoring</td> <td></td> <td>Ambient air monitoring site location near the Maroota Public School as marked in "Figure 1.3 - Existing and Proposed Development" provided 30 November 2004.</td> </tr> <tr> <td>3</td> <td>Ambient air monitoring</td> <td></td> <td>Dust deposition gauge located on the site between Stage 4 works and the west dam on the site near Stage 4 works</td> </tr> </tbody> </table>	<i>Air</i>				EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	1	Ambient air monitoring		Ambient air monitoring site location near the Maroota Public School as marked in "Figure 1.3 - Existing and Proposed Development" provided 30 November 2004.	3	Ambient air monitoring		Dust deposition gauge located on the site between Stage 4 works and the west dam on the site near Stage 4 works	-	--	Noted
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P1.2	<p>The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.</p> <table border="1"> <thead> <tr> <th colspan="3"><i>Noise/Weather</i></th> </tr> <tr> <th>EPA identification no.</th> <th>Type of monitoring point</th> <th>Location description</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>Meteorological Station</td> <td>Meteorological station near Maroota Public School as marked in "Figure 1.3 - Existing and Proposed Development" provided to the DEC (by Fax) on 30 November 2004</td> </tr> </tbody> </table>	<i>Noise/Weather</i>			EPA identification no.	Type of monitoring point	Location description	2	Meteorological Station	Meteorological station near Maroota Public School as marked in "Figure 1.3 - Existing and Proposed Development" provided to the DEC (by Fax) on 30 November 2004	-	-	Noted							
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**Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions																																																		
3 Limit Conditions																																																						
L1 Pollution of water																																																						
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.	Compliant	HR43-2019. HR44-2019. HR45-2019.	No discharges of water were reported for the Quarry during the audit period. No incidents regarding the pollution of water were recorded during the audit period.																																																		
L2 Waste																																																						
L2.1	The licensee 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 Environment Operations Act 1997.	Compliant	HR43-2019. HR44-2019. HR45-2019.	The 2016/2017 and 2017/2019 Annual Reviews indicate that no waste was received at the Quarry site. The 2018/2019 Annual review indicated that 1,950t of VENM was received at the Quarry site during that reporting period. DA165-7-2005 permits the importation of up to 100 000t of ENM/VENM material per calendar year.																																																		
L3 Noise limits																																																						
L3.1	Noise generated at the premises must not exceed the noise limits presented in the table below. Note that the noise limits represent the noise contribution from the Haerses Road sand quarry site at Maroota.	Compliant	HR43-2019. HR44-2019. HR45-2019.	Attended noise monitoring undertaken during December 2016, June 2017, June 2018 and June 2019 indicated that predicted noise impacts associated with the Quarry were compliant with the relevant assessment criteria. These results incorporate setback calculations which utilise at-source noise monitoring to determine predicted noise impacts.																																																		
<table border="1"> <thead> <tr> <th>Receiver</th> <th>Location</th> <th>Day</th> <th>Shoulder (6am to 7am)</th> <th>Shoulder (6am to 7am)</th> </tr> <tr> <td></td> <td></td> <td>LAeq(15 minutes)</td> <td>LAeq(15 minutes)</td> <td>LA(max)</td> </tr> </thead> <tbody> <tr> <td>R1</td> <td>1725 Wisemans Ferry Road</td> <td>37</td> <td>37</td> <td>45</td> </tr> <tr> <td>R2</td> <td>1700 Wisemans Ferry Road</td> <td>40</td> <td>40</td> <td>45</td> </tr> <tr> <td>R3</td> <td>1643 Wisemans Ferry Road</td> <td>38</td> <td>38</td> <td>45</td> </tr> <tr> <td>R4</td> <td>1617 Wisemans Ferry Road</td> <td>37</td> <td>37</td> <td>45</td> </tr> <tr> <td>R6</td> <td>1543 Wisemans Ferry Road</td> <td>37</td> <td>35</td> <td>45</td> </tr> <tr> <td>R7</td> <td>1539 Wisemans Ferry Road</td> <td>36</td> <td>35</td> <td>45</td> </tr> <tr> <td>R8</td> <td>1521 Wisemans Ferry Road</td> <td>36</td> <td>35</td> <td>45</td> </tr> <tr> <td colspan="2">All other residences on privately owned land</td> <td>35</td> <td>35</td> <td>45</td> </tr> </tbody> </table>					Receiver	Location	Day	Shoulder (6am to 7am)	Shoulder (6am to 7am)			LAeq(15 minutes)	LAeq(15 minutes)	LA(max)	R1	1725 Wisemans Ferry Road	37	37	45	R2	1700 Wisemans Ferry Road	40	40	45	R3	1643 Wisemans Ferry Road	38	38	45	R4	1617 Wisemans Ferry Road	37	37	45	R6	1543 Wisemans Ferry Road	37	35	45	R7	1539 Wisemans Ferry Road	36	35	45	R8	1521 Wisemans Ferry Road	36	35	45	All other residences on privately owned land		35	35	45
Receiver	Location	Day	Shoulder (6am to 7am)	Shoulder (6am to 7am)																																																		
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Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
3 Limit Conditions (Cont'd)				
L3.2	For the purpose of condition L3.1 <ul style="list-style-type: none"> Day is defined as the period from 7am to 6pm Sunday and Public Holidays. Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays. 	-	-	Noted
L3.3	Noise from the premises is to be measured at the most affected point or within the residential boundary or the most affected point within 30m of the dwelling (rural situations) where the dwelling is more than 30m from the boundary to determine compliance with the LA eq(15 minutes) noise limit in condition L3.1. Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternate means of determining compliance. See relevant chapter of NSW Noise Policy for Industry. The modification factors presented in Fact Sheet C of the NSW Noise Policy for Industry must also be applied to the measured noise levels where applicable. Definition: LA10(15 minutes) is the sound pressure level that is exceeded for 10% of the time when measured over a 15 minute period. Note: Noise measurement For the purpose of noise measures required for this condition, the L A10 noise level must be measured or computed at any point specified in the table above over a period of 15 minutes using "FAST" response on the sound level meter.	Compliant	HR43-2019. HR44-2019. HR45-2019. Advice from Environmental Officer.	Annual Reviews for 2017/2018 and 2018/2019 indicate that noise monitoring was conducted at appropriate locations with reference to listed residential receivers. Noise monitoring during the 2016/2017 Annual review reporting period was undertaken in accordance with previous conditions which were current at that time prior to the determination of Mod 1. An agreement exists between Dixon Sand and R2 and Dixon Sand and residences east of Hitchcock Road. Noise management levels are therefore not applicable at these location.
	For the purpose of the noise criteria for this condition, 5dBA must be added to the measures level if the noise is substantially tonal or impulsive in character. The location or point of impact can be different for each development. Measurement locations can be: <ul style="list-style-type: none"> 1 metre from the façade of the residence for night time assessment; at the residential boundary, 30 metres from the residence (rural situations) where boundary is more than 30 metres from residence. 	-	-	Noted





Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
3 Limit Conditions (Cont'd)				
L3.4	Noise from the premises is to be measured at 1 metre from the dwelling façade to determine compliance with the LA(max) noise level in condition L3.1.	Not Triggered	HR43-2019. HR44-2019. HR45-2019.	The Quarry does not operate between 6:00am and 7:00am. Attended noise monitoring was therefore not undertaken at residential receivers during shoulder periods.
L3.5	The noise emission limits identified in condition L3.1 apply under all meteorological conditions (wind speed up to 3m/s at 10 metres above ground level, except under conditions of temperature inversions) must be addressed by: <ul style="list-style-type: none"> Documenting noise complaints received to identify any higher level of impacts or patterns of temperature inversions; and Where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhanced impacts under temperature inversions conditions should be developed and implemented. 	Compliant	HR43-2019. HR44-2019. HR45-2019.	Noise complaints, including any actions to address noise complaints, are documented in the complaints register and discussed in the Annual reviews during the audit period.
L3.6	Activities at the premises, other than construction work, may only be carried out between 0600 hours and 1800 hours Monday to Saturday, and at no time on Sundays and Public Holidays.	Compliant	HR43-2019. HR44-2019. HR45-2019. Spot check truck despatch record.	Complaints and responses to complaints received during the audit period indicate that no activities were undertaken outside of the approved operating hours. A spot check weighbridge dockets during the site inspection indicated that truck movements occurred only within the approved hours of operations.
L3.7	This condition does not apply to the delivery of material outside the hours of operation permitted by condition L3.6, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.	Not Triggered	Advice from Environmental Officer	No deliveries or operations outside of approved hours were requested or required by authorities during the audit period.
L3.8	The hours of operation specified in conditions L3.6 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.	-	-	Noted

**Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
3 Limit Conditions (Cont'd)				
L4 Potentially offensive odour				
L4.1	The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises. Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.	Compliant	HR43-2019. HR44-2019. HR45-2019.	No complaints were received during the audit period regarding the emission of offensive odours from the Quarry.
4 Operating Conditions				
O1 Activities must be carried out in a competent manner				
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Compliant	Observations. HR43-2019. HR44-2019. HR45-2019.	No processing, handling or movement of activities were observed during the site inspection. No issues were identified with the storage of substances at the Quarry. The waste register provided in Annual Reviews during the audit period indicates that waste collection and disposal is undertaken appropriately.
O2 Maintenance of plant and equipment				
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Compliant	Observations.	No plant was observed to be operating during the site inspection. Plant and vehicle maintenance records were sighted during the site inspection.
O3 Dust				
O3.1	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	Compliant	Observations. HR43-2019. HR44-2019. HR45-2019.	It is considered that the site has generally been maintained in a condition which minimises the emission of dust.





Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
4 Operating Conditions (Cont'd)				
O3 Dust				
O3.2	Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.	Compliant	Observation. HR05-2019.	The TMP includes the requirement that all trucks entering or leaving the Quarry must have loads covered. No trucks were observed entering or leaving the premises during the site inspection.
O3.3	The licensee must maintain and operate a continuous dust monitoring device at monitoring Point 1 identified in condition P1.1. The device must be fitted with an automatic alarm system alerting quarry managers once the trigger value for PM10 (42µg/m ³) is reached.	Compliant	Dixon Sand Website. HR43-2019. HR44-2019. HR45-2019. HR04-2019. Advice from Environmental Officer.	Dust monitoring records present on Dixon Sand website. Dust monitoring results and calibration reported in Annual Reviews during the reporting period. Location of monitoring station shown in Environmental Monitoring Plan is consistent with Point 2 identified in condition P1.1. An alarm system sends text messages to Quarry personnel in the event of trigger value exceedances.
O3.4	Dust deposition gauges installed at the site must be operated and maintained in accordance with the current Australian Standard: Ambient air - Particulate matter Determination of deposited matter expressed as insoluble solids, ash, combustible matter, soluble solids and total solids for deposition gauges.	Compliant	HR43-2019. HR44-2019. HR45-2019.	VGT Dust Deposition Reports, included as appendices to Annual Reviews, indicate sampling in accordance with AS3580.10.1 (supersedes AS 2724.1).
O3.5	The licensee must operate and maintain a continuous automatic meteorological station at monitoring Point 2 identified in condition P1.2 of the licence according to the requirements of the current Australian Standard: Ambient air - Guide for measurement of horizontal wind for air quality applications. Wind monitoring components of the meteorological station must be interfaced with the continuous dust monitoring device identified in condition P1.1.		HR04-2019 HR43-2019. HR44-2019. HR45-2019.	Meteorological data and calibration of the meteorological station reported in Annual Reviews during the reporting period. Location of monitoring station shown in Environmental Monitoring Plan is consistent with Point 2 identified in condition P1.1.

Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions																				
4 Operating Conditions (Cont'd)																								
O3 Dust																								
O3.6	<p>The licensee must ensure that dust generated by the development does not cause any additional exceedances of the air quality impact assessment criteria listed in the table below at any residence on any privately owned land, listed in condition L3.1.</p> <p><i>Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia AS 3580.10.1, Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Gravimetric Methods.</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Reference Condition</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP)</td> <td>Annual</td> <td>Long term</td> <td>90 ug/m3</td> </tr> <tr> <td>Particulate matter <10 um (PM10)</td> <td>Annual</td> <td>Long term</td> <td>30 ug/m3</td> </tr> <tr> <td>Particulate matter <10 um (PM10)</td> <td>24 hour</td> <td>Short term</td> <td>50 ug/m3</td> </tr> <tr> <td>Deposited dust</td> <td>Annual</td> <td>Long term</td> <td>4g/m2/month (max total) 2g/m2/month (max increase)</td> </tr> </tbody> </table>	Pollutant	Averaging period	Reference Condition	Criterion	Total suspended particulate (TSP)	Annual	Long term	90 ug/m3	Particulate matter <10 um (PM10)	Annual	Long term	30 ug/m3	Particulate matter <10 um (PM10)	24 hour	Short term	50 ug/m3	Deposited dust	Annual	Long term	4g/m2/month (max total) 2g/m2/month (max increase)	Compliant	HR43-2019. HR44-2019. HR45-2019.	Whilst the cumulative deposited dust levels exceeded the maximum deposited dust criteria, this was not considered to be as a result of "dust generated by the development". Refer to DA 165-07-2005 Condition 3(9).
Pollutant	Averaging period	Reference Condition	Criterion																					
Total suspended particulate (TSP)	Annual	Long term	90 ug/m3																					
Particulate matter <10 um (PM10)	Annual	Long term	30 ug/m3																					
Particulate matter <10 um (PM10)	24 hour	Short term	50 ug/m3																					
Deposited dust	Annual	Long term	4g/m2/month (max total) 2g/m2/month (max increase)																					
O4 Processes and management																								
O4.1	A Site Water Management Plan (SWMP) must be implemented at the premises. The plan must include a Soil and Water Management Plan, a Stormwater Management Scheme and a Groundwater Monitoring Program.	Compliant	HR03-2019	The site currently operates in accordance with the SWMP dated May 2019. Section 3 of the SWMP outlines the water management system for the Quarry which includes stormwater management. Section 5.2.2 of the SWMP includes a groundwater monitoring program.																				
O4.2	<p>The Soil and Water Management Plan must:</p> <p>a) describe what measures will be implemented to minimise soil erosion, and the discharge of sediment and other pollutants, during each stage of the development including:</p> <p>i) road and intersection works;</p> <p>ii) initial clearing and topsoil stripping;</p> <p>iii) extraction; and</p> <p>iv) noise bund construction.</p>	Compliant	HR03-2019	Section 3.2 of the SWMP outlines erosion and sediment controls relevant to current operations. It also states that progressive Erosion and Sediment Control plans will be developed for the Quarry to cover changing site conditions. Improvement HR 16/19.																				





Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
4 Operating Conditions (Cont'd)				
O3 Dust (Cont'd)				
O4.2 Cont'd	b) include control measures that have the capacity to contain rainfall and stormwater runoff generated from a 90th percentile, 5 day rainfall event for the life of the development.	Compliant	HR03-2019	Sediment basin design criteria have been prepared with consideration of a 90 th percentile, 5 day rainfall event.
O4.3	The Groundwater Monitoring Program must: a) describe what measures would be put in place to establish wet weather groundwater levels at the premises; b) monitor any potential adverse impacts of the development on groundwater levels and quality; c) detail contingency measures that would be put in place in the event that groundwater is breached and/or contaminated. The SWMP should be prepared in accordance with the requirements of Managing Urban Stormwater Soil and Construction Latest Edition.	Compliant	HR03-2019	Section 5.2.2 and Appendix 3 of the SWMP outline a groundwater monitoring program and the assessment undertaken to determine the wet weather groundwater levels at the Quarry. Section 6 includes response measures to be implemented in the event that groundwater is breached or contaminated. The SWMP has been prepared in accordance with the Landcom (2004) guidelines <i>Managing Urban Stormwater – Soils and Construction</i> .
O4.4	The Stormwater Management Scheme mentioned in condition O4.1 must mitigate the impacts of stormwater run-off from and within the premises at all times. The Scheme should be consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared the Scheme should be consistent with the guidance contained in the latest edition of Landcom's Manual titled "Managing Urban Stormwater Soil and Construction Volume 1".	Compliant	HR03-2019	The water management system for the Quarry, including management measures targeting stormwater, have been developed in accordance with the Landcom (2004) guideline <i>Managing Urban Stormwater - Soils and Construction, Volume 1</i> .
O4.5	The licensee must construct and maintain sediment dams for every stage of the extraction area for the life of the quarry. Sediment dams must be in place prior to any extraction taking place in the respective strip of each stage and must be designed and constructed in accordance with the most recent edition of Managing Urban Stormwater Soil and Construction. Notwithstanding the above, the dams must have sufficient capacity to contain rainfall and runoff generated from a 90th percentile, five day rainfall event ("the design event") for the life of the quarry.	Compliant	Observations. HR03-2019.	Sediment dams were sighted in the Stage 1 and Stage 2 extraction areas during the site inspection. Sediment dams/basins have been designed in accordance with the Landcom (2204) guidelines <i>Managing urban Stormwater – Soils and Construction</i> and have been designed to capture runoff associated with the specified rainfall event.

Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
4 Operating Conditions (Cont'd)				
O3 Dust (Cont'd)				
O4.6	If mud, sediment or other raw materials are found to be tracked off the premises the Company must install, operate and maintain on the premises an automatic wheel wash or similar facility that will be capable of washing the underside of vehicles, wheels, wheel arches and axles of all vehicles leaving the premises. In addition to this, appropriate measures must be put in place that ensures that all vehicles leaving premises must go through the wheel wash facility.	Not Triggered.	Observation.	No materials were observed to have been tracked off the premises during the site inspection.
O4.7	The entrance to the premises must be maintained in a sealed state.	Compliant	Observation.	The entry to the Quarry was observed to be sealed and well maintained.
O4.8	The sealed access road to the premises must be kept free of dust, sediment and other raw materials at all times.	Compliant	Observation.	No materials were observed to have been tracked off the premises during the site inspection and the sealed access road was observed to be clear of dust, sediment and other raw materials.
O4.9	The licensee must prevent any tracking of mud on public roads by vehicles leaving the premises.	Compliant	Observation.	No materials were observed to have been tracked off the premises during the site inspection.
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.	Compliant	Dixon Sand Website. HR43-2019. HR44-2019. HR45-2019.	Monitoring data during the audit period has been recorded as required.
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.	Compliant	Dixon Sand Website. HR43-2019. HR44-2019. HR45-2019. Observation.	Monitoring data and records required by the licence during the audit period have been retained in a legible form during the audit period. Digital records of continuous PM10 monitoring were sighted during the site inspection.





Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
5 Monitoring and Recording Conditions (Cont'd)				
M1 Monitoring Records (Cont'd)				
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.	Compliant	Dixon Sand Website. Observation.	Digital records of continuous PM10 monitoring containing the relevant details were sighted during the site inspection.
M1.4	The licensee must keep in an electronic format the following records for monitoring Point 1 identified in licence condition P1.1: (a) each 15 minute PM10 result; (b) each rolling 24-hour average PM10 results (15 minutes); (c) each daily 24-hour average PM10 result (midnight to midnight); and (d) the rolling annual average PM10 result (each day, midnight to midnight, and over the total number of days of monitoring since monitoring began for first year of monitoring only).	Compliant	Dixon Sand Website. Observation.	Digital records of continuous PM10 monitoring containing the relevant details were sighted during the site inspection.
M1.5	The licensee must keep in an electronic format the following records for Point 2 identified in licence condition P1.2: each 15 minute, 1 hour and 24 hour result as indicated in the table at condition M4.1.	Compliant	Dixon Sand Website. Observation.	Digital meteorological station monitoring records containing the relevant details were sighted during the site inspection.
M2 Requirement to monitor concentration of pollutants discharged				
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	Compliant	Dixon Sand Website. Observation.	Digital records of continuous PM10 monitoring containing the relevant details were sighted during the site inspection.

**Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions								
5 Monitoring and Recording Conditions (Cont'd)												
M2 Requirement to monitor concentration of pollutants discharged (Cont'd)												
M2.2	Air Monitoring Requirements POINT 1 <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Continuous</td> <td>Australian Standard 3580.9.8 - 2001</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Continuous	Australian Standard 3580.9.8 - 2001	Compliant	HR43-2019. HR44-2019. HR45-2019.	Monitoring reports confirm use of correct units, frequency, and sampling method.
Pollutant	Units of measure	Frequency	Sampling Method									
PM10	micrograms per cubic metre	Continuous	Australian Standard 3580.9.8 - 2001									
M2.3	If any rolling 24-hour average PM ₁₀ result measured at Point 1 in licence Condition M2.2 is found to be greater than 42 µg/m ³ and the prevailing wind at the site is between 180 and 240 degrees as measured at Point 2: i) the licensee must take immediate action to reduce its PM ₁₀ emissions; ii) the licensee must immediately notify the EPA Manager Sydney Industry; iii) if the dust level does not return to below 42 µg/m ³ within 1 hour then all dust generating activity on site must stop; and, iv) dust generating activity may only recommence when the rolling 24-hour average PM ₁₀ result measured at Point 1 is less than 42 µg/m ³ for four consecutive 15-minute periods.	Compliant	HR43-2019. HR44-2019. HR45-2019. Advice from Environmental Officer	Whilst exceedances of the trigger level occurred, the prevailing winds were not occurring from the directions relevant to the HR Quarry.								
M2.4	A comprehensive written action plan must be developed and implemented to ensure compliance with condition M2.3.	Compliant	HR09-2019.	Section 5.2 of the AQMP details reactive management measures to ensure compliance with condition M2.3.								
M3 Testing methods - concentration limits												
	Note: The Protection of the Environment Operations (Clean Air) Regulation 2010 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".	-	-	Noted.								





Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions																														
5 Monitoring and Recording Conditions (Cont'd)																																		
M3 Testing methods - concentration limits (Cont'd)																																		
M3.1	<p>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:</p> <p>a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</p> <p>b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or</p> <p>c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</p>	Compliant	<p>HR43-2019.</p> <p>HR44-2019.</p> <p>HR45-2019.</p>	Monitoring reports confirm use of correct units, frequency, and sampling method specified in condition M2.2 of the EPL.																														
M4 Weather monitoring																																		
M4.1	<p>At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.</p> <p>POINT 2</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Sampling method</th> <th>Units of measure</th> <th>Averaging period</th> <th>Frequency</th> </tr> </thead> <tbody> <tr> <td>Temperature at 10 metres</td> <td>AM-4</td> <td>degrees Celsius</td> <td>1 hour</td> <td>Continuous</td> </tr> <tr> <td>Wind Direction at 10 metres</td> <td>AM-2 & AM-4</td> <td>-</td> <td>15 minutes</td> <td>Continuous</td> </tr> <tr> <td>Wind Speed at 10 metres</td> <td>AM-2 & AM-4</td> <td>metres per second</td> <td>15 minutes</td> <td>Continuous</td> </tr> <tr> <td>Sigma Theta</td> <td>AM-2 & AM-4</td> <td>-</td> <td>15 minutes</td> <td>Continuous</td> </tr> <tr> <td>Rainfall</td> <td>AM-4</td> <td>millimetres</td> <td>24 hours</td> <td>Continuous</td> </tr> </tbody> </table>	Parameter	Sampling method	Units of measure	Averaging period	Frequency	Temperature at 10 metres	AM-4	degrees Celsius	1 hour	Continuous	Wind Direction at 10 metres	AM-2 & AM-4	-	15 minutes	Continuous	Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous	Sigma Theta	AM-2 & AM-4	-	15 minutes	Continuous	Rainfall	AM-4	millimetres	24 hours	Continuous	Compliant	<p>Dixon Sand Website.</p> <p>Observation.</p>	Digital meteorological station monitoring records containing the relevant details were sighted during the site inspection.
Parameter	Sampling method	Units of measure	Averaging period	Frequency																														
Temperature at 10 metres	AM-4	degrees Celsius	1 hour	Continuous																														
Wind Direction at 10 metres	AM-2 & AM-4	-	15 minutes	Continuous																														
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous																														
Sigma Theta	AM-2 & AM-4	-	15 minutes	Continuous																														
Rainfall	AM-4	millimetres	24 hours	Continuous																														
M5 Recording of pollution complaints																																		
M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Compliant	<p>HR43-2019.</p> <p>HR44-2019.</p> <p>HR45-2019.</p>	Summary of the complaints register included in Annual reviews during the audit period.																														

**Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
5 Monitoring and Recording Conditions (Cont'd)				
M5 Recording of pollution complaints (Cont'd)				
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Compliant	Observation. HR43-2019. HR44-2019. HR45-2019.	Annual reviews include copies of complaints received during the audit period and the complaints register was sighted during the site inspection. The complaints register for Hearses Road contains all of the required details.
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Compliant	Observation. HR43-2019. HR44-2019. HR45-2019.	Annual reviews include copies of complaints received during the audit period and the complaints register was sighted during the site inspection.
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	-	-	Noted.
M6 Telephone complaints line				
M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	Compliant	Dixon Sand Website	Telephone complaints line: (02) 4566 8348 Additional contact details also available on the Dixon Sand website.
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Compliant	Dixon Sand Website Front Gate	The telephone complaints line is advertised on the Dixon Sand website and at the Quarry's front gate.
M6.3	The preceding two conditions do not apply until 3 months after the date of the issue of this licence.	-	-	Noted.





Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
6 Reporting Conditions				
R1 Annual return documents				
R1.1	<p>The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:</p> <ol style="list-style-type: none"> 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. <p>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.</p>	Compliant	Observations.	<p>Annual Returns inspected during site inspection. Signed copies of the 2014/2015 and 2015/2016 Annual Returns were sighted during the site inspection.</p> <p>An electronic copy of the 2016/2017 Annual Return was submitted via eConnect, with the submission record and notification sighted during the site inspection.</p>
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	Compliant	HR42-2019. HR43-2019. HR44-2019.	Annual Returns were prepared for the 2016/2017, 2017/2018 and 2018/2019 reporting periods and were submitted within 60 days of the end of each reporting period (24 July).
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <ol style="list-style-type: none"> 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	-	The EPL was not transferred to a new licensee during the audit period.

**Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
6 Reporting Conditions (Cont'd)				
R1 Annual return documents (Cont'd)				
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	-	The EPL was not surrendered or revoked during the audit period.
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	Compliant	HR44-2019.	Annual Returns were prepared for the 2016/2017, 2017/2018 and 2018/2019 reporting periods and were submitted within 60 days of the end of each reporting period (24 July).
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.	Compliant	Observations.	Annual Returns inspected during site inspection. Signed copies of the 2014/2015 and 2015/2016 Annual Returns were sighted during the site inspection. An electronic copy of the 2016/2017 Annual Return was submitted via eConnect, with the submission record and notification sighted during the site inspection.
R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	Compliant	Observations.	
	Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period. Note: An application to transfer a licence must be made in the approved form for this purpose.	-	-	Noted.





Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
6 Reporting Conditions (Cont'd)				
R2 Notification of environmental harm				
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Not Triggered	HR43-2019. HR44-2019. HR45-2019.	No incidents causing or threatening material harm to the environment were recorded during the reporting period. It is noted that the reported exceedances of the trigger level in Condition M2.4 were not constituted as threatening environmental harm and were therefore notified in accordance with that condition.
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.	Not Triggered	HR43-2019. HR44-2019. HR45-2019.	As above.
	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	HR43-2019. HR44-2019. HR45-2019. Advice from Environmental Officer.	No incidents causing or threatening material harm to the environment were recorded during the reporting period.
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.	-	-	Noted.
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.	Advice from Environmental Officer.	An EPA officer did not request a written report of any event during the audit period.

**Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
6 Reporting Conditions (Cont'd)				
R3 Written report (Cont'd)				
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.	Advice from Environmental Officer.	An EPA officer did not request a written report of any event during the audit period.
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.	Advice from Environmental Officer.	An EPA officer did not request a written report of any event during the audit period.
7 General Conditions				
G1 Copy of licence kept at the premises or plant				
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Compliant	Observation.	A hard copy of the EPL was observed at the site office during the site inspection.
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	-	-	Noted.
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Compliant	Observation.	A hard copy of the EPL was observed at the site office during the site inspection.





Table A4-2 (Cont'd)
Compliance Review – EPL 12513 (Mar 2019)

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
7 General Conditions (Cont'd)				
G2 Other general conditions				
G2.1	A community environment liaison committee must be maintained, comprising representatives of the community and the applicant, that will meet at least every 6 months. Discussion at the meetings must include implementation of the development consent and other statutory approvals, and provide adequate time for the community to raise matters of concern associated with the environmental impacts of the operation, with a view to achieving mutually satisfactory solutions.	Compliant	HR51-2019.	Approval from DPE on 1 March 2018 to maintain the existing CCC arrangement.

**Table A4-3
Compliance Review – WAL 25941**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Take of water				
MW0080-00014	From 1 July 2011, water must not be taken from the Cattai Creek Management Zone of the Hawkesbury and Lower Nepean Rivers Water Source when flows are in the Very Low Flow Class, which means that the flow is 3 ML/day or less at Cattai Creek at the Cattai Ridge Road gauge [No. 2122951]. This restriction does not apply if water is to be taken from a runoff harvesting dam or an in-river dam pool.	Not Triggered	Observation HR01-2019	Water is harvested from dams.
MW0112-00001	The maximum water allocation that may be carried over in the account for this access licence from one water year to the next water year is: A. a volume equal to 100 % of the share component of the licence, or B. 1 ML/unit share of the share component of the licence.	Not Triggered	Advice from Environmental Officer	Water has not been required or requested to be carried over.
MW0036-00002	The volume of water taken in any three (3) consecutive water years from 1 July 2012 must be recorded in the logbook at the end of those three water years. The maximum volume of water permitted to be taken in those years must also be recorded in the logbook.	Compliant	Sighted log book.	A log book has been maintained of pump run times which are utilised to calculate the volume of water taken.
MW0605-00001	Water must be taken in compliance with the conditions of the approval for the nominated work on this access licence through which water is to be taken.	Not Triggered	-	Section 4.41 of the <i>Environmental Planning & Assessment Act 1979</i> confirms that a water use approval under section 89, a water management work approval under section 90 of the <i>Water Management Act 2000</i> do not apply to State Significant Development.





**Table A4-3 (Cont'd)
Compliance Review – WAL 25941**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Take of water (Cont'd)				
MW0670-00001	<p>Water must only be taken if there is visible flow in the water source at the location where water is to be taken.</p> <p>This restriction does not apply if water is to be taken:</p> <p>A. from an off-river pool, an in-river pool, a runoff harvesting dam or an in-river dam pool, or</p> <p>B. from the following Weirs: Maldon, Douglas Park, Menangle, Camden, Sharpes, Cobbity, Mount Hunter Rivulet, Brownlow Hill, Theresa Park and Wallacia.</p>	Not Triggered	Observation HR01-2019	Water is harvested from dams.
MW0078-00005	In the Cattai Creek Management Zone of the Hawkesbury and Lower Nepean Rivers Water Source, if the flow is less than 3 ML/day at Cattai Creek at the Cattai Ridge Road gauge [No. 2122951] for a period of 24 or more consecutive hours, then there must be a minimum flow of 3 ML/day at that gauge for at least 24 hours before water can be taken.	Not Determined	-	The logbook does not contain records of whether the minimum flow had occurred prior to the water take. Whilst the licence conditions do not require this to be recorded in the logbook, compliance cannot be determined. Improvement HR I15/19.
MW0004-00002	<p>From 1 July 2012, the total volume of water taken in any three (3) consecutive water years under this access licence must not exceed a volume which is equal to the lesser of either:</p> <p>A. the sum of:</p> <p>i. water in the account from the available water determinations in those 3 consecutive water years, plus</p> <p>ii. water in the account carried over from the water year prior to those 3 consecutive water years, plus</p>	Compliant	Sighted logbook	<p>The annual water take recorded in the logbook is significantly below the allocated volume.</p> <ul style="list-style-type: none"> - 2014/2015 = 0.1974ML - 2015/2016 = 0.2184ML - 2016/2017 = 0.1596ML - 2017/2018 = 0.2016ML - 2018/2019 = 0.2142ML

**Table A4-3 (Cont'd)
Compliance Review – WAL 25941**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Take of water (Cont'd)				
MW0004-00002 (Cont'd)	iii. any net amount of water assigned to or from this account under a water allocation assignment in those 3 consecutive water years, plus			
	iv. any water re-credited by the Minister to the account in those 3 consecutive water years, or			
	B. the sum of:			
	i. the share component of this licence at the beginning of the first year in those 3 consecutive water years, plus			
	ii. the share component of this licence at the beginning of the second year in those 3 consecutive water years, plus			
	iii. the share component of this licence at the beginning of the third year in those 3 consecutive water years, plus			
	iv. any net amount of water assigned to or from this account under a water allocation assignment in those 3 consecutive water years, plus			
	v. any water re-credited by the Minister to the account in those 3 consecutive water years.			
Monitoring and Recording				
MW2338-00001	The completed logbook must be retained for five (5) years from the last date recorded in the logbook.	Compliant	Sighted logbook	Records have been retained for at least 5 years.





Table A4-3 (Cont'd)
Compliance Review – WAL 25941

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Monitoring and Recording (Cont'd)				
MW2337-00001	The following information must be recorded in the logbook for each period of time that water is taken:	Compliant	Sighted logbook	The logbook includes the date, start and end time and a tally of the volume utilising the pump capacity. A summary of the licences and approval details are also included in the front of the logbook. It is understood that, during the audit period, water was only taken for agricultural irrigation purposes.
	A. date, volume of water, start and end time when water was taken as well as the pump capacity per unit of time, and			
	B. the access licence number under which the water is taken, and			
	C. the approval number under which the water is taken, and			
	D. the volume of water taken for domestic consumption and/or stock watering.			
MW2339-00001	A logbook must be kept, unless the work is metered and fitted with a data logger. The logbook must be produced for inspection when requested by the relevant licensor.	Compliant	Sighted logbook	It is advised that data loggers are not utilised. An appropriate logbook was sighted.
Reporting				
MW0051-00002	Once the licence holder becomes aware of a breach of any condition on this access licence, the licence holder must notify the Minister as soon as practicable. The Minister must be notified by:	Not Triggered	Advice from Environmental Officer	No breaches occurred during the audit period.
	A. email: water.enquiries@dpi.nsw.gov.au , or			
	B. telephone: 1800 353 104. Any notification by telephone must also be confirmed in writing within seven (7) business days of the telephone call.			

**Table A4-4
Compliance Review – WAL 25956**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Take of water				
MW0080-00014	From 1 July 2011, water must not be taken from the Cattai Creek Management Zone of the Hawkesbury and Lower Nepean Rivers Water Source when flows are in the Very Low Flow Class, which means that the flow is 3 ML/day or less at Cattai Creek at the Cattai Ridge Road gauge [No. 2122951]. This restriction does not apply if water is to be taken from a runoff harvesting dam or an in-river dam pool.	Not Triggered	Observation HR01-2019	Water is harvested from dams.
MW0112-00001	The maximum water allocation that may be carried over in the account for this access licence from one water year to the next water year is:	Not Triggered	Advice from Environmental Officer	Water has not been required or requested to be carried over.
	A. a volume equal to 100 % of the share component of the licence, or			
	B. 1 ML/unit share of the share component of the licence.			
MW0036-00002	The volume of water taken in any three (3) consecutive water years from 1 July 2012 must be recorded in the logbook at the end of those three water years. The maximum volume of water permitted to be taken in those years must also be recorded in the logbook.	Compliant	Sighted log book.	A log book has been maintained of pump run times which are utilised to calculate the volume of water taken.
MW0605-00001	Water must be taken in compliance with the conditions of the approval for the nominated work on this access licence through which water is to be taken.	Not Triggered	-	Section 4.41 of the <i>Environmental Planning & Assessment Act 1979</i> confirms that a water use approval under section 89, a water management work approval under section 90 of the <i>Water Management Act 2000</i> do not apply to State Significant Development.





**Table A4-4 (Cont'd)
Compliance Review – WAL 25956**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Take of water (Cont'd)				
MW0670-00001	Water must only be taken if there is visible flow in the water source at the location where water is to be taken. This restriction does not apply if water is to be taken:	Not Triggered	Observation HR01-2019	Water is harvested from dams.
	A. from an off-river pool, an in-river pool, a runoff harvesting dam or an in-river dam pool, or			
	B. from the following Weirs: Maldon, Douglas Park, Menangle, Camden, Sharpes, Cobbity, Mount Hunter Rivulet, Brownlow Hill, Theresa Park and Wallacia.			
MW0078-00005	In the Cattai Creek Management Zone of the Hawkesbury and Lower Nepean Rivers Water Source, if the flow is less than 3 ML/day at Cattai Creek at the Cattai Ridge Road gauge [No. 2122951] for a period of 24 or more consecutive hours, then there must be a minimum flow of 3 ML/day at that gauge for at least 24 hours before water can be taken.	Not Determined	-	The logbook does not contain records of whether the minimum flow had occurred prior to the water take. Whilst the licence conditions do not require this to be recorded in the logbook, compliance cannot be determined. Improvement HR I15/19.
MW0004-00002	From 1 July 2012, the total volume of water taken in any three (3) consecutive water years under this access licence must not exceed a volume which is equal to the lesser of either:	Compliant	Sighted logbook	The annual water take recorded in the logbook is significantly below the allocated volume.
	A. the sum of:			- 2014/2015 = 4.93ML
	i. water in the account from the available water determinations in those 3 consecutive water years, plus			- 2015/2016 = 7.54ML
	ii. water in the account carried over from the water year prior to those 3 consecutive water years, plus			- 2016/2017 = 4.84ML
				- 2017/2018 = 5.86ML
				- 2018/2019 = 5.31ML

**Table A4-4 (Cont'd)
Compliance Review – WAL 25956**

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Take of water (Cont'd)				
MW0004-00002 (Cont'd)	iii. any net amount of water assigned to or from this account under a water allocation assignment in those 3 consecutive water years, plus			
	iv. any water re-credited by the Minister to the account in those 3 consecutive water years, or			
	B. the sum of:			
	i. the share component of this licence at the beginning of the first year in those 3 consecutive water years, plus			
	ii. the share component of this licence at the beginning of the second year in those 3 consecutive water years, plus			
	iii. the share component of this licence at the beginning of the third year in those 3 consecutive water years, plus			
	iv. any net amount of water assigned to or from this account under a water allocation assignment in those 3 consecutive water years, plus			
	v. any water re-credited by the Minister to the account in those 3 consecutive water years.			
Monitoring and recording				
MW2338-00001	The completed logbook must be retained for five (5) years from the last date recorded in the logbook.	Compliant	Sighted logbook	Records have been retained for at least 5 years.





Table A4-4 (Cont'd)
Compliance Review – WAL 25956

Cond. No.	Conditional Requirement	Compliance Status	Basis for Compliance	Comments and Recommended Actions
Monitoring and recording (Cont'd)				
MW2337-00001	The following information must be recorded in the logbook for each period of time that water is taken:	Compliant	Sighted logbook	The logbook includes the date, start and end time and a tally of the volume utilising the pump capacity. A summary of the licences and approval details are also included in the front of the logbook. It is understood that, during the audit period, water was only taken for agricultural irrigation purposes.
	a) date, volume of water, start and end time when water was taken as well as the pump capacity per unit of time, and			
	b) the access licence number under which the water is taken, and			
	c) the approval number under which the water is taken, and			
	d) the volume of water taken for domestic consumption and/or stock watering.			
MW2339-00001	A logbook must be kept, unless the work is metered and fitted with a data logger. The logbook must be produced for inspection when requested by the relevant licensor.	Compliant	Sighted logbook	It is advised that data loggers are not utilised. An appropriate logbook was sighted.
Reporting				
MW0051-00002	Once the licence holder becomes aware of a breach of any condition on this access licence, the licence holder must notify the Minister as soon as practicable. The Minister must be notified by:	Not Triggered	Advice from Environmental Officer	No breaches occurred during the audit period.
	a) email: water.enquiries@dpi.nsw.gov.au , or			
	b) telephone: 1800 353 104. Any notification by telephone must also be confirmed in writing within seven (7) business days of the telephone call.			

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Appendix 5

Site Inspection Photographs

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E1022A_015
22/10/2019



E1022A_016
22/10/2019



E1022A_024
22/10/2019



E1022A_029
22/10/2019



E1022A_030
22/10/2019



E1022A_036
22/10/2019



E1022A_039
22/10/2019



E1022A_042
22/10/2019



E1022A_053
22/10/2019

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Appendix 6

Document Reference Table

(Total No. of pages including blank pages = 4)



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Table A7-1
Principal Audit Documentation Reviewed

Page 1 of 2

Ref No.	Document Name and Date
HR01-2019	Soil and Water Management Plan
HR02-2019	Noise Management Plan
HR03-2019	Soil and Water Management Plan
HR04-2019	Environmental Monitoring Locations
HR05-2019	Traffic Management Plan
HR06-2019	Biodiversity and Rehabilitation Management Plan
HR07a&b	Bushfire Management Plan
HR08-2019	Environmental Management Strategy
HR09-2019	Air Quality Management Plan
HR11-2019	Hearses Road EIS 2005
HR12-2019	Hearses Road Modification 1 2016
HR13-2019	Hearses Road Modification 2 2018
HR14-2019	Hearses Road Modification 2 Consolidated Conditions of Consent
HR15-2019	Section 94 remittance payment records for the 2016/2017 Annual Review period.
HR16-2019	DRG Annual return 2016/2017.
HR17-2019	DRG Annual return 2017/2018.
HR18-2019	Construction Noise Management Plan – Acoustic Bunds.
HR19-2019	WAL25956
HR20-2019	WAL25941
HR21-2019	Works Approval 10CA105044
HR22-2019	Works Approval 10CA104191
HR23-2019	WAL25941 return submission – water use volumes.
HR24-2019	WAL25956 return submission – water use volumes.
HR25-2019	DoI Response to submission of bore installation and pumping test details.
HR26-2019	Submission of bore installation and pumping test details to DoI.
HR27-2019	Pollution Incident Response Management Plan
HR28-2019	Dixon Sands letter to EPA describing EPL application.
HR29a to f-2019	CCC Meeting Minutes – November 2016 to May 2019.
HR30a to d-2019	DPE approval of EMS components – May to September 2018.
HR31-2019	VENM Register
HR32-2019	Boundary survey plan submission.
HR33-2019	Review of Maximum Extraction Depth Map following 2016 IEA.
HR34-2019	EMS SWMP NMP BRMP AQMP DPE Submission 20180718
HR35-2019	TMP DPE Submission 20180702
HR36-2019	Bond Lodgement Date with DPE
HR37-2019	Rehab Bond Review after BRMP Revision 20190605
HR38-2019	CNMP DPE Submission 20180504
HR39-2019	DA165-7-2005 Review of EMS and Mngmt Plans for Mod 2 20190426
HR40a & b-2019	Approved EMS and Subplans 20180603
HR41a & b-2019	Distribution of EMS and Subplans Mod 1 to CCC and Council 20180918
HR42-2019	DPE Approval of Management Plans 3 June 2019
HR43-2019	2016/2017 Annual Review
HR44-2019	2017/2018 Annual Review
HR45-2019	2018/2019 Annual Review
HR46-2019	Email to DPE – Extension of EMS Review – December 2017
HR47-2019	Email to DPE – Confirmation of ONR and HR EMS Reviews – December 2018



Table A7-1 (Cont'd)
Principal Audit Documentation Reviewed

Page 2 of 2

Ref No.	Document Name and Date
HR48-2019	Tax Invoice from Fencing Contractor
HR49-2019	DPE Response – Extension of EMS Review Until March 2018 – 10 January 2018
HR50-2019	Correspondence with DPE confirming submission of 2018/2019 Annual Review and approval of response to DPE comments.
HR51-2019	Re-appointment of CCC by DPE
HR52-2019	DPE confirmation of Annual Review submission date
HR53-2019	DPIE Endorsement of RWC Audit Team
HR54-2019	Audit Consultation Letters with Agencies
HR55-2019	CCC Meeting Minutes May 2017 to May 2019