



## Independent Environmental Audit 2023

Cleary Bros (Bombo) Pty Ltd

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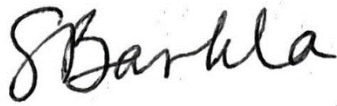
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## Signature Page

12 February 2024

# Independent Environmental Audit 2023

Cleary Bros Albion Park Quarry



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## EXECUTIVE SUMMARY

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an Independent Environmental Audit (IEA) of the Albion Park Quarry (“the Site”) on behalf of Cleary Bros (Bombo) Pty Ltd (“Cleary Bros”, or CB). The primary purpose of the audit was to satisfy the Department of Planning and Environment (DPE) Ministers’ Conditions of Consent (CoC) Development Consent number 10639 of 2005, which requires completion of an independent audit every three years from the date of the approval. The audit period assessed in this IEA is 6 November 2020 to 7 November 2023 (the date of the Site visit undertaken as part of this audit).

The audit included a review of:

- DPE, Ministers Conditions of Consent Development Consent DA No. 10639 of 2005 (including Statement of Commitments);
- Environment Protection Licence (EPL) 299; and
- Implementation of Management Plans developed as part of the Ministers’ Conditions of Approval.

The Site has established the control systems generally required for the stage of development i.e. operational. All staff interviewed demonstrated a high level of understanding of requirements and a commitment to the application of the requisite management systems and plans.

A qualitative risk assessment was also completed on the findings, consistent with ISO 31000 - Risk Management and as described in the Department of Planning & Environment publication “Post Approval Requirements – Independent Audit” issued May 2020. The number of non-conformances with the statutory conditions and implementation of the management plans is summarised in *Table E1* below.

**Table E.1 Summary of Audit Findings**

Review	Non-compliances (NC)	Observations (Obs NC)	Observations (Obs C)
<b>Statutory Instruments</b>	2	-	1
<b>Implementation of Plans</b>	1	1	-

An action table addressing all findings of the audit has been developed by the Site and will be issued separately to this report.



## 1. INTRODUCTION

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an Independent Environmental Audit (IEA) of the Albion Park Quarry (the Site), on behalf of Cleary Bros (Bombo) Pty Ltd (“Cleary Bros”, or CB). The primary purpose of the audit was to satisfy the Department of Planning and Environment (DPE) Ministers’ Conditions of Approval (CoA) Development Consent DA No. 10639 of 2005, which requires completion of an independent audit every three years from the date of the approval. The audit period assessed in this IEA is 6 November 2020 through to 7 November 2023 (the date the prior visit to the Site was undertaken as part of this audit).

In accordance with the Conditions of Approval, the audit must:

- Be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
- Include consultation with the relevant agencies;
- Assess the environmental performance of the project and assess whether it is complying with the relevant requirements of this approval and any relevant mining lease or Environmental Protection Licence (EPL) (including any strategy, plan or program required under these approvals);
- Review the adequacy of strategies, plans or programs required under these approvals; and
- If appropriate, recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under these approvals.

The Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.

### 1.1 Overview of Operations and Approvals

Albion Park Quarry is a hard rock quarry originally approved by the Minister for Planning under Development Consent DC 10639 in February 2006. Development Consent DC 10639 MOD 3 was approved in June 2017 with an expiry date of 21 February 2036.

The Site also holds an Environment Protection Licence (EPL) 299, which was last varied in November 2021.

#### 1.1.1 Activities undertaken during the audit period

The following primary activities were undertaken at the Site during the audit period, each of which are discussed in further detail in the following sections:

- Quarry Production;
- Maintenance Activities;
- Waste Management;
- Water Management; and
- Rehabilitation.

##### 1.1.1.1 Quarry Production

Cleary Bros is approved to produce 900,000 tonnes of quarry products per annum. During the audit period hard rock quarry products produced had a maximum value of 841,029 tonnes per annum, as follows:

- 2020-2021: 841,029 tonnes;
- 2021-2022: 776,078 tonnes; and

- 2022-2023: 703,391 tonnes.

Quarry activities, including processing, crushing and screening and product transfer to stockpiles, occurs between the hours of 7.00 am and 5:15 pm Monday to Friday and 7:00 am and 12 pm Saturday.

### *1.1.1.2 Maintenance activities*

Maintenance of plant and equipment at the Site is predominantly managed by the Cleary Bros facility in Port Kembla. A workshop located onsite primarily utilised for maintenance of road transport is covered by the EPL, however is not covered under the Development Consent.

### *1.1.1.3 Waste management*

Wastes generated at the Site include:

- General waste;
- Cardboard;
- Batteries; and
- Waste oil.

Cardboard, batteries and waste oil are recycled. Waste oil from machinery and equipment used on Site is collected in an approximately 2,000 L drum and recycled through a specialist waste oil recycling contractor Nationwide Oil. Waste segregation was noted to be good during the audit.

Quarry overburden material is not considered waste and is retained for re-emplacement in the base of the excavation and also used to create final landforms following completion of quarrying activities.

### *1.1.1.4 Water management*

Water management at Albion Park Quarry is undertaken in accordance with the approved Water Management Plan. The main components of water-related infrastructure include:

- A storage dam adjacent to the processing area;
- The main sediment pond in the south east portion of the quarry pit; and
- A pump and discharge line associated with the main sediment pond.

Water from the storage dam is utilised in the processing area and for dust suppression at the Site. Water from the main sediment pond is pumped to rehabilitation areas and discharged to the watercourse south of the quarry as needed.

### *1.1.1.5 Rehabilitation*

Rehabilitation activities in Stages 1, 2 and 4 of the quarry during the audit period included reshaping of these areas as they came available, planting completed in final revegetation area, and continued maintenance of existing trees in revegetation area including weed control.

## **1.2 Audit Objectives**

The primary objectives of the audit included:

- Assess the environmental performance of the project and whether it is complying with the requirements in the COC and the EPL (including any assessment, plan or program required under these approvals);
- Review the adequacy of any approved strategy, plan, or program required under the abovementioned consents/approvals; and

- Recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned consent and EPL.

### 1.3 Audit Scope

The scope of works in order to complete the audit included the following:

- The audit was carried out in accordance with DP&E's Guidelines for Independent Audits and AS/NZS ISO 19011:2018: Guidelines for auditing management systems;
- Review of compliance against the documentation identified in the COC (as it relates to the current activities at the Albion Park Quarry) which included:
  - document review of compliance against the COC and EPL;
  - a Site inspection to assess field implementation compliance against the active COC and EPL; and
  - review of supporting plans developed as part of the COC and assessment of their adequacy towards effective environmental performance;
- Review of monitoring results and trends with comparison of monitoring results against regulatory, COC and EPL limits (where applicable);
- Confirmation of any additional monitoring required for identified trends;
- Reviewing community complaints and assessing any trends and identifying the source of an established trend;
- Review of any regulatory actions including any letters, penalty notices and prosecutions;
- Review of previous IEA report to verify close-out of actions;
- Consultation with the relevant agencies such as Department of Planning and Environment (DPE), NSW Resources and Geoscience, Environment Protection Authority (EPA), Shellharbour City Council and Cleary Bros Albion Park Quarry Community Consultative Committee (CCC);
- Draft report with results of compliance assessment to be issued for comment to the Site; and
- Final report to be issued for submission to the DPE.

The audit covers the period 6 November 2020 through to 7 November 2023 (the date the prior visit to the Site was undertaken as part of this audit) and is limited to assessing the activities completed during the audit period.

### 1.4 Audit Criteria

The audit covered the following specifications and standards, with a particular focus on activities associated with the current stages of operation. The documents relevant to this audit included:

- Conditions of Consent (Modification 3, June 2017) DC 10639 of 2005;
- EPL 299; and
- Implementation of approved Management Plans:
  - Quarry Environmental Management Plan, dated 18 February 2021;
  - Air Quality Management Plan, dated 13 December 2017;
  - Heritage Management Plan, dated 22 November 2017;
  - Noise and Blast Management Plan, dated 5 September 2017;
  - Rehabilitation Management Plan, dated 18 October 2017;



- Vegetation Management Plan, dated 7 May 2018;
- Water Management Plan, dated 26 February 2021; and
- Transport Management Plan, dated 21 September 2016.

## 1.5 Limitations of this Report

This disclaimer, together with any limitations specified in the report, applies to this report and its use.

This report was prepared in accordance with the contracted scope of services for the specific purpose stated and subject to the applicable cost, time and other constraints. In preparing this report, ERM relied on:

- Client/third party information which was not verified by ERM except to the extent required by the scope of services, and ERM do not accept responsibility for omissions or inaccuracies in the client/third party information; and
- Information taken at or under the particular times and conditions specified, and ERM do not accept responsibility for any subsequent changes.

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## 2. AUDIT METHODOLOGY

### 2.1 Methodology and Process

The audit comprised a Site inspection on 7 November 2023, interviews with key personnel, and review of records and other related documentation.

The audit process included the following primary components:

- Development of a Terms of Reference, which included:
  - Audit scope and objectives;
  - Date and location of audit;
  - Members of audit team;
  - List of people to be audited; and
  - List of reference documents and audit criteria.
- A project inception meeting was held on 19 October 2023 to confirm details of the Terms of Reference, Site inspection logistics and request for documentation required prior to the Site inspection component of the audit;
- An opening meeting was held on 7 November 2023 at Site to confirm the audit objectives and scope for the Site inspection. Attendees included:
  - Sophie Barkla (ERM Lead Auditor);
  - Lucas Wilson (ERM Support Auditor);
  - Mark Hammond (Quality and Environment Manager); and
  - Todd Kalazjich (General Manager – Quarry).
- Site inspection was undertaken on 7 November 2023;
- A debrief/closeout meeting was held at the Site on 7 November 2023 to discuss initial findings and recommendations. Attendees were:
  - Sophie Barkla (ERM Lead Auditor);
  - Lucas Wilson (ERM Support Auditor);
  - Mark Hammond (Quality and Environment Manager); and
  - Todd Kalazjich (General Manager – Quarry).
- Preparation of the draft audit report (this report).

### 2.2 Agency and Community Consultation

ERM consulted with the agencies and stakeholders as required including Department of Planning and Environment (DPIE), NSW Resources Regulator, NSW EPA, CCC and Shellharbour City Council (SCC). Emails were issued on 24 October 2023. Responses are outlined in *Table 2.1* below.

**Table 2.1 Agency and Stakeholder Consultation Summary**

Agency/Stakeholder	Method	Consultation summary	Response Quotes	Location Addressed in Report
Department of Planning, Industry and Environment (DPIE)	Email on 24 October 2023	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	“In addition to the consent condition requirements, please consider air quality, noise and biodiversity/offset management.”	Addressed throughout development consent, specifically schedule 4 conditions 3, 4, 5, and 15.  There are no specific biodiversity requirements for this project.
NSW Resources Regulator	Email on 24 October 2023	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	No response.	N/A
NSW Environment Protection Authority (NSW EPA)	Email on 24 October 2023	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	“Although the EPA does not currently have any major areas of concern with the operation at the Cleary Bros Albion Park Quarry, we would recommend particular focus on the following aspects:	All aspects are discussed throughout EPL and development consent (DC), including air quality (DC schedule 4 conditions 3, 4, and 5), surface water controls and discharges (DC schedule 4 conditions 27 and 30), blasting (EPL L3), wheel wash (DC schedule 4 condition 50), and dust suppression on internal haulage roads (EPL O3.1).

Agency/Stakeholder	Method	Consultation summary	Response Quotes	Location Addressed in Report
			<ul style="list-style-type: none"> <li>■ Air quality impacts, particularly management and monitoring of dust generation</li> <li>■ Adequacy of and compliance with site surface water controls and discharges</li> <li>■ Adequacy of controls for blasting and compliance with blast limits in their Environment Protection Licence</li> <li>■ Adequacy of the new wheel wash in reducing sediment drag out onto public roads, and whether it represents best management practise</li> <li>■ Effectiveness of current dust suppression measures on internal haulage roads and whether there are other options/measures that could assist in managing dust generation.”</li> </ul>	
Shellharbour City Council	Email on 24 October 2023	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide	“There are no concerns or issues identified by Council that require any extra attention, in addition to your scope of works.”	N/A

Agency/Stakeholder	Method	Consultation summary	Response Quotes	Location Addressed in Report
		opportunity to comment.		
Community Consultation Committee (CCC) Chairperson	Email on 24 October 2023	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	“I consider that the environmental concerns/questions relevant to the project have been adequately discussed and addressed at the Community Consultative Committee meetings and have been accurately reflected in the Meetings' minutes.”	N/A

In each case, an email was sent to representatives of each agency requesting feedback on those issues considered most relevant by their Departments at the time of the audit. The consultation outlining the terms of reference was provided prior to the Site inspection to obtain feedback and draw attention to any key issues, within the agreed scope of the audit. The Departmental correspondence is provided in Appendix C.

Responses received required the audit to focus on compliance against CoC and EPL, as well as environmental monitoring relating to dust/air quality, surface water control compliance, blasting controls and compliance, and sediment drag prevention method adequacy (wheel wash). These areas are captured in the audit findings.

## 2.3 Classification of Audit Findings

Findings resulting from an assessment of audit evidence were divided into six categories as follows:

- **Compliant (C):** the intent and all elements of the audit criteria requirements have been complied with within the scope of the audit;
- **Non-compliant (NC):** Failure to meet the audit requirements, failure to achieve the field performance outcomes identified in documentation, or ineffective environmental management of the activity;
- **Not Triggered (NT):** A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, and therefore a determination of compliance could not be made;
- **Note:** A statement or fact, where no assessment of compliance is required; and
- **Obs:** Observations are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance.

A qualitative risk assessment was also completed on the findings, consistent with AS/NZS 4360:2004 Risk management and HB 436:2004 Risk Management Guidelines Companion to AS/NZS 4360:2004 and as described in the DPIE publication “Post Approval Requirements – Independent Audit” issued May 2020.

The overall level of risk was estimated by combining the likelihood of harm occurring with the estimated level of harm associated with each finding. Risk levels have been assigned as follows:

- **High:** Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence;
- **Medium:** Non-compliance with:
  - potential for serious environmental consequences, but is unlikely to occur; or
  - potential for moderate environmental consequences, but is likely to occur;
- **Low:** Non-compliance with:
  - potential for moderate environmental consequences, but is unlikely to occur; or
  - potential for low environmental consequences, but is likely to occur.



### 3. AUDIT FINDINGS

#### 3.1 Previous Audit Follow Up

The last audit was conducted by ERM for the period 9 November 2017 through 5 November 2020. A summary of the 2020 audit findings and their status is summarised below in *Table 3.1*.

Table 3.1 Summary of 2020 Audit Findings

Item No	Assessment Requirement	2020 Comment	2020 Audit Classification	the Site Response/Action	2023 Status												
<b>Minister's Conditions of Consent DC 10639</b>																	
DC 4.61	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.	<p>A 110 kL above ground storage tank containing diesel is located at the Site and the diesel, as currently stored on site, constitutes a dangerous good.</p> <p>AS1940 requires a bund to be 110% capacity of the largest tank or 25% of the total capacity of all tanks within the bund, whichever is greater. According to the Quality and Environment Manager, the diesel tank is 110 kL (the oil tanks are smaller) and the bunds are 158 m2 with a 900 mm – 950 mm height which has a 142 kL to 150 kL capacity. A minimum capacity of 121 kL is required, therefore the bunds meet the AS1940 requirement.</p> <p>AS1940 requires a suitable high level alarm (LAH) set at a maximum of 97% of tank capacity for tanks over 25,000 L capacity storing combustible liquids (e.g. diesel). The diesel tank onsite does not have a suitable high level alarm, therefore Cleary Bros does not meet this requirement.</p> <p>Minor quantities of other dangerous goods were observed to be appropriately stored with visible dangerous goods signs.</p>	NC	Install a high-level alarm on the bulk diesel tank	<p>A tank alarm has been installed as per the email from the workshop at Cleary Bros dated 16 February 2021 titled Fuel Farm Report. Additionally, the 2022-2023 Annual Review notes that a high-level alarm was installed on the tank in conformance with AS1940.</p> <p>This action is now complete.</p>												
DC 4.15	<p>The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not exceed the criteria in Table 5 at any sensitive receiver or residence on privately-owned land.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter &lt; 10 µm (PM10)</td> <td>Annual</td> <td>a,c 30 µg/m3</td> </tr> <tr> <td>Particulate matter &lt; 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,c 90 µg/m3</td> </tr> </tbody> </table> <p>Table 5: Air quality criteria Notes to Table 5: a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources);</p>	Pollutant	Averaging Period	Criterion	Particulate matter < 10 µm (PM10)	Annual	a,c 30 µg/m3	Particulate matter < 10 µm (PM10)	24 hour	b 50 µg/m3	Total suspended particulates (TSP)	Annual	a,c 90 µg/m3	<p>Air quality monitoring results are reported within the Annual Reviews.</p> <p>An exceedance of the 24-hour PM10 criteria at the High Volume Air Sampler occurred on 23 September 2020. According to the Quality and Environment Manager, Cleary Bros undertook an investigation into the cause of the exceedance. The incident was reported to DPIE on 14 October 2020 and at the time of writing this report, Cleary Bros is awaiting a response from DPIE. ERM notes that results immediately before and after the exceedance were within criteria and the isolated exceedance event is not considered representative of widespread failure to manage particulate matter emissions.</p>	NC	No further action required at this time	Closed – no further action was required.
Pollutant	Averaging Period	Criterion															
Particulate matter < 10 µm (PM10)	Annual	a,c 30 µg/m3															
Particulate matter < 10 µm (PM10)	24 hour	b 50 µg/m3															
Total suspended particulates (TSP)	Annual	a,c 90 µg/m3															

Item No	Assessment Requirement	2020 Comment	2020 Audit Classification	the Site Response/Action	2023 Status
	<p>b Incremental impact (i.e. incremental increase in concentrations due to the development on its own);</p> <p>c Deleted</p> <p>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the Secretary in consultation with EPA.</p> <p>e "Reasonable and feasible avoidance measures" includes, but is not limited to, the operational requirements in conditions 16 and 17 to develop and implement air quality management system that ensures operational responses to the risks of exceedance of the criteria.</p>				
DC 3.11	<p>The Applicant must ensure that all plant and equipment at the site, or used in connection with the development, are:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	<p>Maintenance records and preventative maintenance schedules are managed through MEX and managed by the Port Kembla workshop. ERM reviewed a variety of maintenance work orders for plant and equipment on-site and confirmed that, in general, Cleary Bros conduct routine preventative maintenance in accordance with manufacturer's specifications and regulatory requirements. It is recommended that future preventative maintenance for in-ground concrete infrastructure, such as tank bunds and water treatment plant sumps include integrity inspections to confirm that sumps are not leaking to the subsurface and secondary containment is in good working order.</p>	Obs (C)	<p>Update preventative maintenance program to include physical inspections of bund.</p> <p>Undertake inspection of bund</p>	<p>The 2022-2023 Annual Review notes that the preventative maintenance program was updated to include physical inspections of the bund. Inspections have since been undertaken.</p> <p>ERM were provided with a sample of records of Daily Inspection forms, completed by staff on 24 October 2023 and 2 November 2023 confirming that daily inspections are carried out of the bunds on Site.</p> <p>Therefore, it can be confirmed that the preventative maintenance program, including implementation of daily inspection requirements, has been updated to include physical inspections of bunding. Additionally, it can be confirmed that inspections of bunding have been completed and thus this action has been closed out.</p>
DC 4.29	<p>The Erosion and Sediment Control Plan must:</p> <p>(a) be consistent with the requirements of the Department of Housing's Managing Urban Stormwater: Soils and Construction manual;</p> <p>(b) identify activities that could cause soil erosion and generate sediment;</p> <p>(c) describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters</p> <p>(d) describe the location, function, and capacity of erosion and sediment control structures; and</p> <p>(e) describe what measures would be implemented to maintain the structures over time.</p>	<p>The Water Management Plan contains an Erosion and Sediment Control Plan.</p> <p>According to the Department of Housing's Managing Urban Stormwater: Soils and Construction manual Volume 2E Mines and quarries, the nature and level of detail in an ESCP should reflect the potential significance of erosion and sediment control at the Site. As such, all elements included in the manual may not be required for Cleary Bros Site. Given that the Site's ESCP identifies activities that may cause</p>	Obs (C)	Update Erosion and Sediment Control Plan to ensure consistency with Site layout.	<p>The 2022-2023 Annual Review reported that the Erosion and Sediment Control Plan has been updated to align with the Site layout.</p> <p>The Water Management Plan available on the Cleary Bros website for the Site, was last revised on 26 February 2021 with the comment in document control table 'Revised following Audit'.</p>

Item No	Assessment Requirement	2020 Comment	2020 Audit Classification	the Site Response/Action	2023 Status
		<p>sediment and erosion (section 4.2), measures to mitigate potential impact including the impact from sediment-laden water released into the environment (section 4.3), a maintenance strategy (section 4.4), an approach to assess measures (section 4.5), and a map that details the location and types of proposed erosion and sediment control measures (Appendix C), the Site's ESCP is compliant with part (b) to (e) and broadly in compliance with the Department of Housing's Managing Urban Stormwater: Soils and Construction manual.</p> <p>According to the ESCP, routine maintenance and works comprise:</p> <p>Installation and maintain erosion and sediment controls in accordance with the approved plans.</p> <p>Inspection of erosion and sediment controls after each major rain event, repair any damage and ensure correct functioning.</p> <p>Removal of accumulated silt periodically from sediment traps / basins.</p> <p>Auditors observed vegetated buffers, well maintained haul roads and sediment ponds used to minimise erosion and the transport of sediment to downstream water.</p> <p>A portion of the natural flow paths and vegetated buffers shown in Appendix C of the Water Management Plan, are no longer present onsite due to the expanded quarry pit. Erosion and sediment controls in the Sediment Control Plan should be updated to describe current practicable onsite controls.</p>			<p>This condition has also been deemed as "Compliant" during the 2023 audit.</p>
DC 4.59	<p>All liquid and non liquid wastes resulting from activities and processes at the site must be assessed, classified and managed in accordance with the EPA's Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-liquid Wastes (1999), or any other EPA document superseding this guideline.</p>	<p>Waste management onsite is conducted by segregating workshop waste, office waste and other waste generated at the Site for recycling or disposal. Waste such as cardboard, batteries and waste oil are recycled. Waste oil from machinery and equipment used onsite is collected and recycled through a specialist waste oil recycling contractor.</p> <p>Waste segregation was noted to be conducted effectively during the audit. Quarry overburden material is not considered waste and is retained for placement in the base of the excavation and used to create the final landform.</p>	Obs (C)	Update QEMP to further describe current waste management practices.	<p>The 2022-2023 Annual Review notes that the QEMP has been updated to further describe current waste management practices.</p> <p>The QEMP available on the Cleary Bros website is dated 18 February 2021, and the document control register notes that this update included current waste management practices and other administrative updates, confirming that this plan has since been updated following the previous</p>

Item No	Assessment Requirement	2020 Comment	2020 Audit Classification	the Site Response/Action	2023 Status
		<p>Waste collection and disposal from the Site is managed by third party contractors JJ Richards, a licensed waste management company. ERM reviewed example waste invoices which documented the collection and removal of waste from the Site. ERM considers waste is being managed in accordance with the EPA and waste management is conducted generally in accordance with this condition, however there is no document that identifies and pre classifies common waste streams generated by Site operations.</p>			<p>audit in relation to this action. Waste management details are included in the QEMP section 4.15, and discuss waste streams generated at the Site, management methods for each waste stream, and a hierarchy of waste management procedures from avoid and reduce waste to dispose of waste.</p> <p>Therefore, this action is now complete.</p>
<b>Environmental Protection Licence 299</b>					
EPL O5.1	<p>All liquid and non liquid wastes resulting from activities and processes at the site must be assessed, classified and managed in accordance the EPA's Waste Classification Guidelines (2014) or any other EPA document superceding this guideline.</p>	<p>Waste management onsite is conducted by segregating workshop waste, office waste and other waste generated at the Site for recycling or disposal. Waste such as cardboard, batteries and waste oil are recycled. Waste oil from machinery and equipment used onsite is collected and recycled through a specialist waste oil recycling contractor.</p> <p>Waste segregation was noted to be conducted effectively during the audit. Quarry overburden material is not considered waste and is retained for placement in the base of the excavation and used to create the final landform.</p> <p>Waste collection and disposal from the Site is managed by third party contractors JJ Richards, a licensed waste management company. ERM reviewed example waste invoices which documented the collection and removal of waste from the site. ERM considers waste is being managed in accordance with the EPA and waste management is conducted generally in accordance with this condition, however there is no document that identifies and pre-classifies common waste streams generated by Site operations.</p>	Obs (C)	Update QEMP to further describe current waste management practices.	This action is now complete per above 2023 Status (refer DC 4.59).

## 3.2 Complaints Summary

Complaints registers for the audit period were available for review and are presented on the Albion Park Quarry website. Complaints over the reporting period included:

- 2020 - 2021 - 3 complaints received, 2 related to blasting, 1 related to loose material on East West link;
- 2021 - 2022 – 2 complaints received, both related to blasting;
- 2022 - 2023 – 2 complaints received, both related to material drag-out at the front entrance to the Site; and
- 2023 YTD, up to 7 November – No complaints received.

The detailed summaries as prepared by Cleary Bros are provided on the Albion Park Quarry website.

Evidence was provided that complaints were investigated and actioned to the satisfaction of the EPA (where required) and the complainant.

## 3.3 Incident Summary

A review of the incidents was undertaken via the Site incident registers organised per year as well as individual Incident Investigation reports. According to the incident registers and reports provided, numbers of environmental incidents over the reporting period included:

- 2020: 0 environmental incidents;
- 2021: 1 environmental incident;
- 2022: 2 incidents; and
- 2023: 1 incident.

Incidents reported related to minor oil spills and water quality acceptance criteria exceedances due to heavy rainfall. There were no reportable incidents of material harm. All incidents were reported to the DPIE within 7 days of Cleary Bros becoming aware of the issue. At the time of writing this report, one follow-up email requested further details on a TSS exceedance in July 2022. No other formal reviews had been undertaken or requested by DPIE.

## 3.4 Environmental Monitoring Performance

### 3.4.1 Noise

Annual noise monitoring was undertaken between 2020 and 2023 by qualified third party contractors, SLR Consulting Australia Pty Ltd. Under Schedule 4 Condition 4 of the Development Consent, noise emission limits apply under conditions of wind speeds (10 m above ground) of up to 0.5 m/s and temperature gradients of up to 0°C per 100 m. As these meteorological conditions were not met during annual noise monitoring between 2020 and 2021, compliance was determined via modelled noise levels in accordance with the method described in the approved Noise and Blast Management Plan. All modelled noise levels were within the Development Consent criteria. The SLR reports from 2022 and 2023 note that during calm conditions the Site was compliant with criteria in this condition, and that the Site was predicted to be compliant with criteria under neutral weather conditions.



### 3.4.2 Air quality

Four depositional dust gauges and one PM10 High Volume Air Sampler (HVAS) are used to measure compliance against the COC and EPL assessment criteria. The depositional dust gauges were serviced by ALS Laboratory Group during the audit period. The HVAS runs every six days. The auditors reviewed dust monitoring records for the period 2020 to 2023.

For the audit period there was one exceedance of air quality criteria, as follows:

- 16 November 2020, PM<sub>10</sub> = 52.6 µg/m<sup>3</sup>.

This exceeds the 24-hour 50 µg/m<sup>3</sup> PM<sub>10</sub> limit, measured as an incremental impact.

An internal incident investigation was carried out in relation to the exceedance of the PM10 criteria, which consisted of a root cause analysis to confirm the high background concentrations of particulate matter, moderate westerly winds, drilling and raw material movements and limitations in existing control measures. Sprinklers were subsequently installed in Q1 2021 to assist with dust suppression during extraction from the uppermost parts of the quarry pit which are more exposed.

Initial notification was provided to the DPIE on 14 December 2020 followed by an additional email (following an incident investigation) on 17 December 2020 providing notification of a minor exceedance of the 24-hour PM10 criteria recorded at the HVAS on 16 November 2020. The letter to the Department notes that the preceding and subsequent monitoring results were well within the criteria.

The auditors sighted the weather station onsite which provides the Site's meteorological data and reviewed a sample of data for the audit period.

### 3.4.3 Blasting

Blasting was conducted during the audit period at a maximum rate of once per week or once per fortnight and at times between 9 am and 5 pm on weekdays (generally late morning). Air blast overpressure and vibration from blasting was monitored at the blast monitoring station adjacent to the nearest non-project related sensitive receptor, The Cottage residence on the Figtree Hill property. Based on monitoring during the audit period, blasting was conducted in accordance with criteria described in the COC and EPL.

### 3.4.4 Water management

#### 3.4.4.1 Surface Water

Surface water management comprising a storage dam adjacent to the processing area, the main sediment pond in the south east part of the quarry pit, and a pump and discharge line associated with the main sediment pond were in place and established as per the Water Management Plan (WMP) (dated 26 February 2021). Under the COC and EPL the Site is required to monitor water quality at the Quarry Extension Discharge, Main Sedimentation Pond, Watercourse West of Quarry Manager's Office, Watercourse 1 and Watercourse 2 at various frequencies. Water is also available for on-site reuse for dust suppression.

During the audit period, the following exceedances of the 50 mg/L limit for TSS were experienced at monitoring Point 4:

- 340 mg/L on 22 March 2021;
- 252 mg/L on 23 March 2021;
- 322 mg/L on 7 May 2021;
- 55 mg/L on 2 March 2022;
- 74 mg/L on 3 March 2022; and

- 74 mg/L on 3 July 2022.

During these periods, there were rainfall events that caused the main quarry dam to overflow. There are no conditions in the Site's EPL or COC that permit exceedances of acceptance criteria based on amount of rainfall received. All exceedances are considered non-compliances. It is noted, however, that a Disaster Declaration was made for the Shellharbour City LGA, and the EPA advised that no incident reporting was required for events directly correlated to flooding occurring between 22 February 2022 and 14 March 2022. Cleary Bros management advised that for all other incidents, the EPA was notified via the Pollution Reporting Line.

#### 3.4.4.2 Ground water

The groundwater monitoring program is stipulated in Section 7.3 of the approved WMP (dated 26 February 2021). Neither the COC nor EPL stipulate criteria for groundwater quality. Under the COC, the Site must implement a groundwater monitoring program. The WMP specifies that groundwater monitoring occur biannually at four (two shallow and two deep) monitoring wells. Groundwater monitoring data provided showed that monitoring was completed more frequently than required by the WMP.

#### 3.4.4.3 Erosion and Sediment Control

The erosion and sediment control program includes operational controls, design considerations a routine maintenance program and contingencies for excessive rainfall. The COC includes qualitative performance criteria for the erosion and sediment control plan, including complying with the requirements of the Department of Housing's Managing Urban Stormwater: Soils and Construction document and identifying and describing sources, controls, monitoring and review of erosion and sediment controls.

### 3.5 Management Plan Adequacy

The approved Management Plans for the Site were reviewed and their adequacy assessed in view of current operations at the Site. In general, Management Plans were considered to be appropriate for the Site's operations at the time of the Site visit. However, a number of management plans contain outdated information which should be updated to be consistent with current Site operations.

The findings of the Management Plan review are outlined in *Table 3.2* and *Appendix A*.

### 3.6 Environmental Protection Licence

The Site operates under EPL 299 issued to Cleary Bros. The EPL has been varied once during the audit period on 15 November 2021.

The Site submitted Annual Returns to the EPA, as required for the audit period and four non-compliances were recorded, relating to excessive rainfall and exceedance of surface water discharge acceptance criteria.

Findings identified against the Site's EPL are outlined in *Table 3.2* and *Appendix A*.

### 3.7 Compliance with Regulatory Instruments

A compliance check of the COC and EPL conditions as well as management plan review has been completed and is provided in *Appendix A*. Non-compliances and observations for each component are summarised in *Table 3.2*. As discussed in *Section 2.3*, a qualitative risk assessment was also completed on the findings as follows:

- Non-compliance assessed as 'high' have been colour coded red;
- Non-compliance assessed as 'moderate' have been colour coded orange; and
- Non-compliance assessed as 'low' have been colour coded yellow.

Table 3.2 Summary of 2023 Audit Findings

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action												
<b>Minister's Conditions of Consent DC 10639</b>																
Sch 4 C 15	<p>The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not exceed the criteria in Table 5 at any sensitive receiver or residence on privately-owned land.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter &lt;10um (PM<sub>10</sub>)</td> <td>Annual</td> <td>a,c 30 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>24 hour</td> <td>b 50 µg/m<sup>3</sup></td> </tr> <tr> <td>Total suspended particulates (TSP)</td> <td>Annual</td> <td>a,c 90 µg/m<sup>3</sup></td> </tr> </tbody> </table> <p><i>Table 5: Air quality criteria</i>  <i>Notes to Table 5:</i>  <i>a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources);</i>  <i>b Incremental impact (i.e. incremental increase in concentrations due to the development on its own);</i>  <i>c Deleted</i>  <i>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the Secretary in consultation with EPA.</i></p>	Pollutant	Averaging Period	Criterion	Particulate matter <10um (PM <sub>10</sub> )	Annual	a,c 30 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	b 50 µg/m <sup>3</sup>	Total suspended particulates (TSP)	Annual	a,c 90 µg/m <sup>3</sup>	<p>Air quality monitoring results are reported in the annual reviews. ERM also reviewed air quality monitoring spreadsheets.</p> <p>For the audit period there was one reported exceedance of air quality criteria outlined in this condition:</p> <ul style="list-style-type: none"> <li>■ 16 November 2020, PM<sub>10</sub> (24-hour incremental impact) = 52.6 µg/m<sup>3</sup>.</li> </ul> <p>A letter notifying the Department of the exceedance on 16 November 2020 was sent from CB on 17 December 2020, noting that they became aware of the exceedance on 11 December 2020. The letter states that quarrying activities occurred in close proximity to the monitor on the day of the recorded exceedance (within 60 m) and were not indicative of offsite impacts to neighbouring properties as the nearest resident was 500 m from the location of activities on this date.</p> <p>A subsequent internal incident investigation report states that the average background across the Illawarra OEH TEOM's read 37.8 µg/m<sup>3</sup>, with CB determining that the resulting incremental impact of the quarry was 52.6 µg/m<sup>3</sup> for the day. The letter to the Department notes that the preceding and subsequent monitoring results were well within the criteria.</p> <p>A letter notifying the Department of the exceedance on 28 November 2020 was sent from CB on 17 December 2020, noting that they became aware of the exceedance on 11 December 2020.</p> <p>No further communication from DPE was received in regard to the exceedance.</p> <p>Additionally reported in the HVAS APQ monitoring spreadsheet, on 9 April 2021, the filter was noted to be blocked and HVAS did not run. The Quality and Environment Manager advised auditors that the Department was not notified as this frequency of downtime is considered to be reasonable for equipment of this nature, and uptime it significantly better than typical performance of DPE operated TEOM units.</p>	NC	<p>The Incident Report for the 16 November 2020 exceedance provides mitigation recommendations to prevent reoccurrence of exceedances of the impact assessment criteria including:</p> <ul style="list-style-type: none"> <li>■ Establishment of sprinklers on the high wall, which can be operated at times when they would be considered beneficial to assist with dust control.</li> </ul> <p>The sprinklers were subsequently installed in Q1 2021 to assist with dust suppression during extraction from the uppermost parts of the quarry pit which are more exposed.</p> <p>In the past couple of years, CB has been operating deeper in the pit, where it is less exposed, and the need for sprinklers has diminished and were subsequently removed.</p> <p>There have been no further exceedances of the PM10 impact assessment criteria.</p> <p>As CB implemented the improvements from the incident investigation, and there have been no further exceedances, there is no further recommendations associated with this non-compliance.</p>
Pollutant	Averaging Period	Criterion														
Particulate matter <10um (PM <sub>10</sub> )	Annual	a,c 30 µg/m <sup>3</sup>														
Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	b 50 µg/m <sup>3</sup>														
Total suspended particulates (TSP)	Annual	a,c 90 µg/m <sup>3</sup>														
Sch 4 C 30	<p>The Surface Water Monitoring Program must include:</p> <ol style="list-style-type: none"> <li>a. detailed baseline data on surface water flows and quality;</li> <li>b. surface water impact assessment criteria;</li> <li>c. a program to monitor surface water flows and quality;</li> <li>d. a program to manage water releases from the site, including consideration of water treatment measures, such as vegetated swales;</li> </ol>	<p>The Surface Water Monitoring Program is outlined in section 5 of the WMP.</p> <ol style="list-style-type: none"> <li>a. Baseline surface water data is included in Appendix A of the WMP.</li> </ol>	Obs (C)	<ul style="list-style-type: none"> <li>■ An update of the WMP is recommended to reflect the Sewage Treatment Plant being no longer in use at the Site.</li> </ul>												

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
	<p>e. a program to monitor bank and bed stability; f. a protocol for the investigation, notification and mitigation of identified exceedances of the surface water impact assessment criteria; and g. a program to monitor the effectiveness of the Erosion and Sediment Control Plan.</p>	<p>b. Surface water impacts are measured by monitoring water quality as outlined in table 5.2 of the program. c. Watercourse 1 and Watercourse 2 are monitored quarterly for the analytes outlined in table 5.1 of the program. d. The program notes that the stormwater system is designed to capture runoff from a 10 year Average Recurrence Interval (ARI) 24 hour duration storm. If the water is over criterion for turbidity, discharge is delayed to allow time for solids to settle further, or gypsum is added and pH checked prior to discharge. e. Bank and bed stability is maintained by removal of fines from sump excavator, pump and discharge line are maintained by quarry personnel. Discharge point is stabilised to limit potential for erosion at point of discharge. Floor of sump is protected by large rocks used as bollards. ERM auditors also observed planting of reeds in the sediment pond for stabilisation and water filtration. Additionally, bed and bank erosion is monitored by ALS. f. Surface water monitoring is outlined in table 5.2 of the program. Mitigation of exceedances is outlined throughout the program. g. The effectiveness of the Sediment Control Plan is assessed through water quality monitoring results and annual ecological and rehabilitation surveys. These results are reported in Annual Reviews and were compliant for the audit period. According to the Quality and Environment Manager, gypsum has not been required at any point.</p> <p>It is noted that the WMP still contains mention of the Sewage Treatment Plant, which is no longer active on Site and should therefore be removed from the plan.</p> <p>ERM considers that CB is compliant with this condition, however observations have been made.</p>		
Sch 4 C 41	<p>Within 5 years of providing the Rehabilitation Management Plan to the Secretary, and every 5 years thereafter, the Applicant must review and update the plan to the satisfaction of the Secretary.</p>	<p>The Rehabilitation Management Plan was revised on 18 October 2017 prior to the planned commencement date of Stage 5 and 6 (i.e. 3 May 2018) and approved by DPE as per the 2020 IEA.</p> <p>According to this condition, CB was required to review and update the plan and submit to the DPE by 18 October 2022. No evidence has been provided to the auditors to confirm that the RMP has been reviewed and updated to the satisfaction of the Secretary. Therefore, CB is not compliant with this condition.</p>	NC	<p>The Rehabilitation Management Plan should be reviewed, updated and submit to DPE. The update should be undertaken to the satisfaction of the Secretary.</p>

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
<b>Environmental Protection Licence 299</b>				
Sch 3 L2.1	For each monitoring/discharge point or utilisation area specified in the table(s) below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	<p>Monitoring records from the audit period are noted to be as follows from Annual Returns for Point 4 and 6, displayed as ranges of lowest-highest values recorded:</p> <p><u>2020-2021:</u> Point 4: - pH: 6.8 – 7.9 - TSS: 252-340 mg/L Point 6: - pH: 7-8.2 - Turbidity: 9-28.1 nephelometric turbidity units</p> <p><u>2021-2022:</u> Point 4: - pH: 7.2-8 - TSS: 16.4-74 mg/L Point 6: - pH: 7-7.7 - Turbidity: 12.4-31.6 nephelometric turbidity units</p> <p><u>2022-2023:</u> Point 4: - N/A Point 6: - pH: 7.1-7.9 - Turbidity: 13.3-25.3 nephelometric turbidity units</p> <p>As noted from these results, all parameters were measured for each point where required. Point 4 was listed as N/A in the Annual Return 2022-2023 period because no discharges occurred from this point during this time.</p> <p>The details of exceedances are as follows.</p> <ul style="list-style-type: none"> <li>▪ The 2020-2021 TSS at Point 4 highest value recorded for was 340 mg/L, which is significantly higher than the 50 mg/L EPL limit. From the Quarry Pit Discharges spreadsheet covering the audit period, Point 4 data showed that TSS exceeded EPL limits on 22 March 2021, 23 March 2021 and 7 May 2021, with 340 mg/L, 252 mg/L and 322 mg/L recorded for each day respectively. After these dates, TSS returned to 6 mg/L by 28 May 2021; and</li> <li>▪ The 2021-2022 highest recording for TSS at Point 4 was 74 mg/L. In the Quarry Pit Discharges spreadsheet, TSS exceedances are recorded on 2 March 2022, 3 March 2022, and 3 July 2022, with readings of 55 mg/L, 74 mg/L, and 74 mg/L respectively. TSS reading dropped to 40 mg/L on 7 April 2022.</li> </ul>	NC	Uncontrolled discharges correlated to high rainfall events, including during the “Disaster Declaration” by Shellharbour City LGA in March 2022, have resulted in exceedances of the TSS during the audit period. On the basis of this, the auditors do not have any recommended actions for this condition. Further, CB have undertaken incident investigations and provided notifications to the EPA as deemed appropriate.

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		<p>Incident investigations for these exceedances were provided, noting that excessive rainfall caused overflows of stormwater from the main quarry dam, causing exceedances for TSS on these dates. Due to the large amounts of rainfall, the discharges were unavoidable. Corrective actions included research of options to increase surge capacity of the dam.</p> <p>Exceedances were reported to the EPA for 22 March 2021, 23 March 2021, 7 May 2021 and 3 July 2022. The exceedances occurred during March 2022 were not required to be reported to the EPA, as a Disaster Declaration was made for the Shellharbour City LGA, and the EPA advised that no incident reporting was required for events directly correlated to flooding occurring between 22 February 2022 and 14 March 2022.</p> <p>The EPA followed up on July 2022 exceedances with an email on 13 July 2022, asking questions and requesting further information. CB responded on the same day, with no further communication received from the EPA.</p>		
Sch 3 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.	The Cleary Bros website directs the public to call a hotline number displayed on the Albion Park Quarry website for enquiries regarding environmental management. The auditor tested the hotline number and found it to be working. It is noted that the phone number listed for Albion Park is named "Albion Park Quarry Blast Contact Line", which does not entirely identify the number as the appropriate number to lodge a complaint.	Obs (C)	It is recommended that the phone number is also identified as a "complaints line" on the website, to ensure that this is clear to the public.



## 4. CONCLUSION

An audit of COC and Environmental Protection Licence conditions has been completed as well as a check against commitments made in the management plans developed as part of COC conditions for the Site.

Overall, compliance was generally achieved with the audit documents that were reviewed. The number of non-compliances with the statutory conditions and implementation of the management plans is summarised in *Table 4.1* below.

**Table 4.1 Summary of Audit Findings**

Review	Non-compliances (NC)	Observations (Obs NC)	Observations (Obs C)
<b>Statutory Instruments</b>	2	-	1
<b>Implementation of Plans</b>	1	1	-

An action response table has been developed by the Site addressing all audit findings and will be submitted separately to this report.

**APPENDIX A    CONDITIONS OF CONSENT AND ENVIRONMENTAL  
PROTECTION LICENCE AUDIT TABLES**

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
<b>Schedule 3: Administrative conditions</b>					
• <b>Obligation to minimise harm to the environment</b>					
1	The Applicant must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the development.	<ul style="list-style-type: none"> <li>Quarry Environmental Management Plan, 18 February 2021; and</li> <li>Site visit observations.</li> </ul>	CB implements a Quarry Environmental Management Plan (QEMP) and no harm to the environment was observed on Site.	C	N/A
2	The Applicant must carry out the development generally in accordance with: <ol style="list-style-type: none"> <li>DA No. 466–11-2003;</li> <li>The EIS titled <i>Proposed Quarry Extension Albion Park</i>, dated October 2003, and prepared by Perram &amp; Partners;</li> <li>Modification Application 10639 of 2005 MOD 1 and the accompanying SEE titled <i>Albion Park Quarry: Application to Modify Development Consent Increase Production Limit</i>, dated November 2008, as amended by the correspondence to the Department dated 24 June 2009;</li> <li>Modification Application 10639 of 2005 MOD 2 and the accompanying Environmental Assessment titled <i>Modification of Development Consent 10639 of 2005 (LEC) Albion Park Quarry – Increased Production Limit</i> prepared by Martin Morris &amp; Jones Pty Ltd and dated November 2013;</li> <li>Modification Application 10639 of 2005 MOD 3 and the accompanying Environmental Assessment titled <i>Modification of Development Consent 10639 of 2005 (LEC) Activation of Approved Stages 5 &amp; 6 – Albion Park Quarry</i> prepared by Martin Morris &amp; Jones Pty Ltd and dated August 2016, including the associated Response To Submissions dated 23 December 2016 and supplementary letter titled <i>Further Response to Matters Raised in Updated Submissions</i> dated 28 February 2017, and the <i>Aboriginal Cultural Heritage Desktop Assessment: Albion Park Quarry</i> prepared by Biosis Pty Ltd dated 21 February 2017; and</li> <li>The Site Layout Plan.</li> </ol>	<ul style="list-style-type: none"> <li>Site visit observations;</li> <li>Interview with Quality and Environment Manager; and</li> <li>2020 Independent Environmental Audit (IEA), ERM.</li> </ul>	The 2020 Independent Environmental Audit (IEA) conducted by ERM noted this condition as compliant. No significant changes to the processes conducted on Site have occurred since the previous IEA. CB operates as a hard rock quarry with associated crushing and screening. A new concrete batching plant has been constructed; however, this is outside the area covered by the Development Consent.	C	N/A
2A	The Applicant must carry out the development in accordance with the conditions of this consent.	N/A	Noted. Compliance is assessed throughout this table.	Note	N/A
3	If there is any inconsistency between the documents listed in condition 2 of Schedule 3, the conditions of this consent shall prevail to the extent of the inconsistency.	N/A	Noted.	Note	N/A
4	The Applicant must comply with any reasonable requirement/s of the Secretary arising from: <ol style="list-style-type: none"> <li>any reports, plans, strategies, programs, reviews, audits or correspondence that are submitted in accordance with this consent;</li> <li>any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and</li> <li>the implementation of any actions or measures contained in these documents.</li> </ol>	<ul style="list-style-type: none"> <li>2020 IEA;</li> <li>Email from Department of Planning and Environment (DPE) – approval of Water Management Plan, 12 March 2021;</li> <li>Email from DPE – approval of Quarry Environment Management Plan, 12 March 2021;</li> <li>Email from DPE – confirmation of submission of July 2020 – June 2021 Annual Review;</li> <li>Email from DPE – confirmation of submission of July 2021 – June 2022 Annual Review;</li> <li>Email from DPE – confirmation of submission of July 2022 – June 2023 Annual Review; and</li> </ul>	ERM reviewed submission letters and the responses from DPE confirming receipt and acceptance of the Annual Reviews and the previous IEA (2020).  All management plans (including updates) are provided to DPE for comment and approval. According to the Quality and Environment Manager, there have not been any formal requests from the Planning Secretary raised during the audit period. Therefore, Cleary Bros (CB) is compliant with this condition.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		<ul style="list-style-type: none"> <li>Email from DPE – confirmation of submission of IEA 2020, dated 14 December 2020</li> </ul>			
<b>Period of Approval</b>					
7	<p>The Applicant may carry out quarrying operations on the site until 21 February 2036.</p> <p><i>Note: Under this consent, the Applicant is required to rehabilitate the site and carry out additional undertakings to the satisfaction of the Secretary. Consequently, this consent will continue to apply in all other respects other than the right to conduct quarrying operations until the rehabilitation of the site and those undertakings have been carried out to a satisfactory standard.</i></p>	N/A	The audit period has not surpassed the final date of approval for quarrying operations. This condition is not triggered.	NT	N/A
<b>Limits on Production</b>					
8	The production of quarry products from the quarry must not exceed 900,000 tonnes in any financial year.	<ul style="list-style-type: none"> <li>Annual Reviews for 2020-2021, 2021-2022, 2022-2023.</li> </ul>	<p>According to the Annual Reviews, the following production quantities from extractive activities and crushing, grinding or separating activities were as follows for the audit period:</p> <ul style="list-style-type: none"> <li>FY2020-2021: 476,183 tonnes of blue rock (basalt) and 287,701 tonnes of red rock (agglomerate) were extracted from the extension area and sold. Total volume: 763,884 tonnes;</li> <li>FY2021-2022: 440,858 tonnes of blue rock (basalt) and 244,489 tonnes of red rock (agglomerate) were extracted from the extension area and sold. Total volume: 685,347 tonnes; and</li> <li>FY2022-2023: 482,923 tonnes of blue rock (basalt) and 268,680 tonnes of red rock (agglomerate) were extracted from the extension area and sold. Total volume: 751,603 tonnes.</li> </ul> <p>All annual reported volumes are within the 900,000 tonnes limit. Therefore, CB is compliant with this condition.</p>	C	N/A
9	<p>The Applicant must:</p> <ol style="list-style-type: none"> <li>provide annual production data to the DRG using the standard form for that purpose; and</li> <li>Include a copy of this data in the Annual Review.</li> </ol>	<ul style="list-style-type: none"> <li>Annual Reviews for 2020-2021, 2021-2022, 2022-2023.</li> </ul>	The Extractive Materials Return form (Form S1) is the standard form for providing annual production data to the DRG. Auditors confirmed that the forms were present in each Annual Review for the audit period (as Annexure A in each Review), therefore CB is compliant with this condition.	C	N/A
<b>Protection of Public Infrastructure</b>					
10	<p>The Applicant must:</p> <ol style="list-style-type: none"> <li>repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and</li> <li>relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.</li> </ol>	<ul style="list-style-type: none"> <li>Interview with Quality and Environment Manager.</li> </ul>	According to the Quality and Environment Manager, no public infrastructure was damaged or required relocation as a result of development during the audit period. Therefore, this condition has not been triggered.	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Operation of Plant and Equipment</b>					
11	The Applicant must ensure that all plant and equipment at the site, or used in connection with the development, are: <ol style="list-style-type: none"> <li>maintained in a proper and efficient condition; and</li> <li>operated in a proper and efficient manner.</li> </ol>	<ul style="list-style-type: none"> <li>Review of MEX system;</li> <li>Work order reports; and</li> <li>Site observations.</li> </ul>	Maintenance records and preventative maintenance schedules are managed through MEX and managed by the workshop. ERM reviewed a variety of maintenance work orders for plant and equipment on-site and confirmed that, in general, CB conduct routine preventative maintenance in accordance with manufacturer's specifications and regulatory requirements.	C	N/A
<b>Demolition</b>					
12	The Applicant must ensure that all demolition work is carried out in accordance with AS 2601-2001: <i>The Demolition of Structures</i> , or its latest version.	<ul style="list-style-type: none"> <li>Interview with Quality and Environment Manager.</li> </ul>	According to the Quality and Environment Manager, no demolition has occurred within the boundaries of the Development Consent during the audit period. The old concrete plant is being removed but is not within the DC boundary. Therefore, this condition is not triggered.	NT	N/A
<b>Compliance</b>					
13	Prior to commencement of operations, the Applicant must commission an independent person(s) or organisation(s), approved by the Secretary, to certify in writing to the satisfaction of the Secretary, that the Applicant has complied with all conditions of this consent applicable prior to that event.	N/A	This condition is outside of the audit period, as operations commenced prior to 2020. Therefore, this condition has not been triggered.	NT	N/A
14	At least two weeks prior to the commencement of works in each Stage of the Quarry, the Applicant must notify the owners of the Fig Tree Hill Land, in writing, of the date of commencement of the works.	<ul style="list-style-type: none"> <li>Interview with Quality and Environment Manager.</li> </ul>	According to the Quality and Environment Manager, no new Stages of the Quarry have commenced operational works within this audit period. This condition is therefore not triggered.	NT	N/A
<b>Schedule 4: Specific Environmental Conditions</b>					
<b>Identification of Boundaries</b>					
1	Prior to the commencement of works, and prior to the commencement of works in each of Stages 5 and 6 of the Quarry, the Applicant must: <ol style="list-style-type: none"> <li>engage a registered surveyor to mark out the boundaries of the approved limits of extraction;</li> <li>submit a survey plan of these boundaries to the Secretary; and</li> <li>ensure that these boundaries are clearly marked at all times in a permanent manner that allows operating staff and inspecting officers to clearly identify those limits.</li> </ol> <p><i>Note: The limit of extraction includes the area described in the EIS, as amended by the 'Quarry Area' shown on the plan in Appendix 2 (southern boundary), and as amended by the conditions below.</i></p>	<ul style="list-style-type: none"> <li>Interview with Quality and Environment Manager;</li> <li>Independent Environmental Audit (ERM 2020); and</li> <li>Site observations.</li> </ul>	<p>Stages 5 and 6 commenced outside the audit period (3 May 2018) and this condition was deemed compliant in the previous IEA.</p> <p>Observations were made during the site visit including the presence of tree bunds and quarry benches to clearly delineate the boundaries of extraction.</p>	C	N/A
<b>Buffer</b>					
2	A minimum buffer of 10 metres must be maintained between the common northern boundary of Lot 1, DP 858245 and the southern boundary of Lot 4, DP 3709. No extraction is permitted within this 10 metre buffer area. The	<ul style="list-style-type: none"> <li>Site observations; and</li> <li>Survey Plan, KFW, 30 April 2018.</li> </ul>	The buffer area is defined by vegetation bunds between the two lots.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	buffer may be used for landscaping, minor drainage works, noise/visual bunds, alignment of the haul road (including batters), as depicted on the plan in Appendix 3.		The 2008 buffer plan was prepared by Taylor Brammer on 4 Dec 2008; and survey plans prepared in 2018 indicate the 10 m wide buffer zone between the lots.  Site observations made by the auditors confirm that the buffer zone is still compliant.		

**Noise**

Construction Noise/ Visual Bunds

3	The Applicant must complete construction of the noise/visual bunds prior to commencing extraction of production material, and must make all reasonable efforts to complete construction of the bunds within 26 weeks of commencement.	<ul style="list-style-type: none"> <li>Site observations.</li> </ul>	Operations commenced prior to current audit period; therefore, this condition is not triggered.  Auditors observed noise and visual bunds.	NT	N/A
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Noise limits

4	<p>The Applicant must ensure that noise generated by the development does not exceed the criteria specified in Table 1.</p> <table border="1"> <thead> <tr> <th rowspan="2">Receiver Locations</th> <th colspan="3">Noise Limits dB(A) <small>L<sub>aeq</sub> (15 mins)</small></th> </tr> <tr> <th>Stage 1-2</th> <th>Stage 3-4</th> <th>Stage 5-6</th> </tr> </thead> <tbody> <tr> <td>'the hill' residence (Dunster premises)</td> <td>35</td> <td>38</td> <td>35</td> </tr> <tr> <td>'the cottage' residence (Dunster premises)</td> <td>35</td> <td>38</td> <td>35</td> </tr> <tr> <td>Approved rural workers dwelling (Dunster premises)</td> <td>35</td> <td>38</td> <td>35</td> </tr> <tr> <td>Green meadows Residential Estate</td> <td>41</td> <td>41</td> <td>41</td> </tr> </tbody> </table> <p><i>Table 1: Noise criteria for the development</i></p> <p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>Staging as depicted in Figure 3.5 of the EIS prepared by Perram and Partners, dated October 2003;</li> <li>Receiver locations nominated in Table 5.12 of the report prepared by Richard Heggie and Associates Report No. 30-1079R1 titled 'Noise and Blasting Impact Assessment – Cleary Bros Albion Park Quarry' (13 December 2002). At the time of the DA the above were the nearest affected residences;</li> <li>The receiver locations and noise limits in the above table may be varied in the instance that negotiated agreements are entered into by the licensee and affected residents/occupiers or if existing agreements become void, or the nearest receiver location changes due to urban encroachment. These limits may be subject to change with an EPL variation;</li> </ol>	Receiver Locations	Noise Limits dB(A) <small>L<sub>aeq</sub> (15 mins)</small>			Stage 1-2	Stage 3-4	Stage 5-6	'the hill' residence (Dunster premises)	35	38	35	'the cottage' residence (Dunster premises)	35	38	35	Approved rural workers dwelling (Dunster premises)	35	38	35	Green meadows Residential Estate	41	41	41	<ul style="list-style-type: none"> <li>Quarry operation Noise Monitoring Reports, SLR Consulting, 2020, 2021, 2022, 2023; and</li> <li>Interview with Quality and Environment Manager.</li> </ul>	<p>Annual noise monitoring has been undertaken between 2020 and 2023 by qualified third party contractors, SLR Consulting Australia Pty Ltd. This condition applies to specific meteorological conditions of operational noise under conditions of wind speeds (10 m above ground) of up to 0.5 m/s and temperature gradients of up to 0°C per 100 metres.</p> <p>According to the Quality and Environment Manager, noise monitoring is scheduled for days that are likely to meet such conditions. Despite this, and due to the specific nature of the meteorological conditions, they were not met during annual noise monitoring in 2020 and 2021. Therefore, compliance was determined via modelled noise levels in accordance with the method described in the approved Noise and Blast Management Plan. All modelled noise levels were within the Development Consent criteria according to the 2020 and 2021 SLR reports.</p> <p>The SLR reports from 2022 and 2023 note that during calm conditions the site was compliant with criteria in this condition, and that the site was predicted to be compliant with criteria under neutral weather conditions.</p>	C	N/A
Receiver Locations	Noise Limits dB(A) <small>L<sub>aeq</sub> (15 mins)</small>																											
	Stage 1-2	Stage 3-4	Stage 5-6																									
'the hill' residence (Dunster premises)	35	38	35																									
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Green meadows Residential Estate	41	41	41																									

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations								
	<p>4. Noise from the premises is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary, to determine compliance with the noise level limits in Table 1. Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy. The modification factors presented in Section 4 of the NSW Industrial Noise Policy must also be applied to the measured noise level where applicable; and</p> <p>5. The noise emission limits in Table 1 apply under meteorological conditions of</p> <ul style="list-style-type: none"> <li>▪ Wind speed up to 0.5m/s in any direction at 10 metres above ground level; or</li> <li>▪ Temperature gradient (environmental lapse rate) conditions of less than or equal to 0oC/100m (lapse).</li> </ul>												
Operating hours													
5	<p>The Applicant must comply with the operating hours in Table 2.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">Activity</th> <th style="width: 20%;">Days of the week</th> <th style="width: 40%;">Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Drilling, rock breaking, loading and haulage of material from quarry to processing plant, processing and stockpiling, overburden stripping and other stage preparatory works, all site construction activities, rehabilitation works, general plant and maintenance. Processing, crushing and screening and product transfer to stockpiles.</td> <td>Monday – Friday</td> <td>7.00 am – 5.30 pm</td> </tr> <tr> <td>Saturday</td> <td>7.00 am – 1.00 pm</td> </tr> </tbody> </table> <p>Table 2: Operating Hours for the Development</p>	Activity	Days of the week	Time	Drilling, rock breaking, loading and haulage of material from quarry to processing plant, processing and stockpiling, overburden stripping and other stage preparatory works, all site construction activities, rehabilitation works, general plant and maintenance. Processing, crushing and screening and product transfer to stockpiles.	Monday – Friday	7.00 am – 5.30 pm	Saturday	7.00 am – 1.00 pm	<ul style="list-style-type: none"> <li>▪ Interview with Quality and Environment Manager;</li> <li>▪ Complaints Registers 2020-2023;</li> <li>▪ Annual reviews 2020-2023; and</li> <li>▪ Toolbox talks 31 May, 7 November, 30 November, and 2 December 2023.</li> </ul>	<p>The Quality and Environment Manager noted shift patterns are designed around the hours outlined in this condition. The Quality and Environment Manager noted that shift patterns are from 6:45am to 5:15pm (15 min toolbox in morning) on Mon to Fri; and 6:45am to 12:00pm on Saturday. Therefore, with toolbox talks taking up the first 15 minutes of the shifts, the site is compliant with the hours outlined in this condition.</p> <p>The Quality and Environment Manager noted that the last noise complaint that wasn't associated with blasting occurred in June 2020 which is outside of the audit period. This was confirmed with review of complaints registers for the audit period. This demonstrates operation is unlikely to have been occurring outside of the approved hours.</p> <p>Blast reports for 2023 all described a maximum of one blast per day, on weekdays only, with blast times reported between 9am and 5pm.</p>	C	N/A
Activity	Days of the week	Time											
Drilling, rock breaking, loading and haulage of material from quarry to processing plant, processing and stockpiling, overburden stripping and other stage preparatory works, all site construction activities, rehabilitation works, general plant and maintenance. Processing, crushing and screening and product transfer to stockpiles.	Monday – Friday	7.00 am – 5.30 pm											
	Saturday	7.00 am – 1.00 pm											
6	<p>The following activities may be carried out at the premises outside the hours specified in Table 2:</p> <ol style="list-style-type: none"> <li>a. the delivery of materials as requested by Police or other authorities for safety reasons;</li> <li>b. emergency work to avoid the loss of lives, property and/or to prevent environmental harm; and</li> <li>c. workshop activities and other maintenance work inaudible at the nearest affected receiver.</li> </ol>	<ul style="list-style-type: none"> <li>▪ Interview with Quality and Environment Manager; and</li> <li>▪ Noise monitoring records 2020-2023.</li> </ul>	<p>According to the Quality and Environment Manager, no material deliveries were requested by Police or emergency work to avoid loss of lives.</p> <p>None of the activities listed in this condition have occurred outside of the hours specified in Table 2.</p>	NT	N/A								
Operating conditions													
7	<p>The Applicant must:</p> <ol style="list-style-type: none"> <li>a. implement all reasonable and feasible mitigation measures to minimise the operational and road noise of the development;</li> </ol>	<ul style="list-style-type: none"> <li>▪ QEMP;</li> <li>▪ Noise and Blast Management Plan;</li> </ul>	<p>The QEMP details the following mitigation measures related to noise limits:</p> <ul style="list-style-type: none"> <li>▪ A 350 m vegetation noise/visual bund;</li> <li>▪ Maintenance of plant and equipment; and</li> </ul>	C	N/A								



No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>b. minimise the noise impacts of the development during meteorological conditions under which the noise criteria in this consent do not apply; and</p> <p>c. carry out regular noise monitoring to determine whether the development is complying with the relevant conditions of this consent, to the satisfaction of the Secretary.</p>	<ul style="list-style-type: none"> <li>▪ Complaints register;</li> <li>▪ Site visit observations; and</li> <li>▪ Interview with Quality and Environment Manager.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Operating hour limits.</li> </ul> <p>All of which are noted to be implemented from site visit observations, maintenance receipts of plant and equipment, and discussion of operations hours and toolbox talks with the Quality and Environment Manager.</p> <p>Annual noise monitoring was undertaken between 2020 and 2023 by qualified third party contractors, SLR Consulting Australia Pty Ltd. Monitoring results were compared against consent conditions to assess compliance.</p> <p>Maintenance work such as refuelling activities has been undertaken during the audit period. Noise monitoring to confirm maintenance works were inaudible was undertaken.</p> <p>During the audit period there was one complaint on the complaints registers that related to noise, which was in relation to a blasting activity. Noise and vibration levels were within approved limits for the corresponding blast complaint. ERM considers the mitigation measures to minimise the operational and road noise of the development are compliant with parts (a), (b) and (c).</p>		
Operating conditions					
8	<p>The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>a. be prepared in consultation with the EPA, and submitted to the Secretary for approval by 30 September 2015;</p> <p>b. describe the measures that would be implemented to ensure compliance with the relevant noise criteria and operating conditions in this consent;</p> <p>c. describe the proposed noise management system on site; and</p> <p>d. include a monitoring program that:</p> <ul style="list-style-type: none"> <li>▪ uses attended monitoring to evaluate the compliance of the development against the noise criteria in this consent;</li> <li>▪ evaluates and reports on the effectiveness of the noise management system and the best practice noise management measures; and</li> <li>▪ defines what constitutes a noise incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any noise incidents.</li> </ul> <p>The Applicant must implement the approved plan as approved from time to time by the Secretary.</p>	<ul style="list-style-type: none"> <li>▪ Noise and Blast Management Plan, SLR Consulting, 5 September 2017; and</li> <li>▪ Correspondence with DPE.</li> </ul>	<p>Correspondence between CB and EPA providing the Noise and Blast Management Plan to the EPA with the opportunity to comment was reviewed in the previous IEA. ERM previously reviewed correspondence from DPE, approving the Noise and Blast Management Plans. No changes have been made during the audit period/since the previous IEA.</p> <p>The plan describes the measures that would be implemented to ensure compliance with the relevant noise criteria and operating conditions in this consent (section 3) and describes the proposed noise management system on site (section 4). The plan includes a monitoring program that:</p> <ul style="list-style-type: none"> <li>▪ Uses attended monitoring to evaluate the compliance of the development against the noise criteria in this consent (section 4.3);</li> <li>▪ Evaluates and reports on the effectiveness of the noise management system and the best practice noise management measures (section 6); and</li> <li>▪ Defines what constitutes a noise incident and includes a protocol for identifying and</li> </ul>	C	N/A



No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
			<p>notifying the Department and relevant stakeholders of any noise incidents (6.4).</p> <p>During the audit period, noise monitoring was undertaken in accordance with the requirements of the Noise Monitoring Program defined within the Plan. No issues have been identified by the auditors which would have triggered an updated to the Noise and Blast Monitoring Program.</p> <p>In view of the above, CB is compliant with this condition</p>		

**Blasting and vibration**

Air blast overpressure criteria

10	<p>The Applicant must ensure that the airblast overpressure level from blasting at the development does not exceed the criteria in Table 3 at any point that is located at least 3.5m from any residence or other sensitive receiver on privately-owned land.</p> <table border="1"> <thead> <tr> <th>Airblast Overpressure [dB (Lin Peak)]</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>115</td> <td>5% of the total number of blasts over any 12 month reporting period</td> </tr> <tr> <td>120</td> <td>0%</td> </tr> </tbody> </table> <p><i>Table 3: Airblast Overpressure Limits</i></p>	Airblast Overpressure [dB (Lin Peak)]	Allowable exceedance	115	5% of the total number of blasts over any 12 month reporting period	120	0%	<ul style="list-style-type: none"> <li>APQ EPL Blasting Monitoring '20-'21, '21-'22, '22-'23, '23-'24.</li> </ul>	<p>According to the blast monitoring records from the audit period, there were no exceedances of the 115 dB airblast overpressure level limit for more than 5% of the total number of blasts during any reporting period. In addition, there were no exceedances of the 120 dB airblast overpressure level limit at any time.</p> <p>Therefore, CB is compliant with this condition.</p>	C	N/A
Airblast Overpressure [dB (Lin Peak)]	Allowable exceedance										
115	5% of the total number of blasts over any 12 month reporting period										
120	0%										
11	<p>The Applicant must ensure that the peak particle velocity from blasting at the development does not exceed the criteria in Table 4 at any residence or sensitive receiver on privately-owned land.</p> <table border="1"> <thead> <tr> <th>Peak particle velocity (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>5% of the total number of blasts over any 12 month reporting period</td> </tr> <tr> <td>10</td> <td>0%</td> </tr> </tbody> </table> <p><i>Table 4: Ground Vibration Limits</i></p>	Peak particle velocity (mm/s)	Allowable exceedance	5	5% of the total number of blasts over any 12 month reporting period	10	0%	<ul style="list-style-type: none"> <li>APQ EPL Blasting Monitoring '20-'21, '21-'22, '22-'23, '23-'24.</li> </ul>	<p>According to blast monitoring records from the audit period, there were no exceedances of the 5 mm/s ground vibration level for more than 5% of the total number of blasts carried out on the premises during each reporting period. In addition, there were no reported exceedances of 10 mm/s at any time. Therefore, CB is compliant with this condition.</p> <p>For note, there were only two exceedances of the peak particle velocity 5 mm/s limit, occurring on 9 December 2020 (7.39 mm/s) and 10 November 2022 (5.37 mm/s). Both exceedances were calculated to be 3% of the total number of blasts for each respective 12-month reporting period, therefore falling within the consent limits.</p>	C	N/A
Peak particle velocity (mm/s)	Allowable exceedance										
5	5% of the total number of blasts over any 12 month reporting period										
10	0%										

Blasting restrictions

12	<p>Blasting operations on the premises may only take place:</p> <ol style="list-style-type: none"> <li>between 9am and 5pm Monday to Friday inclusive;</li> <li>are limited to 1 blast each day; and</li> <li>at such other times as may be approved by the EPA.</li> </ol>	<ul style="list-style-type: none"> <li>APQ EPL Blasting Monitoring '20-'21, '21-'22, '22-'23, '23-'24;</li> <li>Individual Blast Monitoring Records – 5 September 2023, 12 September 2023, 19 September 2023, 28 March 2023, 3 July 2023, 11 July 2023, 21 July 2023, 25 July 2023; and</li> </ul>	<p>The Quarry and Environment Manager noted that there is only one blast scheduled per day, and generally it is once per week. This was confirmed by blast records. According to blast monitoring records for the audit period, all blasts took place between Monday and Friday. Additionally, example individual blast monitoring reports reviewed by ERM indicated that blasting occurred between 9:00 am</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		<ul style="list-style-type: none"> <li>▪ Interview with Quality and Environment Manager.</li> </ul>	<p>and 5:00 pm. There were no example blast monitoring reports reviewed by ERM that indicated blasting had occurred outside of the allowable hours, therefore CB is compliant with this condition.</p>		
Operating conditions					
13	<p>During quarrying operations on site, the Applicant shall:</p> <ol style="list-style-type: none"> <li>a. implement best management practice to:                             <ul style="list-style-type: none"> <li>▪ protect the safety of people and livestock in the surrounding area;</li> <li>▪ protect public or private infrastructure/property in the surrounding area from any damage; and</li> <li>▪ minimise the dust and fume emissions of any blasting;</li> </ul> </li> <li>b. avoid any flyrock impacts on The Fig Tree Hill Land, or the continued rural use of that land; and</li> <li>c. operate a suitable system to enable the local community to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Secretary</li> </ol>	<ul style="list-style-type: none"> <li>▪ Noise and Blast Management Plan, SLR, 5 September 2017; and</li> <li>▪ Interview with Quality and Environment Manager.</li> </ul>	<p>a. CB has implemented the Noise and Blast Management Plan, which includes the following:</p> <ul style="list-style-type: none"> <li>▪ Blast design procedures such as deck charging and blasting away from the closest receiver direction;</li> <li>▪ Flyrock management, including placing inert material in the front row blast holes when required; and</li> <li>▪ Mitigation measures for fume control such as prescribed meteorological conditions for blasting.</li> </ul> <p>Additionally, the Quality and Environment Manager noted that the Maximum Instantaneous Charge (MIC) is calculated, and the lower MIC calculation is reviewed, including the blast design, by a suitably qualified consultant to confirm that the blast design is adequate. Additionally, blast notifications are sent to the Dunster residence, EPA and other neighbouring sites.</p> <p>Implementation of the Noise and Blast Management Plan is considered sufficient to meet the requirements of this condition. CB is compliant with this condition.</p> <p>b. Section 9.8 of the Noise and Blast Management Plan outlines flyrock management, noting use of Boretrak for blast optimisation and identification of any areas of less than optimum burden so that inert material rather than explosives can be used at this location. Additionally, the Plan notes that the minimum stemming length of 3 m has been selected to completely contain explosives and separate them from the collar of the blasthole. Flyrock management is considered sufficient, and no reports of incidents related to flyrock were reported. Therefore, CB is compliant with this condition.</p> <p>c. CB maintains the blasting schedule up to date on their website, allowing for publicly available up-to-date access of this information. CB is compliant with this condition.</p>	C	N/A

Blast Management Plan

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
14	<p>Prior to the commencement of operations in each stage of the development after Stage 1, the Applicant shall prepare, and subsequently implement, a Blast Management Plan for the development in consultation with the landowner(s) of The Fig Tree Hill Land, the EPA and to the satisfaction of the Secretary. This plan must:</p> <ol style="list-style-type: none"> <li>include a summary of monitoring results for the previous quarry stage;</li> <li>describe the objectives for noise and blasting at that stage;</li> <li>describe the proposed blasting design for that stage, and demonstrate that the design will meet the blast criteria listed in Tables 3 and 4;</li> <li>include a monitoring program for evaluating and reporting on the performance of the development, including:                             <ul style="list-style-type: none"> <li>compliance with the blasting criteria in this consent; and</li> <li>minimising the fume emissions from the site;</li> </ul> </li> <li>describe the measures that would be implemented to:                             <ul style="list-style-type: none"> <li>ensure compliance with the blasting criteria and operating conditions of this consent;</li> <li>avoid any flyrock impacts on The Fig Tree Hill Land;</li> <li>minimise dust and fume emissions; and</li> <li>minimise, mitigate, remediate or compensate for any other blasting impacts of the development, including any such impacts on people, livestock and property, to the satisfaction of the Secretary</li> </ul> </li> </ol>	<ul style="list-style-type: none"> <li>Noise and Blast Management Plan, SLR, 5 September 2017.</li> </ul>	<p>The Noise and Blast Management Plan was prepared on 5 September 2017 by SLR prior to the planned commencement of Stages 5 and 6 (3 May 2018). The Plan includes a summary of historical monitoring results (Table 4), describes the objectives for noise and blasting, describes the proposed blasting design, demonstrates that the design will meet the blast criteria listed in Tables 3 and 4, includes a monitoring program and describes the measures that would be implemented. Therefore, the Noise and Blast Management Plan is compliant with parts (a) to (e) of this condition.</p> <p>During the previous IEA in 2020, ERM reviewed correspondence between CB and EPA providing the Blast Management Plan to the EPA with the opportunity to comment. ERM previously reviewed correspondence from DPE, approving the Blast Management Plan including the changes to real-time dust monitoring as a replacement for the HVAS and deposited dust gauges. No changes have been made since the previous IEA. Blasts are monitored and results are reported in Annual Reviews. All blasts within the audit period have been in compliance with this consent.</p>	C	N/A

**Air Quality**

Impact assessment criteria

15	<p>The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not exceed the criteria in Table 5 at any sensitive receiver or residence on privately-owned land.</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter &lt;10um (PM<sub>10</sub>)</td> <td>Annual</td> <td>a,c 30 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>24 hour</td> <td>b 50 µg/m<sup>3</sup></td> </tr> <tr> <td>Total suspended particulates (TSP)</td> <td>Annual</td> <td>a,c 90 µg/m<sup>3</sup></td> </tr> </tbody> </table> <p><i>Table 5: Air quality criteria</i>  <i>Notes to Table 5:</i>                      a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources);                      b Incremental impact (i.e. incremental increase in concentrations due to the development on its own);                      c Deleted                      d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the Secretary in consultation with EPA.</p>	Pollutant	Averaging Period	Criterion	Particulate matter <10um (PM <sub>10</sub> )	Annual	a,c 30 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	b 50 µg/m <sup>3</sup>	Total suspended particulates (TSP)	Annual	a,c 90 µg/m <sup>3</sup>	<p>Annual reviews 2020-2023:</p> <ul style="list-style-type: none"> <li>APQ EPL Dust Monitoring '20-'21, '21-'22, '22-'23, '23-'24 spreadsheets;</li> <li>APQ HVAS spreadsheet;</li> <li>Letter to DPE, 17 December 2020</li> <li>Incident investigation: DOI 16112020 AP Quarry Dust exceedance investigation form; and</li> <li>Interview with Quality and Environment Manager.</li> </ul>	<p>Air quality monitoring results are reported in the annual reviews. ERM also reviewed air quality monitoring spreadsheets.</p> <p>For the audit period there was one reported exceedance of air quality criteria outlined in this condition:</p> <ul style="list-style-type: none"> <li>16 November 2020, PM<sub>10</sub> (24-hour incremental impact) = 52.6 µg/m<sup>3</sup>.</li> </ul> <p>Site Management advised that the initial notification to DPIE occurred on 14 December 2020. Following an incident investigation, an additional letter notifying the Department of the exceedance was sent from CB on 17 December 2020.. The letter states that quarrying activities occurred in close proximity to the monitor on the day of the recorded exceedance (within 60 m) and were not indicative of offsite impacts to neighbouring properties as the nearest resident was 500 m from the location of activities on this date.</p> <p>A subsequent internal incident investigation report states that the average background across the</p>	NC	<p>The Incident Report for the 16 November 2020 exceedance provides mitigation recommendations to prevent reoccurrence of exceedances of the impact assessment criteria including:</p> <ul style="list-style-type: none"> <li>Establishment of sprinklers on the high wall, which can be operated at times when they would be considered beneficial to assist with dust control.</li> </ul> <p>The sprinklers were subsequently installed in Q1 2021 to assist with dust suppression during extraction from the uppermost parts of the quarry pit which are more exposed.</p> <p>In the past couple of years, CB has been operating deeper in the pit, where it is less exposed, and the need</p>
Pollutant	Averaging Period	Criterion															
Particulate matter <10um (PM <sub>10</sub> )	Annual	a,c 30 µg/m <sup>3</sup>															
Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	b 50 µg/m <sup>3</sup>															
Total suspended particulates (TSP)	Annual	a,c 90 µg/m <sup>3</sup>															

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	e "Reasonable and feasible avoidance measures" includes, but is not limited to, the operational requirements in conditions 16 and 17 to develop and implement air quality management system that ensures operational responses to the risks of exceedance of the criteria.		<p>Illawarra OEH TEOM's read 37.8 µg/m<sup>3</sup>, with CB determining that the resulting incremental impact of the quarry was 52.6 µg/m<sup>3</sup> for the day. The letter to the Department notes that the preceding and subsequent monitoring results were well within the criteria.</p> <p>No further communication from DPE was received in regard to the exceedance.</p> <p>Additionally reported in the HVAS APQ monitoring spreadsheet, on 9 April 2021, the filter was noted to be blocked and HVAS did not run. The Quality and Environment Manager advised auditors that the Department was not notified as this frequency of downtime is considered to be reasonable for equipment of this nature, and uptime it significantly better than typical performance of DPE operated TEOM units.</p>		<p>for sprinklers has diminished and were subsequently removed.</p> <p>There have been no further exceedances of the PM10 impact assessment criteria.</p> <p>As CB implemented the improvements from the incident investigation, and there have been no further exceedances, there is no further recommendations associated with this non-compliance.</p>
Operating conditions					
16	<p>The Applicant must:</p> <ol style="list-style-type: none"> <li>implement best management practice to minimise the dust emissions of the development;</li> <li>regularly assess meteorological and air quality monitoring data to guide the day-to-day planning of operations and implementation of air quality mitigation measures to ensure compliance with the relevant conditions of this consent;</li> <li>minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see Note d to Table 5 above);</li> <li>monitor and report on compliance with the relevant air quality conditions in this consent; and</li> <li>minimise surface disturbance of the site, other than as permitted under this consent, to the satisfaction of the Secretary.</li> </ol>	<ul style="list-style-type: none"> <li>QEMP;</li> <li>APQ Weather 2019-20-21-22-23 spreadsheet; and</li> <li>Annual Reviews 2020-2023.</li> </ul>	<p>CB implements a QEMP, which includes dust mitigation measures such as prescribed meteorological conditions for blasting, sealed access to the Site, progressive revegetation of long term stockpiles and limits on stockpile heights, water spraying of haul road, designated vehicle roads onsite with speed limits, and covered loads for trucks exiting the Site.</p> <p>In view of the above implemented measures, ERM considers CB are compliant with parts (a), (c) and (e) of this condition.</p> <p>The weather monitoring spreadsheet records meteorological data which is measured from the Albion Park Weather Station on 10 minutes intervals. Weather data was reviewed to have been collected for the duration of the audit period. Therefore CB is compliant with part (b) of this condition.</p> <p>Air quality monitoring results are reported within Annual Reviews, confirming CB compliance with part (d) of this condition.</p>	C	N/A
Air Quality Management Plan					
17	<p>The Applicant must prepare an Air Quality Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <ol style="list-style-type: none"> <li>be prepared in consultation with the EPA, and submitted to the Secretary for approval by 30 September 2015;</li> <li>aa.</li> </ol>	<ul style="list-style-type: none"> <li>Air Quality Management Plan, Northstar Air Quality, 13 December 2017; and</li> <li>Aerial image showing HVAS and real-time monitors.</li> </ul>	<p>During the 2020 IEA, ERM reviewed correspondence from DPE, approving the Air Quality Management Plan (AQMP). No changes have been made since the previous audit. The current Air Quality Management Plan by Northstar</p>	C	N/A

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	<p>be revised in consultation with the EPA and submitted to the Secretary for approval prior to the commencement of quarrying activities in either Stages 5 or 6;</p> <p>b. describe the measures that would be implemented to demonstrate compliance with the relevant air quality impact assessment criteria and conditions of this consent;</p> <p>c. include a site-specific best management practice determination</p> <p>d. describe the proposed air quality management system;</p> <p>e. include an air quality monitoring program that:</p> <ul style="list-style-type: none"> <li>▪ is capable of evaluating the performance of the development</li> <li>▪ includes risk-based monitoring to demonstrate compliance with the criteria in Table 5;</li> <li>▪ includes ongoing real-time particulate monitoring;</li> <li>▪ includes a Trigger Action Response Plan (TARP) which describes the actions to be taken when specific trigger levels are exceeded;</li> <li>▪ adequately supports the air quality management system; and</li> <li>▪ evaluates and reports on the adequacy of the air quality management system.</li> </ul> <p>The Applicant must implement the approved plan as approved from time to time by the Secretary.</p>		<p>Air Quality, dated 13 December 2017, was prepared prior to commencement of Stage 5 and 6 of the excavation (3 May 2018), which is in compliance with part (aa) of this condition. The plan includes measures that would be implemented to demonstrate compliance with relevant criteria (sections 4 and 5), a site-specific best management practice determination (section 4.3), the proposed air quality management system (section 3) and an air quality management plan that addresses part (e) (sections 3, 4, 5, 6).</p> <p>The Site currently monitors particulates via a High Volume Air Sampler (HVAS). However, this does not allow adjustment of operational activity in real-time (as required by part (e)) as a response to elevated concentrations. As such, the AQMP proposed implementation of real-time particulate monitors. At the time of the Site inspection, real-time monitors were in place directly south of the HVAS. Air quality monitoring was undertaken throughout the audit period in accordance with the AQMP results are reported in Annual Reviews.</p> <p>For the audit period there was one reported exceedance of air quality criteria, as discussed in Condition 15 of Schedule 4.</p> <p>As the exceedance was identified, notified to DPE and investigated in accordance with the AQMP, CB is compliant with this condition.</p>		

**Meteorological Monitoring**

18	<p>For the life of the development, the Applicant must ensure that there is a suitable meteorological station operating in the vicinity of the site that complies with the requirements in the <i>Approved Methods for Sampling of Air Pollutants in New South Wales</i> guideline.</p>	<ul style="list-style-type: none"> <li>▪ Annual Reviews 2020-2023;</li> <li>▪ Interview with Quality and Environment Manager; and</li> <li>▪ APQ Weather 2019-20-21-22-23 spreadsheet.</li> </ul>	<p>CB maintain a continuous weather monitoring station adjacent to the development. The Annual Reviews outline the parameters that are monitored continuously. ERM reviewed meteorological data for the audit period from the onsite weather station, confirming that monitoring is occurring every ten minutes.</p> <p>The Quality and Environment Manager noted that regular spot checks are undertaken on the weather station. Auditors also observed that the weather station was unobstructed with open sky access, therefore CB are considered compliant with this condition.</p>	C	N/A
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**Surface water and groundwater**

Water supply



No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations									
19	<p>The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of quarrying operations on site to match its available supply, to the satisfaction of the Secretary.</p> <p><i>Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development, including in respect of the extraction and/or interception of groundwater.</i></p>	<ul style="list-style-type: none"> <li>Water Management Plan, Cardno, 26 February 2021; and</li> <li>Interview with Quality and Environment Manager.</li> </ul>	<p>The Quality and Environment Manager confirmed that the primary supply of water for spraying activities is provided sourced from the dam, however town water is available for use at the concrete plant in the event dam water is not available. Additionally, daily checks are undertaken of the dam water level.</p> <p>No instances of the dam running dry have occurred in recent years, especially as a result of heavy rainfall in the region.</p> <p>The Water Balance prepared as part of the Water Management Plan (WMP) accounts for all water needs at the site alongside available water sources. The Balance calculates that average annual water availability, even in a dry year, exceeds the anticipated water use requirements for the site.</p> <p>As there have not been any reported issues with water supply at the site, and the WMP accounts for water supply and demand, CB is compliant with this condition.</p>	C	N/A									
Water Pollution														
20	<p>Unless an EPL or the EPA authorises otherwise, the Applicant must comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> during the carrying out of the development.</p>	<ul style="list-style-type: none"> <li>Annual Returns 2020-2023;</li> <li>Annual Reviews 2020-2023;</li> <li>Interview with Quality and Environment Manager; and</li> <li>Incident registers 2020-2023.</li> </ul>	<p>An Incident Report from an oil spill occurring on 10 October 2023 notes that a failed hydraulic cooler caused approximately 50 L to be released onto the ground. It is also reported that the area was bunded and the spilt oil was collected the following day, therefore not resulting in pollution to water.</p> <p>There have been no environmental incidents or complaints related to pollution to waters reported in the Annual Returns or Annual Reviews for the audit period in relation to the areas covered by the Development Consent, therefore CB is compliant with this condition.</p>	C	N/A									
21	<p>The Applicant must ensure that the discharges from any licensed discharge point/s comply with the limits in Table 6, unless otherwise agreed by the EPA.</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Max limit</th> </tr> </thead> <tbody> <tr> <td>TSS</td> <td>Mg/L</td> <td>50</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>6.5-8.5</td> </tr> </tbody> </table> <p><i>Table 6: Water Discharge Pollution Limits</i></p>	Pollutant	Units of measure	Max limit	TSS	Mg/L	50	pH	pH	6.5-8.5	<ul style="list-style-type: none"> <li>Annual Reviews 2020-2023.</li> </ul>	<p>Annual Reviews note compliance with both pH and TSS Development Consent limits for the duration of the audit period.</p>	C	N/A
Pollutant	Units of measure	Max limit												
TSS	Mg/L	50												
pH	pH	6.5-8.5												
Groundwater														

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
22	In the event that groundwater in any aquifer is intersected during extraction activities, the Applicant must undertake a hydrogeological investigation in consultation with DPI Water and to the satisfaction of the Secretary. The investigation must report on groundwater sources, levels, yield and quality; identify any risks to groundwater users or groundwater dependent ecosystems and propose recommended management measures.  The Applicant must implement reasonable and feasible groundwater impact management measures to the satisfaction of the Secretary.	<ul style="list-style-type: none"> <li>Interview with Quality and Environment Manager.</li> </ul>	According to the Quality and Environment Manager, no aquifers have been intersected during the audit period, therefore this condition was not triggered.	NT	N/A
<b>Stormwater Management System</b>					
24	The Applicant must ensure that the stormwater management system for the development is designed, constructed and operated to capture and treat polluted waters from storm event(s) of less than, and including a 1:10 year, 24-hour duration, average recurrence interval (that is 225 mm of total rainfall within the 24 hour period).	<ul style="list-style-type: none"> <li>Interview with Quality and Environment Manager;</li> <li>Quarry Pit discharges; and</li> <li>Incident reports</li> </ul>	According to previous audits, the design of the stormwater system met this condition. During the audit period, the stormwater system was maintained in a manner capable of capturing all rainfall received in areas covered by the Development Consent due to the storage capacity of the pit. Treatment has not been required at any point given the excess storage capacity affords site management the ability to only commence discharging when parameters are within the limits set by the consent, therefore CB are compliant with this condition.	C	N/A
25	Within 5 days of a rainfall event, the Applicant must ensure that the basins in the stormwater management system are treated and emptied to maintain the required storage volume.	<ul style="list-style-type: none"> <li>Quarry pit discharges spreadsheet; and</li> <li>Interview with Quality and Environment Manager.</li> </ul>	The Quality and Environment Manager noted that due to the large excavation, there has always been the minimum capacity required by the consent, even when the quarry pit sump has been at its fullest. No overflows from Point 6 (covered by this consent) have occurred during the audit period.	C	N/A
<b>Flocculant Management</b>					
26	The Applicant must not use a flocculant, other than gypsum, without the written approval of the EPA.	<ul style="list-style-type: none"> <li>Interview with Quality and Environment Manager.</li> </ul>	No flocculant has been used, according to the Quality and Environment Manager. Therefore, this condition has not been triggered.	NT	N/A
<b>Monitoring and Management</b>					
27	Within 12 months of the date of this consent, the Applicant must prepare a Water Management Plan for the development, in consultation with DPI Water and to the satisfaction of the Secretary. This plan must be prepared by a qualified hydrogeologist and include: a. a Water Balance; b. an Erosion and Sediment Control Plan; c. a Surface Water Monitoring Program; d. a Ground Water Monitoring Program; and e. an Integrated Water Management Strategy, if the water balance shows a potential demand for water above that which can be collected from rainfall.  Prior to the commencement of quarrying activities in Stages 5 and 6, the Water Management Plan must be revised, in consultation with DPI Water	<ul style="list-style-type: none"> <li>Interview with Quality and Environment Manager.</li> <li>Water Management Plan;</li> <li>2020 IEA; and</li> <li>Water Management Plan approval from DPE, 12 March 2021.</li> </ul>	The WMP was prepared by Cardno on 6 September 2017 prior to the commencement of quarrying activities in Stages 5 and 6 (i.e. 3 May 2018). As per the 2020 IEA, the Plan was revised on 8 May 2018 following receipt of comments from DPE. The latest version of the plan was revised on 26 February 2021 following the previous IEA.  ERM reviewed correspondence from DPE on 12 March 2021, approving the latest revision which takes into account part (a) to (d) and includes a detailed description of the surface water management system onsite, therefore CB is	C	N/A



No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	and to the satisfaction of the Secretary. The revised Water Management Plan must include a detailed description of the surface water management system on site, including the area, depth and capacity of any in-pit sumps. The Applicant must implement the approved plan as approved from time to time by the Secretary.		considered compliant with this condition. The WMP notes that an Integrated Water Management Strategy is not required given the water balance indicates that there is a surplus of water under a range of climatic conditions. According to the Quality and Environment Manager, the Site has had sufficient water supply during the audit period.		
28	<p>The Water Balance must include:</p> <ol style="list-style-type: none"> <li>consideration of the existing quarry and processing site, existing water storage dam and the proposed quarry and haul road;</li> <li>the source of all water collected or stored on the site, including rainfall, stormwater and groundwater; and</li> <li>the estimated water use demand in wet, average and drought years.</li> </ol>	<ul style="list-style-type: none"> <li>▪ Interview with Quality and Environment Manager; and</li> <li>▪ Water Management Plan.</li> </ul>	<p>The WMP contains a Water Balance in Appendix B of the plan, prepared on 30 April 2018 for the Site. Total annual water use is estimated to be 93 ML in a dry year, 85 ML in a median year and 75 ML in a wet year, therefore CB is compliant with part (c) of this condition.</p> <p>The total annual water use takes into account the following items:</p> <ul style="list-style-type: none"> <li>▪ evaporation from the 18 ML capacity on-site dam;</li> <li>▪ dust suppression for the main processing plant, and haul roads and environs; and</li> <li>▪ water use in the concrete batching plant.</li> </ul> <p>ERM considers these items compliant with part (a) of this condition. The plan also includes an estimate of water availability for the storage dam based on rainfall, catchment area (dam, forest, pasture, pit and roads) and the proportion of rainfall assumed to become surface water runoff for each land use. Groundwater contribution was considered likely to be negligible and not included in the water balance calculation. As rainfall, stormwater and groundwater are taken into account, CB is considered compliant with part (b) of this condition.</p> <p>According to the Quality and Environment Manager, the Site has had sufficient water supply for the duration of the audit period.</p>	C	N/A
29	<p>The Erosion and Sediment Control Plan must:</p> <ol style="list-style-type: none"> <li>be consistent with the requirements of the Department of Housing's <i>Managing Urban Stormwater: Soils and Construction</i> manual;</li> <li>identify activities that could cause soil erosion and generate sediment;</li> <li>describe measures to minimise soil erosion and the potential for the transport of sediment to downstream;</li> <li>describe the location, function, and capacity of erosion and sediment control structures; and</li> <li>describe what measures would be implemented to maintain the structures over time.</li> </ol>	<ul style="list-style-type: none"> <li>▪ Interview with Quality and Environment Manager;</li> <li>▪ Water Management Plan; and</li> <li>▪ Department of Housing's <i>Managing Urban Stormwater: Soils and Construction</i> manual Volume 2E: Mines and quarries, 1 June 2008.</li> </ul>	<p>The Erosion and Sediment Control Plan (ESCP) is included in the WMP in Section 4 and Appendix C.</p> <ol style="list-style-type: none"> <li>As per the Department of Housing's <i>Managing Urban Stormwater: Soils and Construction</i> manual, Volume 2E: Mines and quarries, 'The nature and level of detail in an ESCP should reflect the potential significance of erosion and sediment control at the site'. Therefore, not all requirements of the manual are relevant to the site</li> </ol> <p>CB has prepared an ESCP, which is noted in the manual to not be a specific requirement, as long as erosion and sediment control is considered in an existing management plan. Design controls</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>and operational measures have been considered for the development of the plan, a map included in Appendix C, and section 4.2 specifically notes that it has been designed to be generally consistent with the requirements of the manual.</p> <p>Activities that could cause soil erosion and generate sediment are identified in section 4.2, being haul road construction and maintenance, topsoil and overburden removal and stockpiling, and vehicle movement.</p> <p>b. Measures to minimise soil erosion and the potential for sediment transportation to downstream waters is discussed in section 4.3, noting design and control measures, and operational measures.</p> <p>c. Measures discussed in section 4.3.1 and 4.3.2 note location, function and capacity of structures associated with erosion and sediment control.</p> <p>d. Maintenance is outlined in section 4.4.</p>		
30	<p>The Surface Water Monitoring Program must include:</p> <ol style="list-style-type: none"> <li>Detailed baseline data on surface water flows and quality;</li> <li>Surface water impact assessment criteria;</li> <li>A program to monitor surface water flows and quality;</li> <li>A program to manage water releases from the site, including consideration of water treatment measures, such as vegetated swales;</li> <li>A program to monitor bank and bed stability;</li> <li>A protocol for the investigation, notification and mitigation of identified exceedances of the surface water impact assessment criteria; and</li> <li>A program to monitor the effectiveness of the Erosion and Sediment Control Plan.</li> </ol>	<ul style="list-style-type: none"> <li>▪ Water Management Plan.</li> </ul>	<p>The Surface Water Monitoring Program is outlined in section 5 of the WMP.</p> <ol style="list-style-type: none"> <li>Baseline surface water data is included in Appendix A of the WMP;</li> <li>Surface water impacts are measured by monitoring water quality as outlined in table 5.2 of the program;</li> <li>Watercourse 1 and Watercourse 2 are monitored quarterly for the analytes outlined in table 5.1 of the program;</li> <li>The program notes that the stormwater system is designed to capture runoff from a 10 year Average Recurrence Interval (ARI) 24 hour duration storm. If the water is over criterion for turbidity, discharge is delayed to allow time for solids to settle further, or gypsum is added and pH checked prior to discharge.</li> <li>Bank and bed stability is maintained by removal of fines from sump excavator, pump and discharge line are maintained by quarry personnel. Discharge point is stabilised to limit potential for erosion at point of discharge. Floor of sump is protected by large rocks used as bollards. ERM auditors also observed planting of reeds in the sediment pond for stabilisation and water filtration. Additionally, bed and bank erosion is monitored by ALS;</li> <li>Surface water monitoring is outlined in table 5.2 of the program. Mitigation of exceedances is outlined throughout the program; and</li> <li>The effectiveness of the Sediment Control Plan is assessed through water quality monitoring results and annual ecological and rehabilitation</li> </ol>	Obs (C)	<ul style="list-style-type: none"> <li>▪ An update of the WMP is recommended to reflect the Sewage Treatment Plant being no longer in use at the Site.</li> </ul>

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>surveys. These results are reported in Annual Reviews and were compliant for the audit period. According to the Quality and Environment Manager, gypsum has not been required at any point.</p> <p>It is noted that the WMP still contains mention of the Sewage Treatment Plant, which is no longer active on Site and should therefore be removed from the plan.</p> <p>ERM considers that CB is compliant with this condition, however observations have been made.</p>		
31	<p>The Ground Water Monitoring Program must include:</p> <ol style="list-style-type: none"> <li>a. detailed baseline data on groundwater levels and quality, based on statistical analysis;</li> <li>b. groundwater impact assessment criteria;</li> <li>c. a program to monitor regional groundwater levels and quality;</li> <li>d. a program to monitor groundwater level effects on vegetation, and on groundwater supply to adjoining properties;</li> <li>dd. a program for monitoring groundwater inflows into the quarry from the quarry face or floor, or into any in-pit sumps;</li> <li>e. a protocol for the investigation, notification and mitigation of identified exceedances of the groundwater impact assessment criteria; and</li> <li>f. a protocol to consult with DPI Water prior to any re-injection of groundwater.</li> </ol>	<ul style="list-style-type: none"> <li>▪ Water Management Plan;</li> <li>▪ Groundwater monitoring spreadsheet;</li> <li>▪ Routine inspection sheets; and</li> <li>▪ Annual reviews 2020-2023.</li> </ul>	<p>The Groundwater Monitoring Program is included in the WMP.</p> <ol style="list-style-type: none"> <li>a. Baseline data is outlined in Appendix A of the WMP;</li> <li>b. Groundwater impact assessment criteria is outlined in section 6.3 of the WMP;</li> <li>c. A program to monitor regional groundwater levels and quality is outlined in section 7 of the WMP;</li> <li>d. A program to monitor groundwater level effects on vegetation, and on groundwater supply to adjoining properties is outlined in section 7 of the WMP;</li> <li>dd. A program for monitoring groundwater inflows into the quarry from the quarry face or floor, or into any in-pit sumps is outlined in section 7 of the WMP;</li> <li>e. A protocol for the investigation, notification and mitigation of identified exceedances of the groundwater impact assessment criteria is outlined in section 8 of the WMP; and</li> <li>f. A protocol to consult with DPI Water prior to any reinjection of groundwater is outlined in section 8.4 of the WMP.</li> </ol> <p>ERM reviewed the groundwater monitoring spreadsheet to confirm that this is conducted quarterly and in accordance with the Groundwater Monitoring Program.</p> <p>ERM considers CB to be compliant with this condition.</p>	C	N/A
32	<p>The Integrated Water Management Strategy must include:</p> <ol style="list-style-type: none"> <li>a. exploration of a range of options for a sustainable resource alternative for water supply to the site;</li> <li>b. identification of all possible and available sources of water;</li> <li>c. consistency with Government Water Reform initiatives and policies</li> <li>d. quality of water to meet usage requirements including any possible effects on product;</li> <li>e. costs of supply;</li> <li>f. health and environmental impacts;</li> </ol>	<ul style="list-style-type: none"> <li>▪ Water Management Plan.</li> </ul>	<p>According to the WMP, an Integrated Water Management Strategy is not required given the water balance indicates there is a surplus of water under a range of climatic conditions, therefore this requirement has not been triggered.</p>	NT	N/A

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	g. legislative requirements; h. assessment of the feasibility, benefits and costs of options; i. a process to identify and evaluate preferred options for implementation; and j. the identification of a timetable for implementation of the selected options.				

Reporting

33	Each year, the Applicant must: a. review the Water Management Plan; b. update each sub-plan; and c. report the results of this review in the Annual Review, including: <ul style="list-style-type: none"> <li>the results of monitoring;</li> <li>details of the review for each sub-plan;</li> <li>amendments to the sub-plans; and</li> <li>details of the measures undertaken/proposed to address any identified issues.</li> </ul>	<ul style="list-style-type: none"> <li>ALS field sheet for flow monitoring flow rate at watercourse 1 and 2;</li> <li>Watercourses spreadsheet;</li> <li>Annual reviews 2020-2023; and</li> <li>DPE approval of WMP, 12 March 2021.</li> </ul>	The annual review of the WMP and sub-plans is described in the Annual Reviews in compliance with this condition.  The current revision of the WMP was approved by DPE on 12 March 2021 and included improvements to the Erosion and Sediment Control Plan following feedback received from the 2020 IEA.  FY2020-2021: the plan remained applicable to the project and no revisions were required.  FY2021-2022: the plan remained applicable to the project and no revisions were required.  FY2022-2023: This WMP remains current and relevant to the site, and will continue to guide water management practices on the site.  The Annual Reviews for the audit period include reporting on monitoring results, sub-plan reviews and amendments and measures to address issues.  CB is compliant with this condition.	C	N/A
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Flora and Fauna

Vegetation Clearing Protocol

34	Prior to the commencement of works, the Applicant must prepare a Vegetation Clearing Protocol for the development in consultation with Council and the OEH, and to the satisfaction of the Secretary. This plan must: a. delineate the areas of remnant vegetation to be cleared; and No. 10639 of 2005 Page 12 b. describe the procedures that would be implemented for: <ul style="list-style-type: none"> <li>pre-clearance surveys;</li> <li>progressive clearing;</li> <li>fauna management;</li> <li>conserving and reusing topsoil;</li> <li>collecting seed from the site;</li> <li>salvaging and reusing material from the site; and</li> <li>controlling weeds.</li> </ul>	<ul style="list-style-type: none"> <li>Vegetation Management Plan (VMP), 7 May 2018; and</li> <li>2020 IEA.</li> </ul>	The Vegetation Management Plan (VMP) contains a Vegetation Clearing Protocol that contains a delineation of the areas of remnant vegetation and describes the procedures for surveys, progressive clearing, fauna management, topsoil management, seed collection, material salvaging and weed control, which is compliant with this condition.  During the 2020 IEA, ERM reviewed correspondence requesting feedback from the OEH and council, and from DPE approving the VMP.  According to Site management, no vegetation clearing has occurred during the audit period.	C	N/A
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Southern Remnant vegetation and revegetation area

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
35	The Applicant must conserve and maintain the southern areas of remnant vegetation marked on the map in Appendix 2.	<ul style="list-style-type: none"> <li>▪ Annual Reviews 2020-2023, Annual and Biannual Ecological Rehabilitation Monitoring Good Bush summary reports;</li> <li>▪ Good Bush Daily Work Record Sheets, 17 November 2021, 6 December 2022, 27 September 2023, 25 October 2023;</li> <li>▪ Interview with Quality and Environment Manager;</li> <li>▪ Site observations; and</li> <li>▪ Vegetation Management Plan.</li> </ul>	<p>The Site (under the VMP), undertake annual surveys through Good Bush, with plots measuring species density and 6 monthly quality checks (included in the Annual Reviews). Monthly checklists are also conducted covering number of trees planted, species, vegetation condition, percent of coverage and abundance.</p> <p>In addition to maintaining the southern areas of remnant vegetation, CB has replanted in the southern areas. From site observations as well as Good Bush annual and biannual monitoring summaries this area is densely vegetated and healthy. The Quality and Environment Manager noted that the establishing vegetation is now maturing such that it can self-propagate.</p> <p>Therefore, CB is compliant with this condition.</p>	C	N/A
36	<p>The Applicant must revegetate/rehabilitate and maintain the areas marked 'Area to be Planted' and 'Weed Control to Promote Natural Vegetation' on the map in Appendix 2. Revegetation must be in accordance with the Vegetation Management Plan described in Condition 37.</p> <p><i>Note: Other revegetation areas must be covered in the Vegetation Management Plan referred to in Condition 37 below.</i></p>	<ul style="list-style-type: none"> <li>▪ Annual Reviews 2020-2023, Annual and Biannual Ecological Rehabilitation Monitoring Good Bush summary reports;</li> <li>▪ Good Bush Daily Work Record Sheets, 17 November 2021, 6 December 2022, 27 September 2023, 25 October 2023;</li> <li>▪ Interview with Quality and Environment Manager;</li> <li>▪ Site observations; and</li> <li>▪ Vegetation Management Plan.</li> </ul>	<p>Weed suppression and removal is discussed in section 3.2 of the VMP. The planting zone is discussed in section 3.3 of the VMP.</p> <p>Auditors observed the revegetation areas to be in a good condition with vegetation established and no evidence of poorly maintained vegetation.</p> <p>According to the Good Bush Annual Ecological and Rehabilitation Monitoring report dated June 2023 in the 2022-2023 Annual Review (Appendix D), weeding has occurred in the fenced revegetation areas (i.e. zone 1, 2 and 3) between July 2021 and July 2022. Planting of trees was outlined in the Good Bush Daily Work Record Sheets, noting infill planting occurred in 2021.</p> <p>No planting had occurred for 2022-2023 reporting period. Recommendations were for further revegetation to increase shade cover and mitigate weed growth.</p> <p>From site observations and review of Good Bush annual and biannual monitoring reports, this area is densely vegetated and healthy. The Quality and Environment Manager noted that the establishing vegetation is now maturing such that it can self-propagate.</p> <p>As ERM reviewed reports from Good Bush demonstrating that weed management and revegetation activities have been undertaken during the audit period, CB is considered compliant with this condition.</p>	C	N/A

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
<b>Vegetation Management Plan</b>					
37	<p>Within 6 months of this consent, the Applicant must prepare a Vegetation Management Plan for the development in consultation with Council and the OEH, and to the satisfaction of the Secretary. The plan must be prepared by a suitably qualified ecologist / bush regenerator, and must address:</p> <ol style="list-style-type: none"> <li>establishment of baseline data for existing vegetation and habitat in the area;</li> <li>vegetation management on all areas of the site outside the working area of the quarry;</li> <li>conservation, maintenance and enhancement of threatened communities, including 'Illawarra Subtropical Rainforest' and 'Illawarra Lowlands Grassy Woodlands';</li> <li>conservation, maintenance and enhancement of threatened plant species, including <i>Cynanchum elegans</i> (White Cynachum), <i>Daphnandra sp.aff micrantha</i> (Illawarra Socketwood), and <i>Zieria granulata</i> (Illawarra Zieria);</li> <li>establishment and maintenance of vegetation/habitat for threatened fauna species, including the Grey-headed flying fox;</li> <li>ongoing management of weeds and pests, including the provision of stock-proof fencing and replacement of damaged plantings;</li> <li>a program for how the performance of the measures described in (b) to (f) above would be monitored over time; and</li> <li>a program for monitoring the effect of quarrying, including water management, on vegetation communities.</li> </ol> <p>Prior to the commencement of quarrying activities in Stages 5 and 6, the Vegetation Management Plan must be revised, in consultation with OEH and to the satisfaction of the Secretary.</p> <p>The Applicant must implement the approved plan as approved from time to time by the Secretary.</p>	<ul style="list-style-type: none"> <li>▪ Vegetation Management Plan;</li> <li>▪ 2020 IEA;</li> <li>▪ Good Bush Work Summary Reports;</li> <li>▪ Annual Monitoring Reports dated June 2020, June 2022, June 2023; and</li> <li>▪ Biannual Inspection Reports dated December 2020, December 2021, December 2022.</li> </ul>	<p>The Vegetation Management Plan was originally revised on 15 January 2018 prior to quarrying in Stages 5 and 6 (i.e. 3 May 2018) as required by this condition. Subsequent revisions occurred on 26 March 2018, 17 April 2018 and 7 May 2018 to incorporate feedback from DPE and OEH and correct minor errors.</p> <p>The plan addresses:</p> <p>(a) establishment of baseline data for existing vegetation and habitat in the area (section 2.1);</p> <p>(b) vegetation management on all areas of the site outside the working area of the quarry (section 3);</p> <p>(c) conservation, maintenance and enhancement of threatened communities, including 'Illawarra Subtropical Rainforest' and 'Illawarra Lowlands Grassy Woodlands' (section 3.4);</p> <p>(d) conservation, maintenance and enhancement of threatened plant species, including <i>Cynanchum elegans</i> (White Cynachum), <i>Daphnandra sp.aff micrantha</i> (Illawarra Socketwood), and <i>Zieria granulata</i> (Illawarra Zieria) (section 3.5);</p> <p>(e) establishment and maintenance of vegetation/habitat for threatened fauna species, including the Grey-headed flying fox (section 3.6);</p> <p>(f) ongoing management of weeds and pests, including the provision of stock-proof fencing and replacement of damaged plantings (sections 3.7 and 3.8);</p> <p>(g) a program for how the performance of the measures described in (b) to (f) above would be monitored over time (section 5.1); and</p> <p>(h) a program for monitoring the effect of quarrying, including water management, on vegetation communities (section 5.1).</p> <p>During the 2020 IEA, ERM reviewed a letter from DPE approving the Vegetation Management Plan.</p> <p>ERM reviewed reports from Good Bush demonstrating that weed management and revegetation activities have been undertaken during the audit period. Monitoring of performance is conducted as part of annual monitoring and biannual inspections undertaken by external ecological consultants (Good Bush). ERM has reviewed the 2023 Good Bush Annual Monitoring</p>	C	N/A



No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
			<p>report, noting recommendations for next steps of rehabilitation including additional revegetation in zones 1-3 to establish canopy and exclude weeds, woody weed control in zones 1-3, Lantana and Madeira Vine treatment, revegetation maintenance around plantings, and targeted frilling of invasive canopy species such as African Olive. CB engages Good Bush for continued rehabilitation activities, and thus is progressing towards compliance with rehabilitation objectives.</p> <p>CB is considered compliant with this condition.</p>		

Reporting

38	The Applicant must include a progress report on the implementation of the Vegetation Management Plan in the Annual Review.	<ul style="list-style-type: none"> <li>Good bush Annual Reports in Annual Reviews 2020 -2023.</li> </ul>	Good Bush Annual Ecological and Rehabilitation Monitoring Reports are included in each Annual Review for the audit period. The Reports include progress on the implementation of the Vegetation Management Plan each year. CB is compliant with this condition.	C	N/A
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Rehabilitation

Rehabilitation objectives

38A	<p>The Applicant must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must be generally consistent with the rehabilitation strategy in the EIS and the conceptual rehabilitation plan in Appendix 2 and must comply with the objectives in Table 7.</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"> <li>Safe</li> <li>Hydraulically and geotechnically stable</li> <li>Non-polluting</li> <li>Fit for the intended post-mining land use(s)</li> <li>Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land</li> </ul> </td> </tr> <tr> <td>Surface infrastructure</td> <td> <ul style="list-style-type: none"> <li>Decommissioned and removed, unless otherwise agreed by the Secretary</li> </ul> </td> </tr> <tr> <td>Quarry benches and pit floor</td> <td> <ul style="list-style-type: none"> <li>Landscaped and vegetated using native</li> </ul> </td> </tr> </tbody> </table>	Feature	Objective	All areas of the site affected by the development	<ul style="list-style-type: none"> <li>Safe</li> <li>Hydraulically and geotechnically stable</li> <li>Non-polluting</li> <li>Fit for the intended post-mining land use(s)</li> <li>Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land</li> </ul>	Surface infrastructure	<ul style="list-style-type: none"> <li>Decommissioned and removed, unless otherwise agreed by the Secretary</li> </ul>	Quarry benches and pit floor	<ul style="list-style-type: none"> <li>Landscaped and vegetated using native</li> </ul>	<ul style="list-style-type: none"> <li>Rehabilitation Management Plan;</li> <li>Good Bush Annual Monitoring Report dated 6 July 2023;</li> <li>Site Observations;</li> <li>2020 IEA; and</li> <li>Geotechnical Stability Assessment and Mine Plan by Cardno dated 13 July 2017.</li> </ul>	<p>The Rehabilitation Management Plan (RMP) describes methods proposed to meet rehabilitation objectives in this condition. These objectives include medium and long-term objectives and represent the rehabilitation criteria to be achieved prior to surrendering the Development Consent for the project.</p> <p>Currently, the quarry benches and pit floor are still operational. As such, compliance against this condition was limited to an assessment of the Site's progress towards objectives. A Geotechnical Stability Assessment and Mine Plan was prepared in order to outline requirements to maintain a specific landform shape to promote geotechnical stability and the long-term safety of users of the land. Annual Reviews FY20/21 and FY21/22 reported that overburden material was placed in Stages 1, 2 and 4 of the quarry during the audit period in general accordance with the RMP. Annual Review FY22/23 reported that rehabilitation works continue in Stages 1, 2 and 4 of the quarry, with further shaping of these areas as they become available. The pit appeared stable based on site visit observations. On this basis, the auditor</p>	C	N/A
Feature	Objective												
All areas of the site affected by the development	<ul style="list-style-type: none"> <li>Safe</li> <li>Hydraulically and geotechnically stable</li> <li>Non-polluting</li> <li>Fit for the intended post-mining land use(s)</li> <li>Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land</li> </ul>												
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations				
	<table border="1" data-bbox="284 275 804 510"> <tr> <td data-bbox="284 275 492 327"></td> <td data-bbox="492 275 804 327"><i>tree and understorey species</i></td> </tr> <tr> <td data-bbox="284 327 492 510"><i>Final Void</i></td> <td data-bbox="492 327 804 510"> <ul style="list-style-type: none"> <li>• <i>Minimise the size, depth and slope of the batters of the final void</i></li> <li>• <i>Minimise the drainage catchment of the final void</i></li> </ul> </td> </tr> </table> <p data-bbox="284 520 626 548"><i>Table 7: Rehabilitation Objectives</i></p>		<i>tree and understorey species</i>	<i>Final Void</i>	<ul style="list-style-type: none"> <li>• <i>Minimise the size, depth and slope of the batters of the final void</i></li> <li>• <i>Minimise the drainage catchment of the final void</i></li> </ul>		<p data-bbox="1605 275 2139 338">consider that the Site is progressing towards an appropriate final landform.</p> <p data-bbox="1605 359 2139 579">Annual Review FY20/21 states that primary planting was completed in the final revegetation area in 2020-21 in response to improved rainfall, with all zones now in the maintenance stage. FY21/22 and FY22/23 noted that maintenance of existing plantings in the revegetation areas continued during these years.</p> <p data-bbox="1605 600 2139 915">Auditors observed that revegetated areas adjacent to the quarry pit were established and well maintained. Review of planting records contained in the Annual Monitoring Reports indicates the zones have been revegetated using native tree species, meeting the vegetation requirements in this condition. Given the activities undertaken by the Site during the audit period indicate the Site is progressing towards rehabilitation objectives, CB is compliant with this condition.</p> <p data-bbox="1605 936 2139 1094">The Quality DPE Environment Manager noted that DPE has accepted that the rehabilitation liability is no longer required for the amenity bund, otherwise no formal sign off of any other area, and rehabilitation bond is in place.</p>		
	<i>tree and understorey species</i>								
<i>Final Void</i>	<ul style="list-style-type: none"> <li>• <i>Minimise the size, depth and slope of the batters of the final void</i></li> <li>• <i>Minimise the drainage catchment of the final void</i></li> </ul>								
Progressive rehabilitation									
39	<p data-bbox="284 1167 1056 1367">The Applicant must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim stabilisation measures must be implemented where reasonable and feasible to control dust emissions in disturbed areas that are not active and which are not ready for final rehabilitation.</p> <p data-bbox="284 1377 1056 1430"><i>Note: It is accepted that parts of the site that are progressively rehabilitated may be subject to future re-disturbance.</i></p>	<ul style="list-style-type: none"> <li>▪ Rehabilitation Management Plan;</li> <li>▪ Good Bush Annual Monitoring Report dated 6 July 2023; and</li> <li>▪ Site Observations.</li> </ul>	<p data-bbox="1605 1167 2139 1230">The RMP describes the rehabilitation program and methodology.</p> <p data-bbox="1605 1251 2139 1409">According to the Good Bush Annual Ecological and Rehabilitation Monitoring Reports which are appended to the Annual Reviews, planting, weeding and maintenance activities have occurred throughout the audit period.</p> <p data-bbox="1605 1430 2139 1724">From the most recent Annual Report dated 6 July 2023, Good Bush note that plantings in zones 1, 2 and 3 have begun to take off, establishing canopy, which will in time have canopy connectivity to assist in exclusion of ground weeds, annual weeds, and grasses. Recent plantings in zone 4 have begun to establish with several trees at 3 m height. Ongoing maintenance activities will occur to ensure the success and establishment of these plantings.</p> <p data-bbox="1605 1745 2139 1829">As per the previous IEA, Stages 1-3 areas have undergone re-profiling to the final landform as part of initial rehabilitation.</p>	C	N/A				

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			Auditors observed established rehabilitation areas adjacent to the quarry pit, which appeared to be well maintained and monitoring undertaken in accordance with the RMP. As such, CB is complaint with this condition.		
Rehabilitation Management Plan					
40	<p>Within 6 months of the date of this consent, the Applicant must prepare a Rehabilitation Management Plan to the satisfaction of the Secretary. This plan must:</p> <ol style="list-style-type: none"> <li>identify the disturbed area at the site; <ul style="list-style-type: none"> <li>provide details of the conceptual final landform and associated land uses for the site;</li> </ul> </li> <li>describe in general the short, medium, and long-term measures that would be implemented to ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent;</li> <li>describe in detail the measures that would be implemented over the next 5 years to rehabilitate the site;</li> <li>include detailed performance and completion criteria for evaluating the rehabilitation of the site (including progressive rehabilitation) including triggers for any necessary remedial action;</li> <li>include a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria; and</li> <li>include details of who is responsible for monitoring, reviewing, and implementing this plan.</li> </ol> <p>Prior to the commencement of quarrying activities in Stages 5 and 6, the Rehabilitation Management Plan must be revised to the satisfaction of the Secretary.</p> <p>The Applicant must implement the approved plan as approved from time to time by the Secretary.</p>	<ul style="list-style-type: none"> <li>Rehabilitation Management Plan; and</li> <li>2020 IEA.</li> </ul>	<p>The RMP was most recently revised on 18 October 2017 prior to the planned commencement date of Stage 5 and 6 (i.e. 3 May 2018) takes into account the following requirements:</p> <p>(a) identify the disturbed area at the site (figure 1 of RMP);</p> <p>(aa) provide details of the conceptual final landform and associated land uses for the site (section 3.3);</p> <p>(b) describe in general the short, medium, and long term measures that would be implemented to ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent (section 4);</p> <p>(c) describe in detail the measures that would be implemented over the next 5 years to rehabilitate the site (section 4.1);</p> <p>(d) include detailed performance and completion criteria for evaluating the rehabilitation of the site (including progressive rehabilitation) including triggers for any necessary remedial action (section 5);</p> <p>(e) include a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria (sections 5 and 6); and</p> <p>(f) include details of who is responsible for monitoring, reviewing, and implementing this plan (section 3.1).</p> <p>During the 2020 IEA, ERM reviewed correspondence from DPE approving the Rehabilitation Management Plan. According to the Quality and Environment Manager, parts of the Stages 1-4 areas have undergone re-profiling to the final landform as part of initial rehabilitation. Auditors observed established rehabilitation areas adjacent to the quarry pit, which appeared to be well maintained. As such, CB is complaint with this condition.</p>	C	N/A
41	<p>Within 5 years of providing the Rehabilitation Management Plan to the Secretary, and every 5 years thereafter, the Applicant must review and update the plan to the satisfaction of the Secretary.</p>	<ul style="list-style-type: none"> <li>Rehabilitation Management Plan; and</li> <li>2020 IEA.</li> </ul>	<p>The Rehabilitation Management Plan was revised on 18 October 2017 prior to the planned commencement date of Stage 5 and 6 (i.e. 3 May 2018) and approved by DPE as per the 2020 IEA.</p>	NC	The Rehabilitation Management Plan should be reviewed, updated and submit to DPE. The update should be undertaken to the satisfaction of the Secretary.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			According to this condition, CB was required to review and update the plan and submit to the DPE by 18 October 2022. No evidence has been provided to the auditors to confirm that the RMP has been reviewed and updated to the satisfaction of the Secretary. Therefore, CB is not compliant with this condition.		
Rehabilitation Bond					
42	<p>Within 6 months of the date of this consent, the Applicant must lodge a suitable rehabilitation and conservation bond for the development with the Secretary. The sum of the bond must be calculated at:</p> <p>a. \$2.50/m<sup>2</sup> for the total area of disturbance at the development; and b. \$3.00/m<sup>2</sup> for the total area of the revegetation area.</p> <p>to the satisfaction of the Secretary.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>If the rehabilitation and revegetation area is completed to the satisfaction of the Secretary, the Secretary will release the rehabilitation and conservation bond.</li> <li>If the rehabilitation and revegetation area is not completed to the satisfaction of the Secretary, the Secretary will call in all or part of the rehabilitation and conservation bond, and arrange for the satisfactory completion of these works.</li> </ul>	<ul style="list-style-type: none"> <li>Rehabilitation Bond Review 2023 spreadsheet;</li> <li>Provision of revised rehabilitation bond APQ DPE, 25 November 2020; and</li> <li>Rehabilitation Bond Approval, DPE, 16 November 2020.</li> </ul>	<p>ERM reviewed the correspondence from DPE confirming that the bond amount was accepted and updated in November 2020 and the previous bond was closed.</p> <p>The sum of the bond was calculated at \$3.53/m<sup>2</sup> for the disturbance area and \$4.24/m<sup>2</sup> for the revegetation area. The sum of the bond was adjusted for the effects of inflation between June 2020 (last revision) and June 2023 (latest data available) of 16.9% (based on change from 2020 - 2023). Therefore, CB is compliant with this condition.</p>	C	N/A
43	<p>Within 3 years of lodging the rehabilitation and conservation bond with the Secretary, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must review, and if necessary revise, the sum of the rehabilitation bond to the satisfaction of the Secretary. This review must consider:</p> <p>a. The effects of inflation; b. any changes to the total area of disturbance; and c. the performance of the revegetation area.</p>	<ul style="list-style-type: none"> <li>Email from the Department relinquishing the previous bond and accepting the updated bond dated 16 November 2020; and</li> <li>Provision of revised rehabilitation bond APQ DPE, 25 November 2020.</li> </ul>	<p>CB revised the bond amount based on current site status and rehabilitation activities undertaken to date and submitted a revised bond amount on 25 October 2020 in compliance with this condition. DPE responded on 16 November 2020 approving the updated bond calculation amount.</p> <p>The bond was amended to address the increased disturbance footprint, revegetation progress, and the effects of inflation.</p> <p>Therefore, CB is compliant with this condition.</p>	C	N/A
Reporting					
44	The Applicant must include a progress report on the Rehabilitation Management Plan in the Annual Review.	<ul style="list-style-type: none"> <li>Annual Reviews 2020-2023.</li> </ul>	All Annual Reviews from the audit period describe a progress report on the Rehabilitation Management Plan in compliance with this condition. Annual Reviews for FY 20/21, FY21/22, FY22/23 reported that the current progress towards site rehabilitation remains in accordance with the approved plan, which remains current and appropriate for the site.	C	N/A

## Traffic and Transport

### Right of Way

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
45	Prior to the commencement of works, the Applicant must formalise the Right of Way for the haulage road, to the satisfaction of the Secretary.	<ul style="list-style-type: none"> <li>IEA 2017.</li> </ul>	<p>This condition was previously considered an administrative non-compliance. The condition is not triggered as this requirement is outside of the audit period.</p> <p>A letter from Perram Partners on behalf of CB to DPE on 9 April 2008 notes that CB identified an access route to the quarry for the haulage road that was agreed on by the adjacent Rinker (now Holcim), and subsequently received development consent from Shellharbour City Council in 2007. These details were submitted to the Department as part of this letter, along with other management plans.</p> <p>The DPE response on 26 June 2008 notes that the Department reviewed all information contained in the letter and was satisfied that they adequately address the requirements set out in this development consent, and the Director General has approved all plans and deliverables.</p> <p>It is noted that this timeframe falls outside the audit period and thus this condition is Not Triggered.</p>	NT	N/A
Site Access					
46	All access to the site is to be via the roundabout at East-West Link Road, except in an emergency, as agreed by the Secretary in consultation with Council.	<ul style="list-style-type: none"> <li>Site observations; and</li> <li>Interview with Quality and Environment Manager.</li> </ul>	Access to the site is via the East West Link Road. The Quarry and Environment Manager confirmed to the auditors that the roundabout at East-West Link Road had been upgraded to a signalised intersection as part of the Albion Park Rail bypass roadworks.	C	N/A
Transport Management Plan					
47	<p>The Applicant must prepare a Transport Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <ol style="list-style-type: none"> <li>be prepared by a suitably qualified traffic consultant, in consultation with RMS and Council and submitted to the Secretary for approval by 31 August 2015;</li> <li>include a drivers' code of conduct for the development;</li> <li>describe the measures that would be implemented to ensure: <ul style="list-style-type: none"> <li>noise generated by heavy vehicles entering and leaving the site is minimised between 10 pm and 6 am;</li> <li>all drivers of vehicles related to the development comply with the drivers' code of conduct; and</li> <li>compliance with the relevant conditions of this consent;</li> </ul> </li> <li>Include a program to monitor the effectiveness of the implementation of these measures.</li> </ol> <p>The Applicant must implement the approved plan as approved from time to time by the Secretary.</p>	<ul style="list-style-type: none"> <li>Transport Management Plan, 21 September 2016;</li> <li>Transport Division Workplace app; and</li> <li>2017 IEA.</li> </ul>	<ol style="list-style-type: none"> <li>Part a of this condition falls outside of the audit period. The Transport Management Plan was confirmed to have been compliant with part a of this condition in the 2017 IEA;</li> <li>The drivers' code of conduct (DCC) included in Appendix A of the plan;</li> <li>Noise minimisation measures are described in section 3.2 of the plan. Additional measures are recommended for noise minimisation between 10pm and 6am including minimised haulage between 10pm and 6am, trucks exiting staggered at no less than 5 minute intervals, and all trucks to access the Quarry via the section of East – West Link Road between the Princes Highway and the Quarry Access road. According to the plan, the plan and DCC is included with all new site induction and truck driver registrations; and</li> </ol>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>d. Monitoring through community feedback ensures compliance with the DCC and relevant conditions of consent. Fleet management is undertaken, tracking the location, speed and movements of trucks to monitor the safety of the drivers and compliance with the DCC. ERM reviewed a screenshot of the Transport Division Workplace app, used to communicate with drivers, noting a post on 5 September 2022 to all members identifying non-compliances with the speed limit on Site and reminding drivers of the DCC. Therefore, CB is compliant with part d.</p> <p>The Annual Review from June 2023 notes that from review of the Transport Management Plan, no revision of the plan is required.</p>		
Cumulative Traffic Impact Study					
47A	<p>The Applicant must, in conjunction with the operators of the Bass Point Quarry and the Dunmore Quarry, cause to be prepared an independent Cumulative Traffic Impact Study. The study must</p> <ol style="list-style-type: none"> <li>be undertaken by a suitably qualified traffic consultant, whose appointment has been approved by the Secretary;</li> <li>be commissioned by 31 August 2015, and completed by 30 November 2015, or as otherwise agreed in writing by the Secretary;</li> <li>be co-funded by the operators of the Albion Park, Dunmore and Bass Point quarries, proportionate to the quarries' respective quarry product road transport limits, as approved at 31 August 2015;</li> <li>include a comprehensive assessment of current and future projected cumulative traffic impacts of the three quarries on the classified road network, undertaken in consultation with the RMS; and</li> <li>identify any reasonable and feasible measures that can be implemented to minimise the traffic and road safety impacts of quarry trucks on Mount Ousley Road, and the likely cost of implementing these measures.</li> </ol>	<ul style="list-style-type: none"> <li>2017 IEA.</li> </ul>	<p>The Cumulative Traffic Impact Study was approved by DPE on 1 June 2016. The 2017 IEA found that the study met all required criteria and this condition was compliant, therefore this condition is not triggered for this audit period.</p>	C	N/A
47B	<p>The Applicant must, in conjunction with the operators of the Bass Point Quarry and the Dunmore Quarry, prepare a program to implement any reasonable and feasible measures identified in the Cumulative Traffic Impact Study not already undertaken by the Applicant, in an equitable manner with the two other quarry operators, to the satisfaction of the Secretary. The program must be submitted to the Secretary for approval by 31 December 2015, or as otherwise agreed in writing by the Secretary.</p>	<ul style="list-style-type: none"> <li>Albion Park, Bass Point &amp; Dunmore Quarries, Cumulative Traffic Impact Assessment dated 14 April 2016.</li> </ul>	<p>The TMP was most revised on 21 September 2016 and items were implemented prior to the audit period, therefore this condition was not triggered as part of this audit.</p>	NT	N/A
Parking					
48	<p>The Applicant must provide sufficient parking on-site for all quarry-related traffic to the satisfaction of the Secretary.</p>	<ul style="list-style-type: none"> <li>Site observations.</li> </ul>	<p>Auditors observed adequate parking onsite and no evidence of insufficient parking for quarry-related traffic, therefore CB is compliant with this condition.</p>	C	N/A
Road Haulage					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
49	The Applicant must ensure that all loaded vehicles entering or leaving the site are covered.	<ul style="list-style-type: none"> <li>▪ Site Observations;</li> <li>▪ Routine Truck Audits;</li> <li>▪ Site Observation; and</li> <li>▪ Toolbox talks.</li> </ul>	Auditors observed covers on all loaded vehicles exiting the Site. The Drivers Code of Conduct requires all loads to be covered when departing site and routine driver monitoring checks are undertaken to confirm trucks have covered loads.	C	N/A
50	The Applicant must ensure all loaded vehicles leaving the site are cleaned of materials that may fall on the road before they are allowed to leave the site.	<ul style="list-style-type: none"> <li>▪ Transport Management Plan;</li> <li>▪ Site observations;</li> <li>▪ Interview with Quality and Environment Manager; and</li> <li>▪ Complaints register.</li> </ul>	<p>Trucks are required to be inspected at the weighbridge to ensure they are clean of quarry materials. Auditors observed loaded vehicles leaving the Site which were free from materials.</p> <p>Quality and Environment Manager informed the auditors that street sweepers will complete a run from the site to the roundabout to remove excess dust and material.</p> <p>It is noted that there were three complaints received on 3 June 2021, 4 August 2022 and 21 September 2022. Where this has occurred, CB has sent out the street sweeper, which normally operates at least once a day, to remove any excess debris from the wheel wash to the front of the site, and to assist with spill clean-up.</p> <p>In response to the complaints raised, a truck wheel wash was installed by CB at prior to the site exit available for trucks to remove materials entrained on the outside of the vehicle, which appeared to be working effectively to remove material to reduce sediment drag out onto public roads.</p> <p>Auditors did not observe any examples of loaded vehicles with material entrained on the outside of the vehicle, therefore Cleary Bros is compliant with this condition.</p>	C	Should further complaints be raised in the future in relation to offsite dust tracking, it is recommended that CB conduct a review of the effectiveness of mitigation measures including the wheel wash.
<b>Heritage</b>					
51	<p>Within 3 months of the date of this consent, and prior to the disturbance of any relic, the Applicant must prepare a Heritage Management Plan for the development, in consultation with the OEH and Council, and to the satisfaction of the Secretary. The plan must be prepared by a suitably qualified heritage consultant and must include:</p> <p>a. a program for baseline dilapidation surveys of residences and other existing buildings on The Fig Tree Hill Land and the 'Belmont' property (subject to reasonable access being granted by the respective landowners). Surveys must be undertaken at least prior to the commencement of each quarrying stage;</p> <p>b. archival recording of 'Kyawana' and 'Belmont' properties, the dry stone walls and other heritage elements affected by the development;</p> <p>c. a plan for the salvage and on-site reconstruction of the dry stone walls affected by the proposal, in accordance with a conservation and interpretation strategy;</p>	<ul style="list-style-type: none"> <li>▪ Heritage Management Plan, 22 November 2017;</li> <li>▪ Annual Reviews 2020-2023; and</li> <li>▪ 2020 IEA.</li> </ul>	<p>The current Heritage Management Plan (HMP) (dated 22 November 2017) was prepared by Biosis Pty Ltd and revised by CB prior to the planned commencement of Stage 5 and 6 of the excavation (i.e. 3 May 2018) and is compliant with this condition.</p> <p>ERM reviewed correspondence with DPE for the 2020 IEA confirming approval of the Heritage Management Plan.</p> <p>A program for baseline dilapidation surveys prior to the commencement of each quarrying stage is included in section 8 of the plan. ERM reviewed dilapidation surveys for the previous 2020 IEA for</p>	C	N/A



No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>d. a plan for the conservation and maintenance of the dry stone wall on the eastern boundary of the allotment;</p> <p>e. a plan for providing Council the opportunity to salvage any relic proposed to be destroyed by the development, including 'Kyawana';</p> <p>f. measures to manage previously unidentified heritage objects or the discovery of any human remains on site;</p> <p>g. a procedure for obtaining permits under the <i>Heritage Act 1977</i> prior to disturbance of any relic, and permits under the <i>National Parks and Wildlife Act 1974</i> prior to disturbance of any Aboriginal objects or archaeological remains; and</p> <p>h. procedures to ensure ongoing consultation with Aboriginal stakeholders in the conservation and management of any Aboriginal cultural heritage values identified on site.</p> <p>Prior to the commencement of quarrying activities in either Stages 5 or 6, the Heritage Management Plan must be revised, in consultation with OEH and to the satisfaction of the Secretary.</p> <p>The Applicant must implement the approved plan as approved from time to time by the Secretary.</p>		<p>the Belmont Residence and the Hill Farm Complex dated April 2018 prior to the planned commencement of Stage 5 and 6 of the excavation, confirming that CB is compliant with part (a).</p> <p>The archival recording of the dry stone walls and other heritage elements is included in sections 3, 4 and 5 of the plan, therefore CB is compliant with part (b).</p> <p>Plans for the salvage and on-site reconstruction of the dry stone walls A and B, and conservation and maintenance of dry stone wall C are included in sections 5 and 6 of the plan. Therefore, CB is compliant with part (c) and (d).</p> <p>The Site utilises an unexpected finds (Aboriginal and non-Aboriginal) protocol contained in section 9 of the plan to manage previously unidentified heritage objects. In the event that any relic is proposed to be destroyed, Council will be notified and provided with the opportunity to salvage the relic. No aboriginal and cultural heritage values have been identified at the Site. As such, CB is compliant with part (e) and (f).</p> <p>It is noted that Kyawana has not been disturbed and there are no plans to disturb it. According to the plan, exclusions under the EP&amp;A Act relating to State Significant Developments negate the requirement for CB to obtain an Aboriginal Heritage Impact Permit (AHIP) under the NPW Act or a permit under the Heritage Act. Therefore, part (g) is not triggered.</p> <p>Consultation with Aboriginal stakeholders is outlined in section 9 and section 10 of the plan. Aboriginal stakeholders comments are to be included in archaeologist's written advice where aboriginal objects or ancestral remains are identified and impacts are anticipated. Formal consultation with Aboriginal stakeholders has not been required during the audit period. As such, CB is compliant with part (h).</p>		
52	<p>The dilapidation surveys required under Condition 51 must be conducted by a suitably qualified, experienced, and independent person, whose appointment has been approved by the Secretary. The owners of the Fig Tree Hill Land are to supply the applicant with three suggested nominees within 3 months from the grant of this consent. The applicant will submit one engineer from the list to be put forward by the applicant for approval by the Secretary.</p>	<ul style="list-style-type: none"> <li>▪ 2020 IEA.</li> </ul>	<p>Dilapidation surveys and correspondence with landowners were reviewed in the previous audit and deemed compliant with this condition. No changes have been made since, and therefore CB is still compliant with this condition.</p>	C	N/A



No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Reporting					
53	The Applicant must include a progress report on the Heritage Management Plan in the Annual Review.	<ul style="list-style-type: none"> <li>Annual Reviews 2020-2023.</li> </ul>	A progress report of the Heritage Management Plan is included in all Annual Reviews, therefore CB is compliant with this condition.	C	N/A
<b>Visual Impact</b>					
Visual Amenity					
54	The Applicant must minimise the visual impacts of the development to the satisfaction of the Secretary.	<ul style="list-style-type: none"> <li>Site observations.</li> </ul>	CB has established a vegetated visual bund to shield the development from outside the premises. The bund was established in accordance with the requirements of this approval, as detailed in Conditions 55 – 57 below and was observed to be maintained in a healthy condition, therefore CB is compliant with this condition	C	N/A
55	The visual/noise bunds and screen plantings must be designed and established in accordance with a Landscape Plan prepared in consultation with Council, and to the satisfaction of the Secretary. The Landscape Plan must be prepared by a suitably qualified landscape architect with heritage experience, and must have regard to the cultural landscape of Wentworth Hills. The plantings must be commenced prior to the commencement of extraction and completed within six months of this consent.	<ul style="list-style-type: none"> <li>2017 IEA.</li> </ul>	The visual/noise bund was designed and established prior to the audit period, therefore this condition has not been triggered. The 2017 Independent Environment Audit considered this condition compliant. CB is still compliant with this condition.	C	N/A
56	The Applicant must ensure that the trees in the bund are maintained, and that in the event that trees die that they are replaced within 28 days to the satisfaction of the Secretary.	<ul style="list-style-type: none"> <li>Site observations.</li> </ul>	Auditors observed the visual/noise bund and did not identify any gaps, dead trees or trees requiring replacing, therefore CB is compliant with this condition.	C	N/A
57	Following construction of the visual/noise bunds, the Applicant must undertake an independent review of their effectiveness and undertake any improvements to the satisfaction of the Secretary.	<ul style="list-style-type: none"> <li>2017 IEA.</li> </ul>	The visual/noise bund was constructed prior to the audit period. The 2017 Independent Environment Audit considered this condition compliant. Therefore, CB is compliant.	C	N/A
<b>Waste Management</b>					
Waste Minimisation					
58	The Applicant must minimise the amount of waste generated by the development to the satisfaction of the Secretary.	<ul style="list-style-type: none"> <li>QEMP; and</li> <li>Annual Reviews 2020-2023.</li> <li>Interview with Quality and Environment Manager.</li> </ul>	<p>Waste management is described within the QEMP. The QEMP was updated as recommended from the prior IEA, latest version being 18 February 2021.</p> <p>All Annual Reviews describe the implementation of waste minimisation. Quarry overburden material has been retained for placement in the base of the excavation and used to create the final landform. According to the Quality and Environment Manager, red rock, ostensibly a waste product, is utilised by CB to make lower quality products for sale. Given this, waste minimisation onsite is considered compliant with this condition.</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Waste Classification					
59	All liquid and non liquid wastes resulting from activities and processes at the site must be assessed, classified and managed in accordance with the EPA's Environmental Guidelines: <i>Assessment, Classification and Management of Liquid and Non-liquid Wastes (1999)</i> , or any other EPA document superseding this guideline.	<ul style="list-style-type: none"> <li>JJ Richards invoices July 2022, October 2022;</li> <li>QEMP, 18 February 2021; and</li> <li>Interview with Quality and Environment Manager.</li> </ul>	<p>Waste management onsite is conducted by segregating workshop waste, office waste and other waste generated at the Site for recycling or disposal. Waste such as cardboard, batteries and waste oil are recycled. Waste tyres are removed by a third party contractor at the time new tyres are brought to site and installed on mobile plant.</p> <p>Waste oil from machinery and equipment used onsite is collected and recycled through a specialist waste oil recycling contractor. Waste segregation was noted to be conducted effectively during the audit.</p> <p>Quarry overburden material is not considered waste and is retained for placement in the base of the excavation and used to create the final landform.</p> <p>Waste collection and disposal from the site is managed by third party contractors JJ Richards, a licensed waste management company.</p> <p>ERM reviewed example waste invoices which documented the collection and removal of waste from the site.</p> <p>ERM considers waste is being managed in accordance with the EPA and conducted generally in accordance with this condition. Waste streams are identified in the QEMP under section 4.15.2.</p> <p>CB is compliant with this condition.</p>	C	N/A
Reporting					
60	The Applicant must describe what measures have been implemented to minimise the amount of waste generated by the development in the Annual Review.	<ul style="list-style-type: none"> <li>Annual Reviews 2020-2023.</li> </ul>	<p>Waste minimisation is discussed in section 5.6 of the annual reviews.</p> <p>The 2022-2023 Annual Review notes that waste including workshop waste, office waste and waste from personnel (food scraps etc) is separated where appropriate and separately removed for recycling or disposal. Waste oil from machinery and equipment used on site is collected and recycled through a specialist waste oil recycling contractor. A review of the QEMP undertaken as part of the Annual Review has identified that the current waste management practices remain appropriate for the site and in line with the QEMP requirements.</p> <p>Therefore, CB is compliant with this condition.</p>	C	N/A

### Emergency and Hazards Management

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Dangerous Goods					
61	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.	<ul style="list-style-type: none"> <li>▪ Site observations;</li> <li>▪ Interview with Quality and Environment Manager;</li> <li>▪ Email 'Fuel Farm Report' ,16 February 2021; and</li> <li>▪ Annual Review 2022-2023.</li> </ul>	<p>A 110 kL above ground storage tank containing diesel is located at the Site and the diesel, as currently stored on site, constitutes a dangerous good. AS1940 requires a bund to be 110% capacity of the largest tank or 25% of the total capacity of all tanks within the bund, whichever is greater.</p> <p>According to the Quality and Environment Manager, the diesel tank is 110 kL (the oil tanks are smaller) and the bunds are 158 m<sup>2</sup> with a 900 mm – 950 mm height which has a 142 kL to 150 kL capacity. A minimum capacity of 121 kL is required, therefore the bunds meet the AS1940 requirement. AS1940 requires a suitable high level alarm (LAH) set at a maximum of 97% of tank capacity for tanks over 25,000 L capacity storing combustible liquids (e.g. diesel).</p> <p>The previous IEA noted that the diesel tank onsite did not have a suitable high level alarm. Since then, a tank alarm has been installed, as noted in an email from the workshop at CB dated 16 February 2021 titled Fuel Farm Report, reviewed by ERM.</p> <p>Additionally, the 2022-2023 Annual Review notes that a high-level alarm was installed on the tank in conformance with AS1940. CB is now compliant with this condition.</p>	C	N/A
Safety					
62	The Applicant must secure the development to ensure public safety to the satisfaction of the Secretary.	<ul style="list-style-type: none"> <li>▪ Site observations.</li> </ul>	Auditors observed that the Site was securely fenced to prevent public access and the weigh bridge is manned during operating hours, therefore CB is compliant with the condition.	C	N/A
Emergency Management					
63	<p>Within 6 months of the date of this consent, the Applicant must document, and subsequently implement, measures to minimise the environmental impacts of any emergency situations that could arise as a result of the operation of the quarry to the satisfaction of the EPA and the Secretary. This documentation must:</p> <p>a. identify any significant threats to the environment and/or public health that could arise from activities associated with the operation of the quarry or construction works associated with the production increase. These threats may include excessive rainfall, pump failures, excess flocculation, power or other utility failure, natural disaster, landslip, accidental spills and discharges, spillage from trucks, fire etc;</p> <p>b. identify any subsequent direct or indirect environmental effects as a result of the threats;</p>	<ul style="list-style-type: none"> <li>▪ QEMP, Emergency Management Procedures;</li> <li>▪ Pollution Incident Response Plan dated 20 September 2023; and</li> <li>▪ Annual Emergency Drill for Environmental Release dated September 2023</li> </ul>	<p>The Emergency Management Procedures contained in the QEMP identifies appropriate hazards, identifies resulting environmental effects and pollution and develops actions to effectively to respond to pollution. These hazards include excessive rainfall, fire, fuel spill, blasting mishap, unauthorised access and major truck accidents. These hazards are considered relevant and appropriate for the Site's activities, therefore Cleary Bros is compliant with part (a) – (d).</p> <p>The Pollution Incident Response Plan is available on the website. It describes the communications plan with neighbours and community, and</p>	C	N/A

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	<p>c. Identify the pollution that would result due to these threats and impacts on operations and what impact the pollution would have on the health of the community and the environment;</p> <p>d. develop actions to effectively respond to the disruption of operations so the risk of pollution is minimised;</p> <p>e. Develop a communications strategy for alerting relevant agencies and the potentially affected community in the event of the disruption to operations leading to significant pollution;</p> <p>f. ensure that all relevant employees are familiar with the documentation; and</p> <p>g. when developing this documentation, identify any opportunities to integrate with Cleary Bros Emergency plans.</p>		<p>emergency contact phone numbers, therefore is compliant with part (e).</p> <p>ERM reviewed records for an example emergency release drill event which involved Site staff including the Quarry Manager in compliance with part (f). The potential environmental impacts are identified and discussed in the Emergency Management Procedures in the context of emergency response and mitigation, therefore CB is compliant with part (g).</p>		
<b>Bushfire Management</b>					
64	<p>The Applicant must:</p> <p>a. ensure that the development is suitably equipped to respond to any fires on-site; and</p> <p>b. assist the Rural Fire Service and emergency services as much as possible if there is a fire on-site.</p>	<ul style="list-style-type: none"> <li>QEMP;</li> <li>Interview with Quality and Environment Manager; and</li> <li>Site observations.</li> </ul>	<p>The QEMP describes the threat from bushfire, and the precautionary measures in place to minimise the risk of fire and fire damage, which include firefighting equipment, extinguishers and staff training. Auditors observed extinguishers hanging on walls of buildings and mobile plant carrying extinguishers. According to the Quality and Environment Manager, there have been no bushfires onsite during the audit period, therefore the requirement to assist the Rural Fire Service and emergency services in the event of a fire has not been triggered. The Quality and Environment Manager noted that there is now a map developed to show water sources, hydrocarbon tanks, and driving routes.</p> <p>Given the training and equipment onsite, ERM considers CB compliant with this condition.</p>	C	N/A
65	<p>Within 6 months of the date of this consent, the Applicant must prepare a Bushfire Management Plan for the development, to the satisfaction of Council and the Rural Fire Service. The plan must have regard to the management of fire regimes and hazard reduction activities so as to avoid negative impacts to threatened species and habitat, endangered communities and populations as well as any cultural assets that may be present.</p>	<ul style="list-style-type: none"> <li>QEMP - Bushfire Management Plan; and</li> <li>Interview with Quality and Environment Manager.</li> </ul>	<p>The Bushfire Management Plan is included as part of the QEMP. The plan takes into account the risk of bushfires threatening the property from external sources and details precautionary measures, such as cattle grazing on grassland areas of the site as far as practicable to prevent a high fuel load. Hazard reduction activities are not undertaken for the bushland area of the property that contains endangered ecological communities due to the sensitivity of the area and the reduced risk resulting from firebreaks provided by the quarries and grazed grassland. There have been no changes to the Bushfire Management Plan during the audit period.</p>	C	N/A

**Schedule 5: Additional Procedures**

**Notification to Landowners**

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
1	If the results of monitoring required in schedule 4 identify that emissions generated by the development are greater than the criteria in schedule 4, then the Applicant must notify the Secretary and the affected landowners and/or existing or future tenants (including tenants of quarry owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the development is complying with the criteria in schedule 4.	<ul style="list-style-type: none"> <li>Interview with Quality and Environment Manager.</li> </ul>	<p>According to the review of monitoring records for the audit period, there was one exceedance of criteria outlined in schedule 4 of the development consent.</p> <p>The Department was notified as outlined in condition 15 of schedule 4.</p> <p>The Quality and Environment Manager noted that there were no exceedances during the period which have materially affected landowners, and as such no notification of landowners has been undertaken.</p>	C	N/A

**Independent review**

2	<p>If a landowner (excluding quarry owned properties) considers that the operations of the quarry are exceeding the criteria in schedule 4, then he/she may ask the Secretary in writing for an independent review of the impacts of the development on his/her land.</p> <p>If the Secretary is satisfied that an independent review is warranted, the Applicant must within 3 months of the Secretary advising that an independent review is warranted:</p> <ol style="list-style-type: none"> <li>consult with the landowner to determine his/her concerns;</li> <li>commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to conduct monitoring on the land, to determine whether the development is complying with the relevant criteria in schedule 4, and identify the source(s) and scale of any impact on the land, and the development's contribution to this impact; and</li> <li>give the Secretary and landowner a copy of the independent review</li> </ol>	<ul style="list-style-type: none"> <li>Interview with Quality and Environment Manager.</li> </ul>	<p>According to the Quality and Environment Manager, no landowner has requested the Secretary for an independent review during the audit period that the Secretary deemed to be warranted, therefore this condition has not been triggered during the audit period.</p>	NT	N/A
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**Schedule 6: Environmental Management, Monitoring, Auditing and Reporting**

**Environmental Management Strategy**

1	<p>Within 6 months of the date of this consent, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:</p> <ol style="list-style-type: none"> <li>provide the strategic context for environmental management of the development;</li> <li>Identify the statutory requirements that apply to the development;</li> <li>describe in general how the environmental performance of the development would be monitored and managed during the development</li> <li>describe the procedures that would be implemented to:                             <ul style="list-style-type: none"> <li>keep the local community and relevant agencies informed about the operation and environmental performance of the development;</li> <li>receive, handle, respond to, and record complaints;</li> <li>resolve any disputes that may arise during the course of the development;</li> <li>respond to any non-compliance;</li> <li>manage cumulative impacts; and</li> <li>respond to emergencies;</li> </ul> </li> <li>describe the role, responsibility, authority, and accountability of all key personnel involved in environmental management of the development; and</li> </ol>	<ul style="list-style-type: none"> <li>QEMP; and</li> <li>Letter from DPE approving QEMP dated 12 March 2021</li> </ul>	<p>Six months from the consent date is outside of the audit period. The latest DPE of the QEMP was approved by DPE on 12 March 2021.</p> <p>Section 1 of the QEMP provides a strategic context for environmental management of the development by including the background of the Site, the purpose and objectives of the QEMP, management plans, and performance requirements. Therefore, CB is compliant with part (a).</p> <p>The statutory requirements that apply to the development are listed in section 1.6 in compliance with part (b). Environmental monitoring is included in section 6 in compliance with part (c). The following procedures are described in the QEMP:</p> <ul style="list-style-type: none"> <li>Consultation with the community and relevant agencies through auditing and</li> </ul>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>f. include:</p> <ul style="list-style-type: none"> <li>▪ copies of any strategies, plans and programs approved under the conditions of this consent; and</li> <li>▪ a clear plan depicting all monitoring required to be carried out under the conditions of this consent.</li> </ul> <p>The Applicant must implement the approved strategy as approved from time to time by the Secretary.</p>		<ul style="list-style-type: none"> <li>▪ reporting (section 7) and the community consultative committee (section 8);</li> <li>▪ Complaints management (section 5);</li> <li>▪ Dispute management. This is addressed through an independent review process that can be initiated by the Secretary (section 8);</li> <li>▪ Response to non-compliance (under the relevant environmental topics in section 6);</li> <li>▪ Cumulative impacts (section 8). This is addressed through the independent review process. If more than one quarry is responsible for an exceedance, the Site will prepare and implement a cumulative management plan; and</li> <li>▪ Emergency and hazard management (section 4.16).</li> </ul> <p>Based on these procedures, CB is compliant with part (d). Section 3 describes the roles and responsibilities of the CEO, Quarry Production Manager, Operational Staff and Environmental Officer in compliance with part (e). The QEMP includes copies of any strategies, plans and programs approved under the conditions of this consent or summaries of these plans. This is outlined in Table 1.1. Monitoring requirements are included in section 6. As such, CB is compliant with part (f).</p> <p>ERM did not observe any examples of practices not being undertaken in accordance with the approved QEMP, therefore CB is compliant with this condition.</p>		
<b>Annual Review</b>					
2	<p>By the end of September each year, or other timing as may be agreed by the Secretary, the Applicant must submit a report to the Department reviewing the environmental performance of the development to the satisfaction of the Secretary. This review must:</p> <ol style="list-style-type: none"> <li>a. describe the development (including rehabilitation) that was carried out in the previous financial year, and the development that is proposed to be carried out over the current financial year;</li> <li>b. include a comprehensive review of the monitoring results and complaints records of the development over the previous financial year, which includes a comparison of these results against: <ul style="list-style-type: none"> <li>▪ the relevant statutory requirements, limits or performance measures/criteria;</li> <li>▪ the monitoring results of previous years; and</li> <li>▪ the relevant predictions in the documents referred to in condition 2 of Schedule 3;</li> </ul> </li> <li>c. identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</li> <li>d. identify any trends in the monitoring data over the life of the development;</li> </ol>	<ul style="list-style-type: none"> <li>▪ Annual Reviews 2020-2023; and</li> <li>▪ Confirmation emails of annual reviews submitted to the DPE, dated 20 July 2021, 19 July 2022, and 25 July 2023.</li> </ul>	<p>Sections 2.2 and 2.3 of the Annual Reviews describe the development (including rehabilitation) that was carried out in the previous financial year, and the development that is proposed to be carried out over the current financial year.</p> <p>A comprehensive review of the monitoring results and complaints records of the development over the previous financial year is included in sections 3 and 4. Section 7 identifies any non-compliance over the last year (section 7).</p> <p>Trends in the monitoring data over the life of the development are identified and discussed under the relevant environmental topic in section 3. Discrepancies between the predicted and actual impacts of the development are included in section 8 and under each environmental topic in sections 3 and 5.</p>	C	N/A



No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>e. identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>f. describe what measures will be implemented over the current calendar year to improve the environmental performance of the development.</p>		<p>All Annual Reviews during the audit period reported that predicted impacts of the development were largely valid, with most impacts less than that predicted in the original assessment. Annual reviews note no significant impacts to groundwater and surface water.</p> <p>Measures that will be implemented over the current calendar year to improve the environmental performance of the development are discussed under the relevant environmental topic in sections 3 and 5, as well as summarised in section 8. ERM reviewed email certificates from DPE confirming receipt of the Annual Reviews. Therefore, CB is compliant with this condition.</p>		
<b>Revision of Strategies, Plans, and Programs</b>					
3	<p>Within 3 months of a modification to this consent or following the submission of an:</p> <p>a. annual review under condition 2 above;</p> <p>b. incident report under condition 5 below; or</p> <p>c. audit report under condition 8 below.</p> <p>the Applicant must review and if necessary revise, the strategies, plans and programs required under this consent, to the satisfaction of the Secretary. Within 4 weeks of conducting any such review, the Applicant must advise the Secretary of the outcomes of the review and provide any documents that have been revised to the Secretary for review and approval.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and to incorporate any recommended measures to improve the environmental performance of the development.</i></p>	<ul style="list-style-type: none"> <li>▪ Annual Reviews 2020-2023;</li> <li>▪ Email receipt from QEMP submission to DPE, 18 February 2021;</li> <li>▪ Email receipt from Water Management Plan submission to DPE, 26 February 2021; and</li> <li>▪ Email confirming review/approval of Management Plans from DPE, 12 March 2021</li> </ul>	<p>All Annual Reviews describe the review of management plans and requirements of a revision. From review of Annual Reviews for the audit period, the WMP and the QEMP were updated. Both were submitted to the Department, confirmed by review of email receipts dated 18 February 2021 for submission of the QEMP and 26 February 2021 for the WMP, both submitted within 4 weeks of revision. The Department reviewed and approved both plans, as confirmed by emails dated 12 March 2021 for both plans.</p> <p>The Development Consent has not been modified during the audit period and ERM have not identified additional triggers in the existing management plans which require them to be updated.</p> <p>Therefore, CB is compliant with this condition.</p>	C	N/A
<b>Updating and staging strategies, plans or programs</b>					
3A	<p>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>With the agreement of the Secretary, the Applicant may prepare a revision or stage of any strategy, plan or program required under this consent without undertaking consultation with all parties nominated under the applicable condition in this consent.</p> <p>The Applicant must continue to apply existing approved management plans, strategies or monitoring programs that have most recently been approved under this consent, until the approval of a similar plan, strategy or program under this consent</p> <p><i>Notes:</i></p>	<ul style="list-style-type: none"> <li>▪ 2020 IEA;</li> <li>▪ DPE approval of QEMP, 12 March 2021; and</li> <li>▪ DPE approval of WMP, 12 March 2021.</li> </ul>	<p>Management plans are reviewed, revised and submitted to DPE as required by this condition. Auditors reviewed DPE approval for the following plans required under this consent in the previous 2020 IEA and the current 2023 IEA where plans have been updated:</p> <ul style="list-style-type: none"> <li>▪ Vegetation Management Plan;</li> <li>▪ Quarry Environmental Management Plan;</li> <li>▪ Water Management Plan;</li> <li>▪ Air Quality Management Plan;</li> <li>▪ Noise and Blast Management Plans;</li> <li>▪ Heritage Management Plan; and</li> <li>▪ Rehabilitation Management Plan.</li> </ul>	C	N/A

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> <li>While any strategy, plan or program may be submitted on a staged basis, the Applicant must ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times.</li> <li>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 to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</li> </ul>		Activities taking place onsite are covered by the plans including extraction, processing, blasting, transport of quarry products, maintenance and environmental management. The plans cover all stages of the development that are currently active (i.e. extraction from stages 5 and 6). As such, CB compliant with this condition.		
<b>Community Consultative Committee</b>					
4	<p>The Applicant must operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Secretary. This CCC must be operated in general accordance with the <i>Community Consultative Committee (CCC) Guidelines for State Significant Projects</i> (Department of Planning, 2016, or its latest version).</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent.</li> <li>In accordance with the guideline, the Committee should comprise of an independent chair and appropriate representation from the Applicant, Council, recognised environmental groups and the local community.</li> <li>The Applicant may, with the approval of the Secretary, combine the function of this CCC with the function of other CCCs in the area.</li> </ul>	<ul style="list-style-type: none"> <li>CCC Meeting Minutes.</li> </ul>	<p>The Albion Park Quarry CCC meets biannually. CCC meeting minutes are available on the CB website. CCC members include an independent chairperson, a Fig Tree Hill representative, a community representative, a Shellharbour City Council representative, the Cleary Bros Quality and Environment Manager and a CB representative. The independent chairperson for the Albion Park Quarry CCC is included in DPE’s online talent pool of independent chairpersons.</p> <p>As such, the CCC is considered to be operated in general accordance with the Community Consultative Committee (CCC) Guidelines for State Significant Projects. Therefore, CB is compliant with this condition.</p>	C	N/A
<b>Reporting</b>					
Incident Reporting					
5	The Applicant must immediately notify the Secretary and any other relevant agencies of any incident. 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.	<ul style="list-style-type: none"> <li>Incident Registers 2020-2023;</li> <li>Email notifications to DPE and EPA;</li> <li>Interview with Quality and Environment Manager; and</li> </ul>	All notifications were made to the EPA and DPE within 7 days of the site becoming aware of the incident.	C	N/A
Regular reporting					
6	The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent, and to the satisfaction of the Secretary.	<ul style="list-style-type: none"> <li>CB website.</li> </ul>	<p>ERM reviewed the CB website and identified the results of monitoring on the ‘Environmental Monitoring Records’ page. The monitoring results include:</p> <ul style="list-style-type: none"> <li>EPL Blasting Monitoring records;</li> <li>EPL Dust Monitoring records;</li> <li>EPL Discharge Monitoring records; and</li> <li>Noise Monitoring records.</li> </ul> <p>The monitoring results are presented for the items requiring monitoring under the EPL and DA and records are maintained dating back to 2018. CB is therefore compliant with this condition.</p>	C	N/A

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
<b>Independent Environmental Audit</b>					
7	<p>Within 2 years of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission, commence and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <ol style="list-style-type: none"> <li>be conducted by a suitably qualified, experienced, and independent team of experts whose appointment has been endorsed by the Secretary;</li> <li>include consultation with the relevant agencies;</li> <li>assess the environmental performance of the development, and whether it is complying with the relevant requirements in this consent and any relevant EPL (including any assessment, plan or program required under these approvals);</li> <li>review the adequacy of any approved strategy, plan or program required under these approvals; and</li> <li>recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals be conducted and reported to the satisfaction of the Secretary.</li> </ol> <p><i>Note: This audit team must be led by a suitably qualified auditor and may include additional experts in any field specified by the Secretary.</i></p>	<ul style="list-style-type: none"> <li>IEA 2017 and 2020, conducted by ERM; and</li> <li>DPE letter dated 22 September 2023 approving audit team.</li> </ul>	<p>IEA's were conducted by ERM in 2017 and 2020. This audit was conducted in 2023, within three years of the previous audit.</p> <ol style="list-style-type: none"> <li>The audit team was approved by the Secretary and comprises suitably qualified experts in the fields of noise, air quality and mining;</li> <li>The IEA included consultation with local council, DPE, EPA and CCC (as discussed in the Main Report);</li> <li>This report assesses the environmental performance of the project and compliance with relevant requirements in the approval and EPL;</li> <li>The adequacy of strategies, plans and/or programs required under the approval and EPL were reviewed throughout this report;</li> <li>Improvement recommendations have been provided throughout this report; and</li> <li>This audit has been prepared in accordance with relevant regulatory guidelines. ERM considers that all the requirements of this Condition have been met.</li> </ol>	C	N/A
8	<p>Within 12 weeks of commencing each audit, unless the Secretary agrees otherwise, the Applicant must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of any measures to address the recommendations.</p>	<ul style="list-style-type: none"> <li>Letter to DPE submitting previous audit report dated 14 December 2020.</li> </ul>	<p>The previous environmental audit commenced on 5 November 2020. ERM reviewed the submission letter for the previous environmental audit which was dated 14 December 2020 and included CB response to recommendations from the report and a timetable for implementing measures to address recommendations. The submission was within the twelve-week period, therefore CB is compliant with this condition.</p>	C	N/A
<b>Access to Information</b>					
9	<p>For the duration of the development, the Applicant must:</p> <ol style="list-style-type: none"> <li>make copies of the following publicly available on its website: <ul style="list-style-type: none"> <li>the documents referred to in condition 2 of Schedule 3;</li> <li>current statutory approvals for the development;</li> <li>approved strategies, plans and programs required under the conditions of this consent;</li> <li>a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</li> <li>a complaints register, which is to be updated monthly;</li> <li>minutes of CCC meetings;</li> <li>the annual reviews of the development (for the last 5 years);</li> <li>any independent environmental audit of the development, and the Applicant's response to the recommendations in any audit;</li> <li>any other matter required by the Secretary; and</li> </ul> </li> <li>keep this information up-to-date, to the satisfaction of the Secretary.</li> </ol>	<ul style="list-style-type: none"> <li>CB website; and</li> <li>Interview with Quality and Environment Manager.</li> </ul>	<p>ERM reviewed the CB website and identified all of the documents required by this condition are available under the 'Environmental Monitoring Records' tab. The complaints register was last updated on 11 December 2023, which suggests it is being updated monthly.</p>	C	N/A

Condition Number	Assessment Required (condition)	Reference/Evidence	Comments	Compliance Status	Recommendations									
<b>Administrative Conditions</b>														
<b>A1 What the licence authorises and regulate</b>														
A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their schedule 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>&gt;500000 – 2000000 T annual processing capacity</td> </tr> <tr> <td>Extractive activities</td> <td>Extractive activities</td> <td>&gt;500000 – 2000000 T annually extracted or processed</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Crushing, Grinding or separating	Crushing, grinding or separating	>500000 – 2000000 T annual processing capacity	Extractive activities	Extractive activities	>500000 – 2000000 T annually extracted or processed	<ul style="list-style-type: none"> <li>Annual Returns for 2020-2021, 2021-2022, 2022-2023; and</li> <li>Annual Reviews for 2020-2021, 2021-2022, 2022-2023</li> </ul>	<p>According to the Annual Reviews, the following production quantities from extractive activities and crushing, grinding or separating activities were as follows for the audit period:</p> <ul style="list-style-type: none"> <li>FY2020-2021: 476,183 tonnes of blue rock (basalt) and 287,701 tonnes of red rock (agglomerate) were extracted from the extension area and sold. Total volume: 763,884 tonnes;</li> <li>FY2021-2022: 440,858 tonnes of blue rock (basalt) and 244,489 tonnes of red rock (agglomerate) were extracted from the extension area and sold. Total volume: 685,347 tonnes; and</li> <li>FY2022-2023: 482,923 tonnes of blue rock (basalt) and 268,680 tonnes of red rock (agglomerate) were extracted from the extension area and sold. Total volume: 751,603 tonnes.</li> </ul> <p>All volumes extracted were below the 2000000 T extraction limits. Therefore, Cleary Bros is compliant with this condition.</p>	C	N/A
Scheduled Activity	Fee Based Activity	Scale												
Crushing, Grinding or separating	Crushing, grinding or separating	>500000 – 2000000 T annual processing capacity												
Extractive activities	Extractive activities	>500000 – 2000000 T annually extracted or processed												
<b>A2 Premises or plant to which this licence applies</b>														
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>Cleary Bros (BOMBO) Pty Ltd 18 East West Route Croom, NSW 2527</td> </tr> <tr> <td>Lot 1 PR 858245, Lot 420 DP 1252087, Lot 421 DP 1252087</td> </tr> <tr> <td>Temporary access to a portion (115402m) of Lot 2 DP 858245 as shown on quarry EMP Fig 2.1</td> </tr> </tbody> </table>	Premises Details	Cleary Bros (BOMBO) Pty Ltd 18 East West Route Croom, NSW 2527	Lot 1 PR 858245, Lot 420 DP 1252087, Lot 421 DP 1252087	Temporary access to a portion (115402m) of Lot 2 DP 858245 as shown on quarry EMP Fig 2.1	N/A	Noted	Note	N/A					
Premises Details														
Cleary Bros (BOMBO) Pty Ltd 18 East West Route Croom, NSW 2527														
Lot 1 PR 858245, Lot 420 DP 1252087, Lot 421 DP 1252087														
Temporary access to a portion (115402m) of Lot 2 DP 858245 as shown on quarry EMP Fig 2.1														
<b>A3 Other activities</b>														
A3.1	<p>This licence applies to all other activities carried on at the premises, including.</p> <ul style="list-style-type: none"> <li>Concrete works</li> </ul>	N/A	Noted	Note	N/A									

Condition Number	Assessment Required (condition)	Reference/Evidence	Comments	Compliance Status	Recommendations																				
<b>A4 Information supplied to the EPA</b>																									
A4.1	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.</p> <p>In this condition the reference to "the licence application" includes a reference to:</p> <ol style="list-style-type: none"> <li>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</li> <li>The licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</li> </ol>	<ul style="list-style-type: none"> <li>EPL 299.</li> </ul>	Compliance with the EPL is discussed throughout this report against each condition.	C	N/A																				
<b>2 Discharge to Air and Water and Applications to Land</b>																									
<b>P1 Location of monitoring/discharge points and areas</b>																									
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> <p><i>Air</i></p> <table border="1"> <thead> <tr> <th>EPA Identification number</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>Dust deposition monitoring</td> <td></td> <td>APD 1 - within 100m of the premises entrance gate, labelled as EPL ID#1 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.</td> </tr> <tr> <td>2</td> <td>Dust deposition monitoring</td> <td></td> <td>APD 2 - approximately 200 metres east of original quarry area, labelled as EPL ID#2 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.</td> </tr> <tr> <td>3</td> <td>Dust deposition monitoring</td> <td></td> <td>APD 3 - approximately 200m East of main holding and sedimentation dam, labelled EPL ID#3 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.</td> </tr> <tr> <td>8</td> <td>Dust deposition monitoring</td> <td></td> <td>APD 4 - approximately 150m North East of quarry extension, labelled as EPL ID#8 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.</td> </tr> </tbody> </table>	EPA Identification number	Type of Monitoring Point	Type of Discharge Point	Location Description	1	Dust deposition monitoring		APD 1 - within 100m of the premises entrance gate, labelled as EPL ID#1 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.	2	Dust deposition monitoring		APD 2 - approximately 200 metres east of original quarry area, labelled as EPL ID#2 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.	3	Dust deposition monitoring		APD 3 - approximately 200m East of main holding and sedimentation dam, labelled EPL ID#3 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.	8	Dust deposition monitoring		APD 4 - approximately 150m North East of quarry extension, labelled as EPL ID#8 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.	<ul style="list-style-type: none"> <li>EPL299 Boundary and Monitoring Points map, 10 November 2021;</li> <li>Site Observations; and</li> <li>Annual Returns 2020-2021, 2021-2022, 2022-2023.</li> </ul>	<p>Dust deposition monitoring points ID# 8, 3, and 1 were observed during the Site visit.</p> <p>All monitoring points identified in this table are noted on the EPL299 Boundary and Monitoring Points map provided.</p> <p>Dust monitoring was recorded for all points listed in the table in annual returns for the audit period.</p> <p>Therefore, Cleary Bros is compliant with this condition.</p>	C	N/A
EPA Identification number	Type of Monitoring Point	Type of Discharge Point	Location Description																						
1	Dust deposition monitoring		APD 1 - within 100m of the premises entrance gate, labelled as EPL ID#1 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.																						
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3	Dust deposition monitoring		APD 3 - approximately 200m East of main holding and sedimentation dam, labelled EPL ID#3 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.																						
8	Dust deposition monitoring		APD 4 - approximately 150m North East of quarry extension, labelled as EPL ID#8 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.																						
P1.2	<p>The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.</p>	N/A	Noted	Note	N/A																				

Condition Number	Assessment Required (condition)	Reference/Evidence	Comments	Compliance Status	Recommendations																
P1.3	<p>The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.</p> <p>Water and Land</p> <table border="1"> <thead> <tr> <th>EPA identification Number</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>Effluent Quality Monitoring – Discharge to waters</td> <td>Effluent Quality Monitoring – Discharge to waters</td> <td>Outlet of main holding and sedimentation pond, labelled as EPL ID#4 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.</td> </tr> <tr> <td>6</td> <td>Effluent Quality Monitoring – Discharge to waters</td> <td>Effluent Quality Monitoring – Discharge to waters</td> <td>Any discharge from the quarry extension (Lot 1 DP858245), labelled as EPL ID#6 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.</td> </tr> <tr> <td>7</td> <td>Effluent Quality Monitoring</td> <td></td> <td>Water course west of the Quarry Managers Office at the point where the creek exits the premises, labelled as EPL ID#7 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.</td> </tr> </tbody> </table>	EPA identification Number	Type of Monitoring Point	Type of Discharge Point	Location Description	4	Effluent Quality Monitoring – Discharge to waters	Effluent Quality Monitoring – Discharge to waters	Outlet of main holding and sedimentation pond, labelled as EPL ID#4 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.	6	Effluent Quality Monitoring – Discharge to waters	Effluent Quality Monitoring – Discharge to waters	Any discharge from the quarry extension (Lot 1 DP858245), labelled as EPL ID#6 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.	7	Effluent Quality Monitoring		Water course west of the Quarry Managers Office at the point where the creek exits the premises, labelled as EPL ID#7 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.	<ul style="list-style-type: none"> <li>EPL 299 Boundary and Monitoring Points map, 10 November 2021; and</li> <li>Annual Returns 2020-2021, 2021-2022, 2022-2023.</li> </ul>	<p>All monitoring points listed in the table are noted on the EPL299 Boundary and Monitoring Points map provided.</p> <p>Effluent quality monitoring at all points in the table were recorded in Annual Returns throughout the audit period.</p> <p>Review of monitoring point locations during the Site visit confirmed that monitoring points were generally located where they are described to be in this table.</p> <p>Therefore, Cleary Bros is compliant with this condition.</p>	C	N/A
EPA identification Number	Type of Monitoring Point	Type of Discharge Point	Location Description																		
4	Effluent Quality Monitoring – Discharge to waters	Effluent Quality Monitoring – Discharge to waters	Outlet of main holding and sedimentation pond, labelled as EPL ID#4 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.																		
6	Effluent Quality Monitoring – Discharge to waters	Effluent Quality Monitoring – Discharge to waters	Any discharge from the quarry extension (Lot 1 DP858245), labelled as EPL ID#6 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.																		
7	Effluent Quality Monitoring		Water course west of the Quarry Managers Office at the point where the creek exits the premises, labelled as EPL ID#7 in the map titled 'EPL299 Site Map' (dated 22 May 2020) and received by the EPA on 22 May 2020.																		

**3 Limit Conditions**

**L1 Pollution of waters**

L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	N/A	Noted	Note	N/A
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**L2 Concentration Limits**

L2.1	For each monitoring/discharge point or utilisation area specified in the table's below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	<ul style="list-style-type: none"> <li>Annual Reviews and Annual Returns 2020-2021, 2021-2022, 2022-2023;</li> <li>Quarry Pit Discharges;</li> <li>Incident reports; and</li> <li>EPA notifications</li> </ul>	<p>Monitoring records from the audit period are noted to be as follows from Annual Returns for Point 4 and 6, displayed as ranges of lowest-highest values recorded:</p> <p><u>2020-2021:</u></p> <p>Point 4:</p> <ul style="list-style-type: none"> <li>pH: 6.8 – 7.9</li> <li>TSS: 252-340 mg/L</li> </ul> <p>Point 6:</p> <ul style="list-style-type: none"> <li>pH: 7-8.2</li> <li>Turbidity: 9-28.1 nephelometric turbidity units</li> </ul> <p><u>2021-2022:</u></p> <p>Point 4:</p> <ul style="list-style-type: none"> <li>pH: 7.2-8</li> <li>TSS: 16.4-74 mg/L</li> </ul>	NC	Uncontrolled discharges correlated to high rainfall events, including during the “Disaster Declaration” by Shellharbour City LGA in March 2022, have resulted in exceedances of the TSS during the audit period. On the basis of this, the auditors do not have any recommended actions for this condition. Further, CB have undertaken incident
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Condition Number	Assessment Required (condition)	Reference/Evidence	Comments	Compliance Status	Recommendations
			<p>Point 6:</p> <ul style="list-style-type: none"> <li>- pH: 7-7.7</li> <li>- Turbidity: 12.4-31.6 nephelometric turbidity units</li> </ul> <p><u>2022-2023:</u></p> <p>Point 4:</p> <ul style="list-style-type: none"> <li>- N/A</li> </ul> <p>Point 6</p> <ul style="list-style-type: none"> <li>- pH: 7.1-7.9</li> <li>- Turbidity: 13.3-25.3 nephelometric turbidity units</li> </ul> <p>As noted from these results, all parameters were measured for each point where required. Point 4 was listed as N/A in the Annual Return 2022-2023 period because no discharges occurred from this point during this time. The details of exceedances are as follows.</p> <ul style="list-style-type: none"> <li>▪ The 2020-2021 TSS at Point 4 highest value recorded for was 340 mg/L, which is significantly higher than the 50 mg/L EPL limit. From the Quarry Pit Discharges spreadsheet covering the audit period, Point 4 data showed that TSS exceeded EPL limits on 22 March 2021, 23 March 2021 and 7 May 2021, with 340 mg/L, 252 mg/L and 322 mg/L recorded for each day respectively. After these dates, TSS returned to 6 mg/L by 28 May 2021; and</li> <li>▪ The 2021-2022 highest recording for TSS at Point 4 was 74 mg/L. In the Quarry Pit Discharges spreadsheet, TSS exceedances are recorded on 2 March 2022, 3 March 2022, and 3 July 2022, with readings of 55 mg/L, 74 mg/L, and 74 mg/L respectively. TSS reading dropped to 40 mg/L on 7 April 2022.</li> </ul> <p>Incident investigations for these exceedances were provided, noting that excessive rainfall caused overflows of stormwater from the main quarry dam, causing exceedances for TSS on these dates. Due to the large amounts of rainfall, the discharges were unavoidable. Corrective actions included research of options to increase surge capacity of the dam.</p> <p>Exceedances were reported to the EPA for 22 March 2021, 23 March 2021, 7 May 2021 and 3 July 2022. The exceedances occurred during March 2022 were not required to be reported to the EPA, as a Disaster Declaration was</p>		<p>investigations and provided notifications to the EPA as deemed appropriate.</p>

Condition Number	Assessment Required (condition)	Reference/Evidence	Comments	Compliance Status	Recommendations
			made for the Shellharbour City LGA, and the EPA advised that no incident reporting was required for events directly correlated to flooding occurring between 22 February 2022 and 14 March 2022. The EPA followed up on July 2022 exceedances with an email on 13 July 2022, asking questions and requesting further information. CB responded on the same day, with no further communication received from the EPA.		
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	N/A	Noted. Refer to comment on Condition L2.1.	Note	N/A
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table's.	N/A	Noted. Refer to comment on Condition L2.1.	Note	N/A
L2.4	Water and/or Land Concentration Limits	N/A	Noted. Refer to comment on Condition L2.1.	Note	N/A

POINT 4

Pollutant	Units of Measure	50 percentile concentration limits	90 percentile concentration limits	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5 – 8.5
Total suspended solids	Milligrams per litre				50

POINT 6

Pollutant	Units of Measure	50 percentile concentration limits	90 percentile concentration limits	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5-8.5
Turbidity	Nephelometric turbidity units				32.2

L3 Blasting

L3.1	The airblast overpressure level from blasting operations in or on the premises must not exceed: a) 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; and b) 120 dB (Lin Peak) at any time. At any point that is located at least 3.5m from any residence or other sensitive receiver on privately-owned land.	Blast Monitoring 2020-2023.	According to the blast monitoring records from the audit period, there were no exceedances of the 115 dB airblast overpressure level limit for more than 5% of the total number of blasts during any reporting period. In addition, there were no exceedances of the 120 dB airblast overpressure level limit at any time. Therefore, CB is compliant with this condition.	C	N/A
L3.2	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: a) 5mm/s for more than 5% of the total number of blasts carried out on the premises during each reporting period; and b) 10 mm/s at any time. At any point that is located at least 3.5m from any residence or other sensitive receiver on privately-owned land.	Blast Monitoring 2020-2023.	According to blast monitoring records from the audit period, there were no exceedances of the 5 mm/s ground vibration level for more than 5% of the total number of blasts carried out on the premises during each reporting period. In addition, there were no reported and no exceedances of 10 mm/s at any time. T, therefore, CB is compliant with this condition. For note, there were only two exceedances of the 5 mm/s limit, totalling 2% of total number of	C	N/A

Condition Number	Assessment Required (condition)	Reference/ Evidence	Comments	Compliance Status	Recommendations
			blasts occurred during the audit period (95 total blasts), therefore falling within the EPL limits.		
L3.3	Blasting must be limited to one blast each day. Where compelling safety reasons exist, the Authority may permit additional blasts to occur where prior written (or facsimile) notification of any additional blasts are made to the Authority.	<ul style="list-style-type: none"> <li>APQ EPL Blasting Monitoring '20-'21, '21-'22, '22-'23, '23-'24;</li> <li>Individual Blast Monitoring Records – 5 September 2023, 12 September 2023, 19 September 2023, 28 March 2023, 3 July 2023, 11 July 2023, 21 July 2023, 25 July 2023; and</li> <li>Interview with Quality and Environment Manager.</li> </ul>	The Quality and Environment Manager noted that there is only one blast scheduled per day, and generally it is once per week. This was confirmed by blast records.	C	N/A
L3.4	Blasting operations at the premises may only take place between 9:00am – 5:00pm Monday to Friday. Where compelling safety reasons exist, the Authority may permit a blast to occur outside the abovementioned hours. Prior written (or facsimile) notification of any such blast must be made to the Authority.	<ul style="list-style-type: none"> <li>APQ EPL Blasting Monitoring '20-'21, '21-'22, '22-'23, '23-'24;</li> <li>Individual Blast Monitoring Records – 5 September 2023, 12 September 2023, 19 September 2023, 28 March 2023, 3 July 2023, 11 July 2023, 21 July 2023, 25 July 2023; and</li> <li>Interview with Quality and Environment Manager</li> </ul>	According to blast monitoring records for the audit period, all blasts took place between Monday and Friday. Additionally, example individual blast monitoring reports reviewed by ERM indicated that blasting occurred between 9:00 am and 5:00 pm. There were no example blast monitoring reports reviewed by ERM that indicated blasting had occurred outside of the allowable hours, therefore CB is compliant with this condition.	C	N/A

**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: The processing, handling, movement and storage of materials and substances used to carry out the activity; and The treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	<ul style="list-style-type: none"> <li>Site visit interviews with Quality and Environment Manager;</li> <li>Management Plans and procedures;</li> <li>Site induction;</li> <li>QEMP; and</li> <li>Environmental training package, May 2023.</li> </ul>	<p>Management Plans are in place for CB operations, including the following:</p> <ul style="list-style-type: none"> <li>Air Quality Management Plan;</li> <li>Noise and Blast Management Plan;</li> <li>Cumulative Traffic Assessment;</li> <li>Heritage Management Plan;</li> <li>Transport Management Plan; and</li> <li>Water Management Plan.</li> </ul> <p>During the site inspection, activities appeared to be conducted in a competent manner and in accordance with the approved management plans. Materials appeared to be appropriately stored and secondary containment was provided for liquid storage. Waste segregation was noted to be good during the audit.</p> <p>Albion Park Quarry has prepared environmental awareness training that includes topics such as restricted operation hours, dust control, equipment maintenance and refuelling, vegetation management, cultural heritage, site access, waste management and emergency management.</p> <p>Waste streams at the site include:</p>	C	N/A
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Condition Number	Assessment Required (condition)	Reference/Evidence	Comments	Compliance Status	Recommendations
			<ul style="list-style-type: none"> <li>▪ Overburden, which is used for rehabilitation;</li> <li>▪ Waste oil and other servicing consumables including batteries and oil filters – managed by Nation Wide Oil;</li> <li>▪ General waste – managed by JJ Richards; and</li> <li>▪ Cardboard – Managed by Flagstaff.</li> </ul> <p>Waste oil was noted to be stored in the bulk storage area which is bunded and alarmed. Waste Management at the site was carried out in a competent manner.</p> <p>The auditors reviewed a site-specific induction form, required to be completed by visitors entering operational areas, contractors and employees that includes safety and environment information. Topics such as incidents, hazards, safety alerts and improvements are discussed with employees during daily toolbox talks. Given the training and monitoring undertaken, ERM considers operations are carried out in a competent manner and CB are compliant with this condition.</p>		
<b>O2 Maintenance of plant and equipment</b>					
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: Must be maintained in a proper and efficient condition; and Must be operated in a proper and efficient manner.	<ul style="list-style-type: none"> <li>▪ MEX work order system review</li> <li>▪ Example work order reports – Crusher #2 3 June 2023, 773D#10 18 October 2023, EX1200#1 19 September 2023, 988H#5 25 October 2023; and</li> <li>▪ Inspection, Testing and Defect Management – Work Instruction, 7 June 2023.</li> </ul>	<p>All maintenance records and preventative maintenance schedules are managed through MEX, with many of the work orders undertaken by a separate site (the Port Kembla workshop).</p> <p>The auditors reviewed the MEX system, including sample work orders, and confirmed that the work orders demonstrated plant and equipment being routinely maintained in accordance with the manufacturer’s requirements. ERM did not observe any examples of plant and equipment not being maintained in a proper and efficient condition or lapsed maintenance requirements, therefore CB is compliant with this condition.</p>	C	N/A
<b>O3 Dust</b>					
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	<ul style="list-style-type: none"> <li>▪ Quarry Environment Management Plan (QEMP);</li> <li>▪ Site Observations; and</li> <li>▪ APQ EPL Dust Monitoring '20-'21, '21-'22, '22-'23, '23-'24 spreadsheets.</li> </ul>	<p>The QEMP describes mitigation measures such as sealed access to the Site, progressive revegetation of long-term stockpiles, limits on stockpile heights, operation of a water cart on haul roads, designated vehicle roads onsite with speed limits and covered loads for trucks exiting the Site. Auditors observed instances of progressive revegetation, vehicles using designated roads onsite and observing speed limits and trucks leaving the Site with covers.</p>	C	N/A

Condition Number	Assessment Required (condition)	Reference/ Evidence	Comments	Compliance Status	Recommendations
			Haul road spraying was observed during the Site visit. CB monitors dust deposition routinely. Given controls are in place, minimal dust was observed, and records indicate significant dust deposition events are not regularly occurring, ERM considers CB compliant with this condition.		
O3.2	The licensee must ensure all loaded vehicles leaving the premises are covered.	<ul style="list-style-type: none"> <li>Truck Drivers Code of Conduct;</li> <li>Site Observations; and</li> <li>Transport Management Plan.</li> </ul>	The Truck Drivers Code of Conduct requires all loaded trucks departing Site to have an effective cover over their load for the duration of the trip. Auditors observed trucks leaving the Site with covers and did not observe any examples of trucks leaving site without covered loads, therefore Cleary Bros is compliant with this condition	C	N/A
O3.3	The licensee must ensure all loaded vehicles leaving the premises are cleaned of materials that may fall on public roads before they are allowed to leave the premises.	<ul style="list-style-type: none"> <li>Transport Management Plan; and</li> <li>Complaints register.</li> </ul>	<p>Trucks must be inspected at the weighbridge to ensure they are clean of quarry materials prior to leaving site and the Truck Drivers Code of Conduct requires drivers to ensure that all loose debris from the vehicle body and wheels is removed prior to leaving the site and again after unloading.</p> <p>Auditors observed the wheel wash in place at the site, which was installed in October 2023, to prevent tracking of material off-site. The wheel wash appeared to be effective at reducing tracked material off-site. Interview with the Quality and Environment Manager noted that there are some improvements to be made to the wheel wash, however it has improved this issue. It is noted that there were three complaints received on 3 June 2021, 4 August 2022 and 21 September 2022. Where this has occurred, CB has sent out the street sweeper, which normally operates at least once a day, to remove any excess debris from the wheel wash to the front of the site, and to assist with spill clean up.</p> <p>Auditors did not observe any examples of loaded vehicles with material entrained on the outside of the vehicle, therefore Cleary Bros is compliant with this condition.</p>	C	Should further complaints be raised in the future in relation to offsite dust tracking, it is recommended that CB conduct a review of the effectiveness of mitigation measures including the wheel wash.
<b>O4 Waste management</b>					
O4.1	All liquid and non liquid wastes resulting from activities and processes at the site must be assessed, classified and managed in accordance the EPA's Waste Classification Guidelines (2014) or any other EPA document superceeding this guideline.	<ul style="list-style-type: none"> <li>Waste invoices;</li> <li>Interview with Quality and Environment Manager; and</li> <li>QEMP.</li> </ul>	Waste management onsite is conducted by segregating workshop waste, office waste and other waste generated at the Site for recycling or disposal. Waste such as cardboard, batteries and waste oil are recycled. Waste oil from machinery and equipment used onsite is collected and recycled through a specialist	C	N/A

Condition Number	Assessment Required (condition)	Reference/Evidence	Comments	Compliance Status	Recommendations
			<p>waste oil recycling contractor. Waste segregation was noted to be conducted effectively during the audit.</p> <p>Quarry overburden material is not considered waste and is retained for placement in the base of the excavation and used to create the final landform. Waste collection and disposal from the site is managed by third party contractors JJ Richards, a licensed waste management company. ERM reviewed example waste invoices which documented the collection and removal of waste from the site. ERM considers waste is being managed in accordance with the EPA and waste management is conducted generally in accordance with this condition. The QEMP now includes waste management in section 4.15, including identification of waste streams generated at the site. CB is compliant with this condition.</p>		
<b>O5 Other operating conditions</b>					
O5.1	<p><b>FLOCCULANTS USED IN WATER TREATMENT</b> The licensee must not use a flocculant other than gypsum, without the written approval of the Authority.</p>	Interview with Quality and Environment Manager.	According to site management, flocculants were not used in the water treatment system at any point during the audit period, therefore this condition has not been triggered.	NT	N/A
<b>5 Monitoring and Recording Conditions</b>					
<b>M1 Monitoring records</b>					
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Note	Noted	Note	N/A
M1.2	<p>All records required to be kept by this licence must be:</p> <ol style="list-style-type: none"> <li>In a legible form, or in a form that can readily be reduced to a legible form;</li> <li>Kept for at least 4 years after the monitoring or event to which they relate took place; and</li> <li>Produced in a legible form to any authorised officer of the EPA who asks to see them.</li> </ol>	<ul style="list-style-type: none"> <li>Monitoring records; and</li> <li>Interview with Quality and Environment Manager.</li> </ul>	The auditors reviewed monitoring records dating back to FY 2020 -2021. The records were noted to be maintained in excel spreadsheets and presented on the company website in a legible form. According to site management, the monitoring records were not requested by the EPA during the audit period. As such, Cleary Bros is compliant with this condition.	C	N/A
M1.3	<p>The following records must be kept in respect of any samples required to be collected for the purposes of this licence:</p> <ol style="list-style-type: none"> <li>The date(s) on which the sample was taken;</li> <li>The time(s) at which the sample was collected;</li> <li>The point at which the sample was taken; and</li> <li>The name of the person who collected the sample.</li> </ol>	<ul style="list-style-type: none"> <li>ALS monitoring reports including attached Chain of Custody documents.</li> </ul>	Review of CoCs for ALS lab results and Turbidity and Pit Sampling confirms Cleary Bros is compliant with part (a), (c) and (d). Field sheets for sampling of discharge water include the time at which samples were collected, therefore the requirements of part (b) have been met and Cleary Bros are compliant with the requirements of this condition.	C	N/A
<b>M2 Requirement to monitor concentration of pollutants discharged</b>					



Condition Number	Assessment Required (condition)	Reference/Evidence	Comments	Compliance Status	Recommendations																												
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:	<ul style="list-style-type: none"> <li>EPL Dust Monitoring 2020-2023;</li> <li>Annual Reviews 2020-2023; and</li> <li>Site Observations</li> </ul>	<p>Auditors reviewed monthly ash and insoluble solids monitoring data for point 1, 2, 3 and 8. The following monitoring result was absent:</p> <p><u>Point 2:</u></p> <ul style="list-style-type: none"> <li>June 2021, attributed to damaged sample.</li> </ul> <p>The missing sample results in Cleary Bros failing to monitor at the monthly frequency required. However, given that samples were intended to be collected, sampling was attempted, the issues preventing sampling were rectified and sample failure was not widespread during the audit period, the failure to collect samples at a monthly frequency is not considered a nonconformance with the requirements of the EPL.</p> <p>The Annual Returns provide a summary of concentrations of total insoluble solids and ash, presented in the required units of g/m2/month.</p> <p>The auditors observed that the dust gauges were upright and free from overhanging obstructions with a clear view to the sky. The funnel appeared to be approximately 2 m above ground level and was noted to be within a glass bottle contained in a canister. Based on these observations, the dust monitoring method is considered appropriate and compliant with this condition.</p>	C	N/A																												
M2.2	<p>Air Monitoring Requirements</p> <p>Point 1:</p> <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>Ash</td> <td>Grams per square metre per month</td> <td>Monthly</td> <td>AS/NZA 3580.10.1:2016</td> </tr> <tr> <td>Insoluble solids</td> <td>Grams per square metre per month</td> <td>Monthly</td> <td>AS/NZS 3580.10.1:2016</td> </tr> </tbody> </table> <p>POINT 2:</p> <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>Ash</td> <td>Grams per square metre per month</td> <td>Monthly</td> <td>AS/NZS 3580.10.1:2016</td> </tr> <tr> <td>Insoluble solids</td> <td>Grams per square metre per month</td> <td>Monthly</td> <td>AS/NZS 3580.10.1:2016</td> </tr> </tbody> </table> <p>POINT 3:</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Ash	Grams per square metre per month	Monthly	AS/NZA 3580.10.1:2016	Insoluble solids	Grams per square metre per month	Monthly	AS/NZS 3580.10.1:2016	Pollutant	Units of Measure	Frequency	Sampling Method	Ash	Grams per square metre per month	Monthly	AS/NZS 3580.10.1:2016	Insoluble solids	Grams per square metre per month	Monthly	AS/NZS 3580.10.1:2016	Pollutant	Units of measure	Frequency	Sampling Method	N/A	See condition M2.1.	NA	N/A
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M2.3	<p>Water and/or Land Monitoring Requirements</p> <p>Point 4:</p> <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>pH</td> <td>pH</td> <td>Each overflow event</td> <td>Grab sample</td> </tr> <tr> <td>Total suspended solids</td> <td>Milligrams per litre</td> <td>Each overflow event</td> <td>Grab sample</td> </tr> </tbody> </table> <p>POINT 6:</p> <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>pH</td> <td>pH</td> <td>Daily during discharge</td> <td>Grab sample</td> </tr> <tr> <td>Turbidity</td> <td>Nephelometric turbidity units</td> <td>Daily during discharge</td> <td>Grab sample</td> </tr> </tbody> </table> <p>POINT 7:</p> <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>pH</td> <td>pH</td> <td>Daily during discharge</td> <td>Grab sample</td> </tr> <tr> <td>Total suspends solids</td> <td>Milligram per litre</td> <td>Daily during discharge</td> <td>Grab sample</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	pH	pH	Each overflow event	Grab sample	Total suspended solids	Milligrams per litre	Each overflow event	Grab sample	Pollutant	Units of Measure	Frequency	Sampling Method	pH	pH	Daily during discharge	Grab sample	Turbidity	Nephelometric turbidity units	Daily during discharge	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	pH	pH	Daily during discharge	Grab sample	Total suspends solids	Milligram per litre	Daily during discharge	Grab sample	<ul style="list-style-type: none"> <li>Annual Reviews 2020-2023; and</li> <li>Quarry Pit Discharges monitoring spreadsheet.</li> </ul>	<p>For Points 4, 6 and 7, each of the specified parameters were analysed when required as specified in the frequency column of tables in this condition. This was confirmed from review of Annual Reviews for the audit period, confirming sampling was conducted at each time a discharge occurred, with all pollutants measured and recorded in the Quarry Pit Discharges spreadsheet.</p> <p>The auditor reviewed EPL monitoring results recorded in the Quarry Pit discharges spreadsheet and confirmed that no exceedances were identified for Points 6 and 7. Point 4 exceedances are discussed in condition L2.1 of this audit table.</p> <p>CB is compliant with monitoring requirements set out in this condition.</p>	C	N/A
Pollutant	Units of measure	Frequency	Sampling Method																																						
pH	pH	Each overflow event	Grab sample																																						
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<b>M3 Testing methods – concentration limits</b>																																									
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> <ol style="list-style-type: none"> <li>Any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</li> <li>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</li> <li>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.</li> </ol>	<ul style="list-style-type: none"> <li>ALS records;</li> <li>Annual Reviews; and</li> <li>Site Observations</li> </ul>	<p>According to the Annual Reviews for the audit period, depositional dust is assessed in accordance with AS/NZS 3580.10.1-2003. The auditors observed that the dust gauges were upright and free from obstructions overhanging the gauge. The funnel appeared to be approximately 2 m above ground level and contained within a glass bottle in a canister.</p>	C	N/A																																				

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	Note: The Protection of the Environment Operations (Clean Air) Regulation 2021 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".		Based on these observations, the dust monitoring method was appropriate and compliant with this condition.																																															
M3.1	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	<ul style="list-style-type: none"> <li>ALS monitoring reports.</li> </ul>	<p>The ALS water monitoring reports not that 'The analytical procedures used by ALS have been developed from established internationally recognised procedures such as those published by the USEPA, APHA, AS and NEPM.</p> <p>In house developed procedures are fully validated and are often at the client request.</p>	C	N/A																																													
<b>M4 Weather Monitoring</b>																																																		
M4.1	<p>At the Weather Station Monitoring Point, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Frequency</th> <th>Averaging Period</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Rainfall</td> <td>Millimetres</td> <td>Continuous</td> <td>24 hours</td> <td>AM-4</td> </tr> <tr> <td>Temperature @2m</td> <td>Kelvin</td> <td>Continuous</td> <td>1 hour</td> <td>AM-4</td> </tr> <tr> <td>Temperature @10m</td> <td>Kelvin</td> <td>Continuous</td> <td>1 hour</td> <td>AM-4</td> </tr> <tr> <td>Wind direction @10m</td> <td>Compass points</td> <td>Continuous</td> <td>1 hour</td> <td>AM-2</td> </tr> <tr> <td>Wind speed @10m</td> <td>Meters per second</td> <td>Continuous</td> <td>1 hour</td> <td>AM-2</td> </tr> <tr> <td>Sigma theta</td> <td>Degrees</td> <td>Continuous</td> <td>1 hour</td> <td>AM-2</td> </tr> <tr> <td>Total solar radiation @10m</td> <td>Watts per square meter</td> <td>Continuous</td> <td>1 hour</td> <td>AM-4</td> </tr> <tr> <td>Siting</td> <td>-</td> <td>-</td> <td>-</td> <td>AM-1</td> </tr> </tbody> </table> <p>Note: Sampling Method is in accordance with the NSW EPA, 2001, Approved Methods for the Sampling and Analysis of Air Pollutants in NSW.</p>	Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method	Rainfall	Millimetres	Continuous	24 hours	AM-4	Temperature @2m	Kelvin	Continuous	1 hour	AM-4	Temperature @10m	Kelvin	Continuous	1 hour	AM-4	Wind direction @10m	Compass points	Continuous	1 hour	AM-2	Wind speed @10m	Meters per second	Continuous	1 hour	AM-2	Sigma theta	Degrees	Continuous	1 hour	AM-2	Total solar radiation @10m	Watts per square meter	Continuous	1 hour	AM-4	Siting	-	-	-	AM-1	<ul style="list-style-type: none"> <li>Annual Reviews 2020-2023;</li> <li>Real time meteorological data; and</li> <li>Site Observations.</li> </ul>	<p>A permanent weather station is operated adjacent to the Belmont homestead. According to the Annual Reviews, the weather station was operated continuously throughout the reporting period. The auditors sighted the weather station onsite and reviewed the meteorological data spreadsheet for the entire audit period which takes continuous measurements of all parameters, recording units of measure, averaging periods required by the condition.</p>	C	N/A
Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method																																														
Rainfall	Millimetres	Continuous	24 hours	AM-4																																														
Temperature @2m	Kelvin	Continuous	1 hour	AM-4																																														
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Total solar radiation @10m	Watts per square meter	Continuous	1 hour	AM-4																																														
Siting	-	-	-	AM-1																																														
<b>M5 Recording of pollution complaints</b>																																																		
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.	<ul style="list-style-type: none"> <li>Complaints registers; and</li> <li>Cleary Bros website.</li> </ul>	The complaints registers dating back to 2018-2019 are stored on the Cleary Bros website.	C	N/A																																													
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.	<ul style="list-style-type: none"> <li>Public complaints registers; and</li> <li>Confidential complaints reports.</li> </ul>	<p>Auditors reviewed confidential complaints reports held by Cleary Bros.</p> <p>The register displayed the date, time, complaint nature, method of complaint, personal details of the complainant and action taken in response to the complaint. All complaints reviewed by the auditors appeared to capture the required details of this condition. Therefore Cleary Bros is compliant with this condition.</p>	C	N/A																																													
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	<ul style="list-style-type: none"> <li>Complaints registers; and</li> <li>Cleary Bros website.</li> </ul>	The complaints register dates back to FY 2018-19, which is greater than 4 years prior to	C	N/A																																													

Condition Number	Assessment Required (condition)	Reference/Evidence	Comments	Compliance Status	Recommendations
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	<ul style="list-style-type: none"> <li>Management Interviews.</li> </ul>	<p>the current audit period, therefore Cleary Bros is compliant with this condition.</p> <p>According to site management, the EPA has not requested to see records during the audit period, therefore this condition has not been triggered.</p>	C	N/A
<b>M6 Telephone complaints line</b>					
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.	<ul style="list-style-type: none"> <li>Cleary Bros website.</li> </ul>	A telephone complaints number is displayed on the Albion Park Quarry website.	C	N/A
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.	<ul style="list-style-type: none"> <li>Cleary Bros website; and</li> <li>Complaints register.</li> </ul>	The Cleary Bros website directs the public to call a hotline number displayed on the Albion Park Quarry website for enquiries regarding environmental management. The auditor tested the hotline number and found it to be working. It is noted that the phone number listed for Albion Park is named "Albion Park Quarry Blast Contact Line", which does not entirely identify the number as the appropriate number to lodge a complaint.	Obs (C)	It is recommended that the phone number is also identified as a 'complaints line' on the website, to ensure that this is clear to the public.
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	N/A	Noted	Note	N/A
<b>M7 Blasting</b>					
M7.1	Each production blast must be monitored and recorded at the permanent station established near the Dunster residence	<ul style="list-style-type: none"> <li>Blast monitoring data for: 2020 - 2021, 2021 - 2022, 2022 - 2023, 2023 - 2024; and</li> <li>Site Observations.</li> </ul>	Blasts are monitored and recorded at "The Cottage" residence (Fig Tree Hill residence). There were no instances identified of blasts not being monitored, therefore Cleary Bros is compliant with this condition.	C	N/A
M7.2	<p>To determine compliance with the blasting limits contained in this licence:</p> <p>a. Airblast overpressure and ground vibration levels must be measured for all production blasts carried out in or on the premises; and</p> <p>b. The written record must include:</p> <ol style="list-style-type: none"> <li>The time and date of each blast;</li> <li>The station(s) at which the noise was measured;</li> <li>The ground vibration for each blast;</li> <li>The airblast overpressure for each blast;</li> <li>Evidence that during the past 12 month period, a calibration check had been carried out on each blast; and</li> <li>The waveform for the ground vibration and overpressure for each blast that exceeds a ground vibration of 5mm/sec (peak particle velocity) or an airblast overpressure of 115dB(L).</li> </ol> <p>c. Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard 2187.2 of 1993 or as updated. monitor to ensure accuracy of the reported data; and</p>	<ul style="list-style-type: none"> <li>Blast monitoring data for: 2020 - 2021, 2021 - 2022, 2022 - 2023, 2023 - 2024; and</li> <li>Individual blast reports.</li> </ul>	<p>The auditors reviewed the blast monitoring spreadsheet and did not identify any examples of blasts that were not monitored. Dates were recorded for all blasts and were observed to be between Monday and Friday, however blast times were only recorded in individual blast monitoring reports.</p> <p>All blasts are recorded at the The Cottage residence. The ground vibration for each blast and the airblast overpressure for each blast was recorded. The auditors reviewed a sample of individual blast monitoring reports, which indicated blasting occurred between 9:00 am and 5:00 pm. No blast records exceeded a ground vibration of 5 mm/sec (peak particle velocity) or an airblast overpressure of 115 dB(L), therefore part (b) (vi) was not triggered. Calibration check dates are outlined on individual blast records, noting the last calibration date, which for all reports is within 12 months of the date of the blast report. It is noted that the last calibration date is listed as 13 April 2023.</p>	C	N/A

Condition Number	Assessment Required (condition)	Reference/Evidence	Comments	Compliance Status	Recommendations
			ERM considers Cleary Bros compliant with this condition.		
<b>6 Reporting Conditions</b>					
<b>R1 Annual return documents</b>					
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"> <li>1. A Statement of Compliance;</li> <li>2. a Monitoring and Complaints Summary;</li> <li>3. a Statement of Compliance - Licence Conditions;</li> <li>4. a Statement of Compliance - Load based Fee;</li> <li>5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan;</li> <li>6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and</li> <li>7. a Statement of Compliance - Environmental Management Systems and Practices.</li> </ol> <p>At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.</p>	<ul style="list-style-type: none"> <li>▪ Annual Returns 2020-2023.</li> </ul>	The auditors reviewed the annual returns for the audit period and the associated proof of submission. All annual returns were provided to the EPA within the reporting period, using the approved template, therefore Cleary Bros are compliant with this condition.	C	N/A
R1.2	<p>An annual return must be prepared in respect of each reporting period, except as provided below.</p> <p>Note: the term “reporting period” is defined in the dictionary at the end of this license. Do not complete the annual return until after the end of the reporting period.</p>	<ul style="list-style-type: none"> <li>▪ Cleary Bros website.</li> </ul>	All Annual Returns are available on the Cleary Bros website dating back to 2018-2019.	C	N/A
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <ol style="list-style-type: none"> <li>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</li> <li>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.</li> </ol> <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>	N/A	Cleary Bros has not transferred the licence to another licensee.	NT	N/A
R1.4	<p>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:</p> <ol style="list-style-type: none"> <li>a. in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or</li> <li>b. in relation to the revocation of the licence - the date from which notice revoking the licence operates.</li> </ol>	N/A	Not triggered.	NT	N/A
R1.5	<p>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').</p>	N/A	<p>e-Connect EPA Portal was viewed during site interviews, showing Annual Returns were submitted for all years for the audit period. Submissions dates according to the eConnect email receipts to the site contact:</p> <ul style="list-style-type: none"> <li>▪ 2020 – 13 November 2023;</li> <li>▪ 2021 – 15 November 2021; and</li> <li>▪ 2022 – 28 October 2022.</li> </ul> <p>Whilst no receipt was available for the 2023 submission to eConnect EPA, the Annual Return is available on the NSW EPA Public Register website and notes the date received to be 12 October 2023. This infers that the 2023 Annual Return was submitted via eConnect EPA.</p>	C	N/A

Condition Number	Assessment Required (condition)	Reference/Evidence	Comments	Compliance Status	Recommendations
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.	<ul style="list-style-type: none"> <li>Annual Returns 2018-2023.</li> </ul>	Copies of Annual Returns dating back to FY2019-2023 were reviewed by the auditors, which exceeds the four year requirement, therefore Cleary Bros is compliant with this condition.	C	N/A
R1.7	Within the Annual Return, the Statements of Compliance must be certified, and the Monitoring and Complaints Summary must be signed by: <ol style="list-style-type: none"> <li>the licence holder; or</li> <li>by a person approved in writing by the EPA to sign on behalf of the licence holder.</li> </ol>	<ul style="list-style-type: none"> <li>Annual Returns 2020-2023.</li> </ul>	ERM reviewed the Annual Returns and observed that each was signed by the license holder as required by this condition.	C	N/A
<b>R2 Notification of environmental harm</b>					
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.	N/A	Noted	Note	N/A
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	<ul style="list-style-type: none"> <li>Emails to EPA from Cleary Bros notifying of environmental incidents.</li> </ul>	Site contact confirmed that incident notifications are first reported by email to the Environment Line (rather than calling). As per the EPA website, the email address is also listed alongside the phone number for environmental incident notification. All incidents noted for the audit period were identified to the EPA, as per review of emails from Cleary Bros.	C	N/A
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.	<ul style="list-style-type: none"> <li>Incident reports;</li> <li>Monitoring reports; and</li> <li>Annual Returns 2018-2023.</li> </ul>	All notifications were made to the EPA within 7 days of the site becoming aware of the incident.	C	N/A
<b>R3 Written report</b>					
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: <ol style="list-style-type: none"> <li>where this licence applies to premises, an event has occurred at the premises; or</li> <li>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.</li> </ol>	<ul style="list-style-type: none"> <li>Interview with Quality and Environmental Manager.</li> </ul>	According to site management, there were no formal requests for written reports made from an authorised officer of the EPA during the audit period, therefore this requirement was not triggered.	NT	N/A
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.	<ul style="list-style-type: none"> <li>Interview with Quality and Environmental Manager.</li> </ul>	According to site management, there were no formal requests for written reports from an authorised officer of the EPA during the audit period, therefore this requirement was not triggered.	NT	N/A
R3.3	The request may require a report which includes any or all of the following information: <ol style="list-style-type: none"> <li>the cause, time and duration of the event;</li> <li>the type, volume and concentration of every pollutant discharged as a result of the event;</li> <li>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;</li> <li>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;</li> <li>action taken by the licensee in relation to the event, including any follow-up contact with any complainants;</li> <li>details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and</li> </ol>	<ul style="list-style-type: none"> <li>Interview with Quality and Environmental Manager.</li> </ul>	According to site management, there were no formal requests for written reports from an authorised officer of the EPA during the audit period, therefore this requirement was not triggered.	NT	N/A



Condition Number	Assessment Required (condition)	Reference/Evidence	Comments	Compliance Status	Recommendations
	g. any other relevant matters.				
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	<ul style="list-style-type: none"> <li>Interview with Quality and Environmental Manager.</li> </ul>	According to site management, there were no formal requests for written reports from an authorised officer of the EPA during the audit period, therefore this requirement was not triggered.	NT	N/A
<b>7 General Conditions</b>					
<b>G1 Copy of Licence kept at the premises or plant</b>					
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	<ul style="list-style-type: none"> <li>Site observation.</li> </ul>	A copy of the licence was observed in the site office during the Site visit on 7 November 2023	C	N/A
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	N/A	Noted	C	N/A
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	N/A	Noted	C	N/A

## **APPENDIX B PLANNING SECRETARY AUDIT TEAM AGREEMENT**

Our ref: DA466-11-2003-PA-21

Helen Cleary  
EGM  
Cleary Bros (Bombo) Pty Ltd  
PO Box 120  
Port Kembla NSW 2505

22/09/2023

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Sent via the Major Projects Portal only

Dear Ms Cleary

**Albion Park Hard Rock Quarry (LEC DA No 10639 of 2005)**

**Independent Environmental Audit 2023**

I refer to your correspondence of 8 September 2023 seeking approval of Mr Sophie Barkla of ERM for the upcoming Independent Environmental Audit of Albion Park Hard Rock Quarry (the development), in accordance with Schedule 6, Condition 7 of Land and Environment Court development consent DA No 10639 of 2005, as modified (the consent).

Having considered the qualifications and experience of Ms Barkla, the Planning Secretary endorses the appointment of Ms Barkla to undertake the audit in accordance with the Condition 7 of the consent. This approval is conditional on Ms Barkla being independent of the development.

Notwithstanding the approval, I note that whilst the department approved Ms Barkla as an auditor for other projects, it does not appear that she was ever approved as a lead auditor. I also note that whilst she has an adequate qualifications and experience, she is not certified as a lead or principal auditor with a relevant industry body.

Accordingly, I request that the audit report is reviewed and signed by a lead auditor certified as a lead or principal auditor with a relevant industry body.

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

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

The audit report is to include the following:

1. consultation with the relevant agencies;
2. a compliance table indicating the compliance status of each condition of approval and any relevant EPL;
3. not use the term “partial compliance”;
4. recommend actions in response to non-compliances;
5. review the adequacy of plans and programs required under this consent; and
6. identify opportunities for improved environmental management and performance.

Within 12 weeks of commencing this audit, you are to submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations.

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

Failure to meet these requirements will require revision and resubmission of the Audit Report.

Should you have any enquiries in relation to this matter, please contact Georgia Dragicevic, Senior Compliance Officer, on (02) 4247 1852 or by email to [Georgia.Dragicevic@planning.nsw.gov.au](mailto:Georgia.Dragicevic@planning.nsw.gov.au).

Yours sincerely



Katrina O'Reilly  
Team Leader - Compliance  
Compliance

As nominee of the Planning Secretary

# Certificate of Attainment

Issued by Auditor Training Online and Awarded to

**Jenny Luk**

WHO HAS BEEN ASSESSED AS HAVING SUCCESSFULLY COMPLETED THE FOLLOWING COURSE

**Lead Auditor Environmental Management Systems**

THIS COURSE MEETS THE FOLLOWING EXEMPLAR GLOBAL COMPETENCY UNIT/S

**Exemplar Global AU – Auditing Management Systems  
ISO 19011:2018**

**Exemplar Global TL – Lead Audit Teams  
ISO 19011:2018**

**Exemplar Global EM – Auditing Environmental Management Systems  
ISO 14001:2015**

Date of Attainment: 12 June 2020  
Equivalent CPD Hours: 32  
Certificate no: EGAUCA/5958/20



**Jackie Stapleton**  
DIRECTOR – TRAINING  
Student ID: 4388  
Certificate Issued: 12 June 2020



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## **APPENDIX C   CORRESPONDENCE**



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**From:** Sophie Barkla  
**Sent:** Tuesday, 24 October 2023 2:58 PM  
**To:** Brian Weir  
**Cc:** Mark Hammond; Lucas Wilson  
**Subject:** Independent Environmental Audit - Cleary Bros Albion Park Quarry  
**Attachments:** ERM Audit Terms of Reference - Albion Park.pdf

To Brian,

I am currently completing the Independent Environmental Audit (IEA) on the Conditions of Approval issued to Cleary Bros (Bombo) Pty Ltd, DA No. 10639 of 2005.

One of the requirements of the audit is that it is to be undertaken in consultation with relevant agencies. To that end, this email invites you to raise any questions or concerns regarding this project from an environmental management aspect.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed on 7<sup>th</sup> November 2023, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised ahead of this date.

I can be contacted at the details outlined below to discuss further.

Kind regards,  
Sophie



Sustainability is our business

**Sophie Barkla**  
Environmental Consultant (ESG)  
She/Her/Hers

Sydney  
+61430953460

[erm.com](http://erm.com)



---

**From:** Sophie Barkla  
**Sent:** Tuesday, 24 October 2023 2:56 PM  
**To:** [REDACTED]  
**Cc:** Mark Hammond; Lucas Wilson  
**Subject:** Independent Environmental Audit - Cleary Bros Albion Park Quarry  
**Attachments:** ERM Audit Terms of Reference - Albion Park.pdf

To NSW Resources Regulator,

I am currently completing the Independent Environmental Audit (IEA) on the Conditions of Approval issued to Cleary Bros (Bombo) Pty Ltd, DA No. 10639 of 2005.

One of the requirements of the audit is that it is to be undertaken in consultation with relevant agencies. To that end, this email invites you to raise any questions or concerns regarding this project from an environmental management aspect.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed on 7<sup>th</sup> November 2023, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised ahead of this date.

I can be contacted at the details outlined below to discuss further.

Kind regards,  
Sophie



Sustainability is our business

**Sophie Barkla**  
Environmental Consultant (ESG)  
She/Her/Hers

---

Sydney  
+61430953460

[erm.com](http://erm.com)



---

**From:** Sophie Barkla  
**Sent:** Tuesday, 24 October 2023 2:55 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]; Mark Hammond; Lucas Wilson  
**Subject:** Independent Environmental Audit - Cleary Bros Albion Park Quarry  
**Attachments:** ERM Audit Terms of Reference - Albion Park.pdf

To Jarryd,

I am currently completing the Independent Environmental Audit (IEA) on the Conditions of Approval issued to Cleary Bros (Bombo) Pty Ltd, DA No. 10639 of 2005.

One of the requirements of the audit is that it is to be undertaken in consultation with relevant agencies. To that end, this email invites you to raise any questions or concerns regarding this project from an environmental management aspect.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed on 7<sup>th</sup> November 2023, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised ahead of this date.

I can be contacted at the details outlined below to discuss further.

Kind regards,  
Sophie



**Sophie Barkla**  
Environmental Consultant (ESG)  
She/Her/Hers

---

Sydney  
+61430953460

[erm.com](http://erm.com)



---

**From:** Sophie Barkla  
**Sent:** Tuesday, 24 October 2023 2:53 PM  
**To:** [REDACTED]  
**Cc:** Mark Hammond; Lucas Wilson  
**Subject:** Independent Environmental Audit - Cleary Bros Albion Park Quarry  
**Attachments:** ERM Audit Terms of Reference - Albion Park.pdf

To Georgia

I am currently completing the Independent Environmental Audit (IEA) on the Conditions of Approval issued to Cleary Bros (Bombo) Pty Ltd, DA No. 10639 of 2005.

One of the requirements of the audit is that it is to be undertaken in consultation with relevant agencies. To that end, this email invites you to raise any questions or concerns regarding this project from an environmental management aspect.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed on 7<sup>th</sup> November 2023, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised ahead of this date.

I can be contacted at the details outlined below to discuss further.

Kind regards,  
Sophie



Sustainability is our business

**Sophie Barkla**  
Environmental Consultant (ESG)  
She/Her/Hers

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Sydney  
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**From:** Sophie Barkla  
**Sent:** Tuesday, 24 October 2023 2:52 PM  
**To:** [REDACTED]  
**Cc:** Lucas Wilson; Mark Hammond  
**Subject:** Independent Environmental Audit - Cleary Bros Albion Park Quarry  
**Attachments:** ERM Audit Terms of Reference - Albion Park.pdf

To Mark,

I am currently completing the Independent Environmental Audit (IEA) on the Conditions of Approval issued to Cleary Bros (Bombo) Pty Ltd, DA No. 10639 of 2005.

One of the requirements of the audit is that it is to be undertaken in consultation with relevant agencies. To that end, this email invites you to raise any questions or concerns regarding this project from an environmental management aspect.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed on 7<sup>th</sup> November 2023, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised ahead of this date.

I can be contacted at the details outlined below to discuss further.

Kind regards,  
Sophie



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**Sophie Barkla**  
Environmental Consultant (ESG)  
She/Her/Hers

---

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**From:** Georgia Dragicevic [REDACTED]  
**Sent:** Tuesday, 24 October 2023 3:33 PM  
**To:** Sophie Barkla  
**Cc:** Mark Hammond; Lucas Wilson  
**Subject:** RE: Independent Environmental Audit - Cleary Bros Albion Park Quarry

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**EXTERNAL MESSAGE**

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Hi Sophie,

Thank you for consulting the department on the upcoming IEA for AP Quarry. In addition to the consent condition requirements, please consider air quality, noise and biodiversity/offset management.

Kind Regards,  
Georgia

---

**From:** Sophie Barkla <Sophie.Barkla@erm.com>  
**Sent:** Tuesday, 24 October 2023 2:53 PM  
**To:** Georgia Dragicevic [REDACTED]  
**Cc:** Mark Hammond <markhammond@clearybros.com.au>; Lucas Wilson <Lucas.Wilson@erm.com>  
**Subject:** Independent Environmental Audit - Cleary Bros Albion Park Quarry

To Georgia

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I can be contacted at the details outlined below to discuss further.

Kind regards,  
Sophie



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**From:** Jarryd Thomson [REDACTED]  
**Sent:** Tuesday, 24 October 2023 4:19 PM  
**To:** Sophie Barkla  
**Cc:** Chris Kelly; Lucas Wilson  
**Subject:** RE: Independent Environmental Audit - Cleary Bros Albion Park Quarry

**EXTERNAL MESSAGE**

Hi Sophie

Thanks for your email regarding the upcoming Independent Environmental Audit (IEA) on the Conditions of Approval issued to Cleary Bros (Bombo) Pty Ltd, DA No. 10639 of 2005 being conducted by ERM.

ERM have advised the EPA that the primary objectives of the audit include:

- assess the environmental performance of the project and its compliance with the requirements in the Conditions of Approval and any relevant Environment Protection Licence.
- review the adequacy of any approved strategy, plan, or program required under the above mentioned consents/approvals; and
- recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the above mentioned approvals.

Although the EPA does not currently have any major areas of concern with the operation at the Cleary Bros Albion Park Quarry, we would recommend particular focus on the following aspects:

- Air quality impacts, particularly management and monitoring of dust generation
- Adequacy of and compliance with site surface water controls and discharges
- Adequacy of controls for blasting and compliance with blast limits in their Environment Protection Licence
- Adequacy of the new wheel wash in reducing sediment drag out onto public roads, and whether it represents best management practise
- Effectiveness of current dust suppression measures on internal haulage roads and whether there are other options/measures that could assist in managing dust generation.

The EPA looks forward to reviewing the IEA report and findings. Feel free to contact me on (02) 4224 4143 if you would like to discuss this further.

Regards

**Jarryd Thomson**  
Operations Officer  
NSW Environment Protection Authority  
D 02 4224 4143



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

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**From:** Sophie Barkla <Sophie.Barkla@erm.com>  
**Sent:** Tuesday, 24 October 2023 2:55 PM  
**To:** Jarryd Thomson [REDACTED]  
**Cc:** Chris Kelly [REDACTED]; Mark Hammond <markhammond@clearybros.com.au>; Lucas Wilson <Lucas.Wilson@erm.com>  
**Subject:** HPE CM: Independent Environmental Audit - Cleary Bros Albion Park Quarry

To Jarryd,

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I can be contacted at the details outlined below to discuss further.

Kind regards,  
Sophie



**Sophie Barkla**  
Environmental Consultant (ESG)  
She/Her/Hers

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Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the Environment Protection Authority.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

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**From:** Mark Miller [REDACTED]  
**Sent:** Tuesday, 31 October 2023 3:31 PM  
**To:** Sophie Barkla  
**Cc:** Lucas Wilson; Mark Hammond  
**Subject:** RE: Independent Environmental Audit - Cleary Bros Albion Park Quarry

**EXTERNAL MESSAGE**

Hi Sophie,

There are no concerns or issues identified by Council that require any extra attention, in addition to your scope of works.

Thank you for your consideration.

Regards



**Mark Miller | Manager Compliance and Regulation**

Dharawal Country

76 Cygnet Avenue, Shellharbour City Centre, NSW 2529

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RESPECT

SUSTAINABILITY

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**From:** Sophie Barkla <Sophie.Barkla@erm.com>  
**Sent:** Tuesday, 24 October 2023 2:52 PM  
**To:** Mark Miller [REDACTED]  
**Cc:** Lucas Wilson <Lucas.Wilson@erm.com>; Mark Hammond <markhammond@clearybros.com.au>  
**Subject:** Independent Environmental Audit - Cleary Bros Albion Park Quarry

To Mark,

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Kind regards,  
Sophie



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**From:** Brian Weir [REDACTED]  
**Sent:** Monday, 6 November 2023 8:05 AM  
**To:** Sophie Barkla  
**Cc:** Mark Hammond; Lucas Wilson  
**Subject:** Re: Independent Environmental Audit - Cleary Bros Albion Park Quarry

**EXTERNAL MESSAGE**

Dear Sophie,  
I acknowledge receipt of your letter and regret the delay in replying- as I have been overseas until a few days ago. Thank you for consulting with me as the CCC Chair.  
All CCC Members have expressed a keen interest in current and potential future environmental issues- both on site and elsewhere.  
I consider that the environmental concerns/questions relevant to the project have been adequately discussed and addressed at the Community Consultative Committee meetings and have been accurately reflected in the Meetings' minutes.  
Should you wish to discuss this matter further, please do not hesitate to contact me.  
Regards,  
B A Weir PSM  
Chair  
Cleary Bros.  
Albion Park Quarry CCC.

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**From:** Sophie Barkla <Sophie.Barkla@erm.com>  
**Sent:** Tuesday, October 24, 2023 2:57:56 PM  
**To:** Brian Weir [REDACTED]  
**Cc:** Mark Hammond <markhammond@clearybros.com.au>; Lucas Wilson <Lucas.Wilson@erm.com>  
**Subject:** Independent Environmental Audit - Cleary Bros Albion Park Quarry

To Brian,

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I can be contacted at the details outlined below to discuss further.

Kind regards,  
Sophie



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**Sophie Barkla**  
Environmental Consultant (ESG)  
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