

Independent Environmental Audit:
Gunlake Quarry - Marulan
Development Consent LEC 2017/108663 (as Modified
2020/327172)

Audit Organisation:	Gunlake Quarries Pty Ltd
Auditors:	James Hart
Date of Audit:	9-10 August 2022
Draft Report Submitted:	23 September 2022
Final Report Submitted:	4 November 2022

Independent Audit Declaration Form

Project Name: Gunlake Quarry
Consent Number: Development Consent LEC 2017/108663 (as modified 2020/327172)
Description of Project: Hard Rock Quarry
Project Address: 715 Brayton Rd, Marulan NSW 2579
Proponent: Gunlake Quarries Pty Ltd
Date: 4 November 2022

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

a) Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and

b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both).

Name of Auditor: James Hart

Signature: 

Qualification: Lead Environmental Auditor – Exemplar Global Certificate No. 12105

Company: James Hart Consulting

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Abbreviations

AHMP	Aboriginal Heritage Management Plan
AQMP	Air Quality Management Plan
AS	Australian Standard
CCC	Community Consultative Committee
DA	Development Approval
DDG	Deposition Dust Gauge
DPE	Department of Planning and Environment
DPI	Department of Primary Industries
DRG	Department of Resources and Geoscience
EIS	Environmental Impact Statement
EMS	Environmental Management Strategy
EPA	Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act 1979
EPBC	Environment Protection and Biodiversity Conservation
EPL	Environment Protection Licence
HVAS	High Volume Air Sampler
NBMP	Noise and Blast Management Plan
OEH	Office of Environment and Heritage
POEO Act	Protection of the Environment Operations Act 1997
R&BOMP	Rehabilitation and Biodiversity Offset Management Plan
TMP	Traffic Management Plan
TSP	Total Suspended Particulates
TSS	Total Suspended Solids
SWMP	Soil and Water Management Plan

1 INTRODUCTION

1.1 Overview

Gunlake Quarry (the Quarry) is a hard rock quarry operated by Gunlake Quarries Pty Ltd (Gunlake) and is located approximately 7 km northwest of Marulan, at 715 Brayton Road in the Goulburn - Mulwaree Local Government Area.

The Quarry was originally approved in 2008 under Part 3A of the NSW Environmental Planning and Assessment Act 1979 (EP&A Act). This approval (PA07-0074) underwent several modifications to enable increase in production and product transport as the demand for product increased. PA07 0074 was surrendered in August 2018 as required by the development consent for the State Significant Development Gunlake Extension Project (the Extension Project).

The Extension Project (SSD Application 7090) was submitted together with an EIS to the Department of Planning and Environment in April 2016. The project was subject to assessment under Division 4.1 of Part 4 of the EP & A Act. Development Consent for the Gunlake Extension Project was refused by the NSW Planning Assessment Commission in April 2017. This determination was referred to the Land and Environment Court (LEC), and approval of the Gunlake Extension Project (LEC Consent 2017/108663) was granted by the LEC on 30th June 2017. Development under the consent commenced in August 2018.

Two applications have since been made to modify the LEC 2017/108663 consent. Modification 1 was filed with the LEC in March 2019 to amend the offsets required as a result of the Extension Project. The hearing was held in February 2021 and has not yet been determined. A second modification (Mod 2) to increase daily truck movements was approved by the LEC on 9th June 2021 through Approval 2020/00327172. This approval limits the transport of saleable products from the quarry to 2.6 million tonnes per calendar year. This is the current approval held by the quarry and is the approval against which the audit was undertaken.

A second SSD Application was lodged in September 2021 for the Gunlake Quarry Continuation Project (the Continuation Project) which seeks to increase the tonnage of saleable product, with the proposed changes relating primarily to the increased rate of extraction, processing and transport. This application is currently under assessment with the NSW Department of Planning and Environment.

The conditions of approval require Gunlake Quarries to appoint an independent auditor to assess compliance with the Minister's Conditions of Approval obtained for the quarry operations.

Schedule 5, condition 11 of the approval requires an Independent Environmental Audit to be conducted within a year of commencing development under this consent, and every 3 years thereafter, unless the Secretary directs otherwise. The previous audit was commenced in July 2019.

The condition requires the proponent to commission and pay the full cost of the audit. The audit must:

- be conducted by a 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 development and whether it is complying with the relevant requirements in this consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals);
- review the adequacy of strategies, plans or programs required under the abovementioned approvals;

- recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and
- be conducted and reported to the satisfaction of the Secretary.

1.2 Audit Objectives

The objective of this Independent Environmental Audit was to assess the operations at the Gunlake Quarry for compliance with the conditions of approval and provide a report in accordance with the requirements of Schedule 5, condition 11 of the development consent.

1.3 Audit Scope and Criteria

The scope of this audit was limited to the site, being the quarry located at 715 Brayton Road, Marulan, and processes carried out by Gunlake Quarry in operating the quarry. The audit is the second for the project under the current project approval and covered the period since the previous audit and the date of the site inspection, i.e. 1 October 2019 to August 2022.

The audit scope included:

- the conditions of all relevant approvals;
- management plan requirements;
- the requirements of relevant regulatory agencies;
- the status of the operation;
- the performance of the operation;
- results from previous audits;
- any incidents or community complaints;
- feedback received from other regulatory agencies on the performance of the operation; and
- feedback received from the community / community consultative committee on the performance of the operation.

The audit criteria were developed by the Lead Auditor, and are included as a checklist at the end of this report.

2 Methodology

The audit methodology included a review of approval conditions, EPL, EPBC and key management plans prepared for the quarry operations, interviews with project personnel, and a site inspection to assess the level of compliance with and implementation of those requirements.

2.1 Audit Team

The audit was conducted by the following:

Auditor	Role	Qualifications
James Hart	Lead Auditor	Lead Environmental Auditor Exemplar Global No 12105 Newcastle University, Graduate Diploma in Environmental Science, 1997

James Hart was endorsed by the Secretary of the Department of Planning and Environment on 19 July 2022.

2.2 Approvals and Documents Audited

The following documents and approvals were reviewed and included within the audit:

- Consolidated Consent – LEC 2020/00327172.
- Gunlake Quarry Air Quality Management Plan, Rev 10, 5/07/2021.
- Noise and Blast Management Plan – Gunlake Quarry, Rev 9.0, 5/07/2021.
- Gunlake Quarry Aboriginal Heritage Management Plan, Project Approval 07-0074 and Development Consent SSD 7090, 31 March 2020
- Gunlake Quarry Soil and Water Management Plan, Report Rev 12, 5/07/2021.
- Gunlake Quarry Rehabilitation and Biodiversity Offset Management Plan, October 2015.
- Gunlake Quarry Environmental Management Strategy, Rev 06, 5/07/2021, 1/11/2021;
- Environmental Protection Licence No 13012, NSW EPA, 3/12/2021;
- Gunlake Quarry Transport Management Plan, Rev 09, 5/07/2021;
- Gunlake Quarry Community Consultative Committee meeting minutes up to April 2022,
- Gunlake Quarry Independent Environmental Audit, International Environmental Consultants Pty Limited, November 2019.
- Gunlake Quarry Annual Review, 1 July 2018 to 30 June 2019;
- Gunlake Quarry Annual Review, 1 July 2019 to 30 June 2020;
- Gunlake Quarry Annual Review, 1 July 2020 to 30 June 2021;
- Compliance Report Gunlake Extension Project EPBC 2015/7557, September 2021
- Gunlake Quarry, Marulan POELA Act 2011 Summary of Environmental Monitoring Data, Environmental Protection Licence Number 13012, Development Consent 2020/327172-Record Updated On: 14th July 2022.
- Daily site Inspections November 2021;
- Technical Specifications, Cat C13;
- South Coast Liquid Treatment Pty Ltd Invoice 90233, 13/10/2021.
- Preclearance Survey Report 2 June 2020;
- ALS Certificate of Analysis PWD Discharge 10/08/2022.
- Gunlake Quarry Road Traffic Noise Compliance Assessment, 10 September 2020;
- June Quarter Monitoring report from ALS, Certificate No EW2202910;
- Certificate of Analysis CA2203798 Dust Deposition June 2022;
- EPA Licence Return 2021, 2022

2.3 Agency and Community Consultation

- 3 Consultation with the following was undertaken prior to the audit to obtain feedback and to focus the audit criteria on key issues.
- 4 Refer to **Appendix C** for consultation records provided.

Contact	Agency	Comments
Michelle Hughes Executive Assistant - Planning & Environment	Goulburn Mulwaree Council	In relation to the Gunlake Quarry at Marulan, Goulburn Mulwaree Council have not identified any issues or concerns to pass on as part of the independent environmental audit.
Don Elder Chair	Community Consultative Committee	The Gunlake CCC meets about 4 times each year and there is a good exchange of ideas between the company and the CCC. This has improved dramatically over the past 12 months and the company reports to all CCC meetings in reasonable detail. Principle concerns relate to traffic movement and noise from the quarry. There is a strong feeling from the CCC that truck movements should be limited and a proper investigation made of rail movement as an alternative-the company says that rail is not economically viable.
Georgia Dragicevic A/Team Leader Compliance	Department of Planning and Environment	Thank you for consulting the department on the upcoming IEA for Gunlake Quarry Extension Project. Please consider the management of biodiversity and rehabilitation, including the biodiversity offset and rehabilitation bond and whether any vegetation clearance to date has been undertaken in contravention of the consent.
Iqbal Muhammad Assistant Director NSW Assessments South Section	Biodiversity and Conservation Division and the Department of Agriculture, Water and the Environment	No response
Michael Heinze Regional Operations Officer – South East Region	NSW Environment Protection Authority	No response

4.1 Name and Position of Persons Interviewed

The following personnel were interviewed during the audit:

Name	Position/Role	Organisation	Date of Interview
David Kelly	Head of Development	Gunlake Quarries	9-10/08/2022 7/09/2022 20/09/2022
Kirsty Nielsen	Environmental Manager - Quarries	Gunlake Quarries	9-10/08/2022 7/09/2022 20/09/2022
Ed O'Neil	Managing Director	Gunlake Quarries	9-10/08/2022 7/09/2022 20/09/2022

4.2 Audit Process

The audit commenced with an Opening Meeting to confirm the scope, purpose, and timeline of the audit. The Opening Meeting was held at 09.00am on 9 August 2022.

Key operational documents were reviewed, and evidence of compliance was sought through the interview process. Key documents were the various management plans required under the approval. Documentation included a combination of hard copy records and electronic records maintained by Gunlake Quarries.

A site inspection was conducted on 10/08/2022, which included inspection of roads and drainage structures, inspection of access control measures implemented, and inspection of quarrying operations. At the time of audit, activities being undertaken included extraction, crushing and loading operations.

A closing meeting was held at 12.30pm on 10 August 2022 where the preliminary audit findings were presented. Where aspects of the audit remained unresolved, Gunlake Quarry was requested to provide additional information. This information was provided on 7/09/2022 and 20/09/2022.

4.3 Audit Compliance Status Descriptors

Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Not Compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered	A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.
Observation	As part of the Audit evaluation, the auditor may make observations, including identifying any opportunities for improvement in relation to any compliance requirement or any other aspect of the project.

4.4 Issues to be considered in reviewing this report

This audit was based on a review of compliance with the approval conditions for the operation of the Gunlake Quarry.

In particular, the audit focused on the implementation of measures described in the various Environmental Management Plans to manage the impacts of the activities on the surrounding environment. The checklist appended to this report identifies those compliance issues that could be assessed given the stage of the project.

By its very nature an audit does not guarantee full compliance of all aspects of the project with the undertakings of the Management Plans and associated documentation. However; in the opinion of the auditor, the extent and scope of the field inspection together with the records maintained by Gunlake Quarry were sufficient evidence to verify general compliance of the activities with the requirements of the conditions of approval.

5 AUDIT FINDINGS

5.1 Overview

Specific activities being undertaken at the time of audit were:

- Extraction and crushing of material using mobile crushers;
- Screening and stockpiling of material;
- Loading of trucks for dispatch; and
- Drilling in preparation for blast.

The attached checklists record the outcomes of the audit process. Eighteen non-compliances were identified where compliance with the conditions of consent, EPL, EPBC approval conditions , Statement of Commitments or management plans could not be verified as summarised following:

	Requirements	Findings
Schedule 2 – Administrative Controls	22	Compliant – 16
		Non-Compliant – 2
		Not Triggered – 4
<hr/>		
Schedule 3 – Environmental Performance Conditions	46	Compliant – 29
		Non-Compliant – 11
		Not Triggered – 6
<hr/>		
Schedule 4 – Additional Procedures	5	Compliant – 1
		Non-Compliant – 0
		Not Triggered – 4
<hr/>		
Schedule 5 – Additional Procedures	13	Compliant – 9
		Non-Compliant – 4
		Not Triggered – 0
<hr/>		
EPL 3933	48	Compliant – 37
		Non-Compliant – 3
		Not Triggered – 8
<hr/>		
Statement of Commitments	23	Compliant – 18
		Non-Compliant – 4
		Not Triggered – 1
<hr/>		
EPBC 2015/7557 Approval Conditions	8	Compliant – 6
		Non-Compliant – 2
		Not Triggered – 0

5.2 Previous Audit Findings

Previous audit findings were reviewed as part of the current audit to assess implementation of actions identified to address issues. No response to the non-compliances raised in the previous audit was available. However, evidence was sighted to verify that non-compliances from the previous audit had been addressed and were able to be closed out.

5.3 Complaints

A Complaints Register is available where information regarding complaints was recorded, including the relevant resolution. A summary of complaints was included in the Summary of Environmental Monitoring Data published on the company website. No complaints had been received during the period covered by the current audit.

5.4 Development Consent LEC 2020/00327172

Schedule 2 – Administrative Controls

The site had implemented processes to generally manage compliance with the administrative control requirements of the conditions of consent.

Two non-compliance was identified in relation to administrative controls.

- all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the development (Refer Non-compliance NC-01).
- Non-compliances were identified in relation to the conditions of approval, which triggers a non-compliance with Condition 3 (Refer Non-compliance NC-02).

Schedule 3 – Environmental Performance Conditions

All of the required management plans had been developed and provided to DPE for review and approval. Updated plans were provided to DPE in 2021, although these are yet to be approved by DPE.

Ten non-compliances were raised in relation to environmental performance conditions.

- Noise monitoring had not been conducted during the evening and night-time periods as required by Condition 3-1 (Refer Non-compliance NC -03).
- The 24 hour PM₁₀ concentration has exceeded the criterion of 50 µg/m³ on four occasions during the period covered by the current audit (Refer Non-compliance NC -04).
- Gunlake Quarry had not implemented processes identified in the Air Quality Management Plan to account for and report on Greenhouse gas emissions (Refer Non-compliance NC -05).
- While is a suitable meteorological station is operating on site, rainfall data was not available from March 2022 due to malfunction of the rain gauge (Refer Non-compliance NC -06).
- Records were not available to verify that inspections of drainage structures, channels and embankments were conducted on a monthly basis or following intense storm events (Refer Non-compliance NC -07).
- Effective measures had not been implemented to minimise soil erosion and the potential for transport of sediment (Refer Non-compliance NC -08).
- No records were available to verify that compliance checks reported to be undertaken by quarry management of truck driver behaviour on the transport routes had been completed (Refer Non-compliance NC -09).
- Transportation times for the Quarry secondary route were not included in driver inductions (Refer Non-compliance NC -10).
- Gunlake Quarry has not ensured that measures had been implemented to protect, monitor and manage one of the known sites (GL15) of archaeological significance as per the AHMP (Refer Non-compliance NC -11).
- Suitable arrangements to provide long-term security and funding for the Biodiversity Areas identified in condition 32 had not been made within the timeframes as required by the conditions of consent (Refer Non-compliance NC -12).

Schedule 4 – Additional Procedures

All conditions under Schedule 4 were either compliant or not triggered.

Schedule 5 – Environmental Management, Reporting and Auditing

Processes had been implemented to comply with environmental management requirements. An Environmental Management Strategy had been documented and implemented, management plans prepared, and an annual review process implemented. Independent environmental audits have been planned and conducted, and a website had been maintained which generally included information as required by the conditions of consent.

Four non-compliance was raised in relation to environmental management, reporting and auditing.

- No records were available for the audit period to verify that strategies, plans, and programs required under this consent were reviewed within 3 months of submission of the Annual Reviews, nor that the Secretary has been advised of the outcomes of the review within 4 weeks of the review (Refer Non-compliance NC -13).
- The 2020 Annual Review did not include non-compliances identified in the previous independent environmental audit, or describe what actions were (or are being) taken to ensure compliance (Refer Non-compliance NC -14).
- The previous independent Environmental Audit report had not been submitted to the Secretary within 12 weeks of commencing the audit (Refer Non-compliance NC -15).
- All required information was not provided on the company website. EPBC approval and response to non-compliance raised in the previous Independent Environmental Audit were not provided on the Gunlake Quarry website. (Refer Non-compliance NC -16).

5.5 Environmental Protection Licence (EPL 13012)

An EPL had been issued for the operations, which places requirements on the site for the management of air, noise, blasting, water, and complaints. The site had complied with requirements for monitoring of blasting, waste and surface water, and complaints management and reporting processes have been implemented and met.

Three non-compliances was identified in relation to EPL requirements.

- Two non-compliances have been identified with implementation of licence conditions, triggering a non-compliance with Condition A3.1 (Refer Non-compliance NC -17).
- Noise monitoring has not been conducted during evening and night periods on and around the site to verify compliance with noise limits identified in Condition L3.1 (Refer Non-compliance NC -03).
- Noise from the project has not been 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, as required by Condition L3.2 (Refer Non-compliance NC -18).

5.6 Water Access Licence WAL42340

Gunlake Quarry has a water access licence which allows for 37ML annual extraction from the Goulburn fractured Rock Groundwater Source in the Greater Metropolitan Region Groundwater Source Water Sharing Plan. No groundwater was extracted or used during the period covered by this audit. The EIS predicts that groundwater will not be intercepted in the pit until year 5 of quarry operations.

5.7 Air Quality Management Plan

An Air Quality Management Plan (AQMP) had been prepared for the project and originally approved by DPE in 2018. The AQMP had been updated on several occasions, with a draft version -Air Quality Management Plan, Rev 10, September 2021 having been submitted to DPE in September 2021. Air Quality Management Plan, Rev 10 has yet to be approved.

The AQMP included measures to minimise air quality impacts of the site operations and requirements for air quality monitoring. Dust deposition monitoring results show that dust deposition levels have been consistently below site criteria.

Records of particulate matter (PM₁₀ and PM_{2.5}) monitoring show that the 24 hour PM₁₀ criteria has been exceeded four (4) times within the period covered by this audit. For each exceedance, the EPA and DPE were notified, including the outcome of investigations into the exceedances.

The AQMP requires that Gunlake will account for its greenhouse gas emissions and implement all reasonable and feasible measures to reduce the use of diesel fuels which in turn will minimise the release of greenhouse gases from the site. Measures taken will be reported in the Annual Review. No evidence was provided to demonstrate that Gunlake had accounted for its greenhouse gas emissions, and the Annual Reviews did not include reporting on greenhouse gas emissions.

Two Non-compliances were identified in relation to compliance with the AQMP:

- Particulate monitoring results show that the 24 hour PM₁₀ criteria has been exceeded four (4) times within the period covered by this audit (Refer Non-compliance NC -04).
- Calculation of greenhouse gas emissions was not undertaken, and measures taken to minimise greenhouse gas emissions were not reported in the Annual Review (Refer Non-compliance NC -05).

5.8 Soil and Water Management

A Soil and Water Management Plan (SWMP) has been prepared for the Quarry (Rev 12, September 2021). The SWMP had originally been submitted to DPE in 2018 and approved. The updated plan (Rev 12) had been submitted on 7/10/2021, but had yet to be approved.

The Quarry has established a clean water management system and a dirty water management system for the separation and control of run-off from exposed areas. The quarry water balance and water management aims to maximize water harvesting including collection and treatment of dirty water for reuse in quarry operations. The quarry has approval to use an irrigation area to dispose excess treated water in high rainfall years, however, the irrigation area has yet to be established

While the quarry EPL does not provide a licensed discharge point for surface water, the SWMP allows for controlled discharge of surface water from the Process Water Dam provided it meets the discharge criteria identified in Table 5.1 of the SWMP. During the site inspection conducted on the 10/08/2022, it was noted that water was being discharged from site, following 17mm of rainfall on evening of 8/08/2022. Monitoring shows that this water met the discharge quality limits identified in Table 5.1 of the SWMP.

The SWMP identifies that inspections of all drainage structures, channels and embankments will be conducted on a monthly basis or following intense storm events. While it was reported that inspections were conducted, records of monthly inspections and following all rainfall events were not available.

Records were available to show that quarterly surface water monitoring had been conducted. It was advised that, where discharges had occurred, monitoring coincided with quarterly monitoring, hence

quarterly monitoring results represented both discharge and quarterly monitoring (e.g. March 2022, March 2021).

Two non-compliances with the Water Management Plan have been identified:

- Records were not available to verify that inspections of drainage structures, channels and embankments were conducted on a monthly basis or following intense storm events (Refer Non-compliance NC -07).
- Measures to minimise soil erosion and transport of sediment had not been consistently implemented. Deep scouring of the embankment leading down to the process water dam (Refer Non-compliance NC -08).

5.9 Rehabilitation and Biodiversity Offset Management

The Quarry has been operating under a Rehabilitation and Biodiversity Offset Management Plan (R&BOMP) which had initially been submitted to DPE and approved in 2015. The R&BOMP had been updated and submitted to DPE in February 2018 for approval. Approval of the R&BOMP has not been received (awaiting outcome of Land and Environment Court proceedings). The R&BOMP included requirements for clearing, threatened species, weeds and feral pests, erosion and sediment controls, and monitoring requirements.

Section 3 of the R&BOMP identifies controls for the management of environmental issues.

One clearing event occurred during the period covered by the current audit, with approximately 2 ha of mature vegetation was cleared between the two pit areas in the extension area to enable streamlined convergence of these development areas into one quarry void as detailed in the EIS for the project. A preclearance survey of the area was conducted in June 2020.

Limited rehabilitation has been conducted to date, with rehabilitation of the noise bund emplacement area rehabilitation and northern end of the Western overburden emplacement conducted. It was reported that regular inspections of the rehabilitation areas was conducted by the Environmental Manager. Rehabilitation areas were sighted during the site inspection with extensive regrowth occurring. No issues identified in relation to rehabilitation management.

5.10 Noise Management

A Noise and Blast Management Plan (NBMP) had been prepared for the project and approved by DPE in 2018. The NBMP has been updated to ensure it remains relevant, with a draft Noise and Blast Management Plan, Rev 9, September 2021 having been submitted to DPE (7/10/2021) but not yet approved.

The site had implemented measures to comply with site working hours, and noise monitoring had generally been conducted during day periods of the quarry in accordance with the requirements of the noise management plan and the EPL. Noise monitoring results indicated the site was complying with noise limits. While noise monitoring has been conducted during the day period to verify compliance with noise limits, no noise monitoring has been conducted during the evening or night periods to verify compliance with evening and night criteria.

It was also noted that the NBMP identifies that noise monitoring will be conducted at two representative locations for R7 and R8 on the quarry site to verify compliance with the noise assessment criteria. However, EPL13012 condition L3.2 requires the noise monitoring to be conducted 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.

Two non-compliances with requirements of the NBMP was identified:

- Noise monitoring had not been conducted during the evening and night-time periods as required by Condition 3-1 (Refer Non-compliance NC -03).
- Noise monitoring locations used (as identified in the NBMP) are not consistent with the requirements of EPL13012 Condition L3.2 (Refer Non-compliance NC -18).

5.11 Blast Management

A Noise and Blast Management Plan (NBMP) had been prepared for the project and approved by DPE in 2018. The NBMP has been updated to ensure it remains relevant , with a draft Noise and Blast Management Plan, Rev 9, September 2021 having been submitted to DPE (7/10/2021) but not yet approved.

A blasting contractor has been engaged to manage the blasting process. Co-ordination of blasting with nearby quarries was managed through direct contact with the Quarry and use of the same blasting contractor at both sites (noted that Johnniefields Quarry was not operating). Blast monitoring has been conducted in accordance with the requirements of the NBMP. No exceedances of blast criteria had been measured.

The conditions of approval limit the number of blasts to two per week. It was noted that 3 blasts had occurred in one week in April 2021. The blast planned for 30/04/2021 was split into two blasts due to safety concerns with the planned blast. It is noted that additional blasts to ensure the safety of the quarry or workers on site are permitted.

No non-compliances were raised in relation to blast management.

5.12 Traffic Management and Driver Code of Conduct

A Traffic Management Plan (TMP), incorporating a Driver Code of Conduct, had been prepared and approved by DPE in 2018. The TMP has been regularly updated, with a draft Traffic Management Plan, Rev 9, September 2021 having been submitted to DPE (7/10/2021) but not yet approved.

Requirements of the TMP have generally been implemented ,with communication of quarry specific requirements through the driver induction process. However, it was noted that transportation times for the secondary route were not included in information provided to drivers at induction.

Cameras had been installed at the site entry to monitor truck movements and verify compliance with site requirements. Records were available to show that action had been taken against drivers who did not comply with site requirements.

It was reported that compliance checks were conducted on trucks to verify compliance with route restrictions. However, no records were available to verify compliance checks were completed (no record of compliance checks maintained).

Records of truck movements were maintained from weighbridge information. It was reported that vehicle destination provided was included in weighbridge information which was used to manage compliance with restrictions on the number of vehicle movements along the secondary route.

Two non-compliances with requirements of the TMP was identified:

- Transportation times for the secondary route were not included in information provided to drivers at induction (Refer Non-compliance NC -09).
- Records were not available to demonstrate that compliance checks of driver behaviour along the primary and secondary transport routes had been completed (Refer Non-compliance NC -10).

5.13 Aboriginal Heritage Management

An Aboriginal Heritage Management Plan (AHMP) had been prepared and approved by DPE in 2018. The AHMP has been regularly updated, with a draft Aboriginal Heritage Management Plan, Ver 7, 21/07/2021 having been submitted to DPE (7/10/2021) but not yet approved.

Requirements for the protection of aboriginal sites and objects were included in the site induction, and relocated salvaged artefacts at GL123 and GL45 had received protection as identified in the AHMP.

It was noted that the AHMP requires that GL4ext, GL12, GL13 and GL15 will be avoided through active protection, with installation of star-pickets and bunting or similar around this visible extent of the site within an approximate 5 m buffer. However, GL15 has not been protected as required by the AHMP. It is noted that no aboriginal artefacts were identified during an inspection conducted by two EMM archaeologists and 5 RAP representatives in June 2018 at this site. In a letter to Gunlake, further discussion with DPE was recommended to determine whether further management of the site was actually required. No record of further discussion with DPE were provided during the audit.

One non-compliance with requirements of the AHMP was identified:

- Effective protection of one aboriginal site (GL15) has not been implemented in accordance with the Aboriginal Heritage Management Plan (Refer Non-compliance NC -11).

5.14 Environmental Management Strategy

An Environmental Management Strategy (EMS) had been developed and implemented for the site. The EMS had been initially prepared in 2016. The EMS was updated following the previous independent environmental audit (Environmental Management Strategy, Rev 5, 27/03/2020, however there was no evidence that the updated EMS had been submitted to DPE for review and approval. In addition, the EMS had not been reviewed and updated following approval of SSD Development Consent Mod 2 (LEC 2020/327172, 9/6/21). It was reported by Gunlake that the Secretary had not required an EMS to be developed.

A Community Consultative Committee (CCC) had been established, and records were sighted to verify that the CCC had met regularly.

No no-compliances were identified in regard to implementation of the EMS.

5.15 EPBC Approval

Gunlake Quarry has obtained approval under the EPBC Act for EPBC 2015/7557 To extend the existing hard rock quarry operated by Gunlake Quarries Pty Limited, and undertake road upgrades along the primary transport route.

EPBC compliance reviews have been conducted annually, with compliance reports provided on the company website.

Two non-compliances with requirements of EPBC 2015/7557 approval conditions were identified:

- Records to verify monitoring as required by management plans not always retained (Refer Non-compliance NC - 07, 09).
- All required information was not provided on the company website. EPBC approval and response to non-compliance raised in the previous Independent Environmental Audit were not provided on the Gunlake Quarry website. (Refer Non-compliance NC -16).

5.16 Areas of Non-compliance

Issue No.	Condition	Requirement	Issue sighted	Recommendation																									
NC-01	Schedule 2 Condition 1	The Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the development.	Evidence was not sighted to demonstrate that inspections had been conducted of water management system following rainfall events. Aboriginal artefact site GL15 has not been actively protected as required by the AHMP.	Measures identified in the management plans for monitoring and, preventing or minimising environmental harm should be implemented. Records to verify implementation should be retained.																									
NC-02	Schedule 2 Condition 2	The Applicant must carry out the development: (a) generally in accordance with the EIS and SEE (MOD 2); and (b) in accordance with the conditions of this consent, the Development Layout Plan and the Statement of Commitments.	Non-compliances have been identified during the current audit which triggers a non-compliance with this condition	It is recommended that all non-compliances identified are addressed and closed out. A process to tack compliance requirements and status should be considered																									
NC-03	Schedule 3 Condition 6 Condition 7 Condition 8 EPL Condition L3.1 Condition L3.2	<p>The Applicant must ensure that operational noise generated by</p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Day</th> <th>Evening</th> <th>Night</th> <th></th> </tr> </thead> <tbody> <tr> <td></td> <td>L_{Aeq}(15 minute)</td> <td>L_{Aeq}(15 minute)</td> <td>L_{Aeq}(15 minute)</td> <td>L_{A1}(1 minute)</td> </tr> <tr> <td>R7</td> <td>38</td> <td>38</td> <td>38</td> <td>45</td> </tr> <tr> <td>R8</td> <td>37</td> <td>37</td> <td>37</td> <td>45</td> </tr> <tr> <td>All other privately owned residences</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> </tbody> </table> <p>Noise generated by the development is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. Appendix 4 sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.</p> <p>However, the noise criteria in Table 4 do not apply if the Applicant has an agreement with the relevant landowner to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.</p>	Receiver	Day	Evening	Night			L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (1 minute)	R7	38	38	38	45	R8	37	37	37	45	All other privately owned residences	35	35	35	45	Noise monitoring has not been conducted during evening and night periods on and around the site to verify the impact prediction made in the EIS and Mod 2 SEE.	Undertake noise monitoring during evening and night periods to verify compliance with project requirements.
Receiver	Day	Evening	Night																										
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (1 minute)																									
R7	38	38	38	45																									
R8	37	37	37	45																									
All other privately owned residences	35	35	35	45																									

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Issue No.	Condition	Requirement	Issue sighted	Recommendation															
NC-04	Schedule 3 Condition 14	<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 cause exceedances of the criteria in Table 6 at any residence on privately-owned land.</p> <p><i>Table 6: Air quality criteria</i></p> <table border="1" data-bbox="365 432 1155 778"> <thead> <tr> <th data-bbox="365 432 629 485"><i>Pollutant</i></th> <th data-bbox="663 432 786 485"><i>Averaging period</i></th> <th data-bbox="808 432 909 459"><i>Criterion</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="365 501 629 560">Particulate matter < 10 µm (PM₁₀)</td> <td data-bbox="663 501 786 576">Annual 24 hour</td> <td data-bbox="808 501 909 576">a, d 25 µg/m³ b 50 µg/m³</td> </tr> <tr> <td data-bbox="365 592 629 651">Particulate matter < 2.5 µm (PM_{2.5})</td> <td data-bbox="663 592 786 667">Annual 24 hour</td> <td data-bbox="808 592 909 667">a, d 8 µg/m³ b 25 µg/m³</td> </tr> <tr> <td data-bbox="365 683 629 742">Total suspended particulate (TSP) matter</td> <td data-bbox="663 683 786 710">Annual</td> <td data-bbox="808 683 909 710">a, d 90 µg/m³</td> </tr> <tr> <td data-bbox="365 758 629 785">c Deposited dust</td> <td data-bbox="663 758 786 785">Annual</td> <td data-bbox="808 758 1155 785">b 2 g/m²/month A, d 4 g/m²/month</td> </tr> </tbody> </table> <p><i>Notes to Table 6:</i></p> <p><i>a Cumulative impact (i.e. increase in concentrations due to the development plus background concentrations due to all other sources).</i></p> <p><i>b Incremental impact (i.e. increase in concentrations due to the development alone, with zero allowable exceedances of the criteria over the life of the development.</i></p> <p><i>c Deposited dust is to be assessed as insoluble solids as defined by emails to EPA and DPE following receipt of results. (e.g. 7/09/2021 reported 15/10/21 Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.</i></p> <p><i>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.</i></p> <p><i>e "Reasonable and feasible avoidance measures" includes, but is not limited to, the operational requirements in conditions 14, 15 and 16 to develop and implement an air quality management system that ensures operational responses to the risks of exceedance of the criteria.</i></p>	<i>Pollutant</i>	<i>Averaging period</i>	<i>Criterion</i>	Particulate matter < 10 µm (PM ₁₀)	Annual 24 hour	a, d 25 µg/m ³ b 50 µg/m ³	Particulate matter < 2.5 µm (PM _{2.5})	Annual 24 hour	a, d 8 µg/m ³ b 25 µg/m ³	Total suspended particulate (TSP) matter	Annual	a, d 90 µg/m ³	c Deposited dust	Annual	b 2 g/m ² /month A, d 4 g/m ² /month	<p>The 24hour PM₁₀ concentration has exceeded the criterion of 50 µg/m³ on four occasions during the period covered by the current audit</p>	<p>Exceedances had been investigated and closed out. No further action required.</p>
<i>Pollutant</i>	<i>Averaging period</i>	<i>Criterion</i>																	
Particulate matter < 10 µm (PM ₁₀)	Annual 24 hour	a, d 25 µg/m ³ b 50 µg/m ³																	
Particulate matter < 2.5 µm (PM _{2.5})	Annual 24 hour	a, d 8 µg/m ³ b 25 µg/m ³																	
Total suspended particulate (TSP) matter	Annual	a, d 90 µg/m ³																	
c Deposited dust	Annual	b 2 g/m ² /month A, d 4 g/m ² /month																	
NC-05	Schedule 3 Condition 16	<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"> be prepared in consultation with the EPA; be submitted to the Secretary for approval within six months of commencing development under this consent and prior to commencing quarrying operations under this consent; describe the measures that would be implemented to ensure: 	<p>Calculation of greenhouse gas emissions was not undertaken, and measures to minimise greenhouse gas emissions were not reported in the Annual Review.</p>	<p>Gunlake should implement processes for the monitoring and reporting of greenhouse gas emissions as per the AQMP.</p>															

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Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<ul style="list-style-type: none"> • compliance with the relevant conditions of this consent; • best practice management is being employed; and • the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events; <p>d. describe the proposed air quality management system, including a minimum of two High Volume Air Samplers in locations agreed to by the EPA;</p> <p>e. include an air quality monitoring program that:</p> <ul style="list-style-type: none"> • is capable of evaluating the performance of the development; • includes a protocol for determining any exceedances of the relevant conditions of consent; • effectively supports the air quality management system; and • evaluates and reports on the adequacy of the air quality management system. <p>The Applicant must implement the Air Quality Management Plan as approved by the Secretary.</p>		
NC-06	Schedule 3 Condition 18	For the life of the development, the Applicant must ensure that there is a suitable meteorological station operating in the vicinity of the site that complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline.	While a suitable meteorological station was provided on site, the rain gauge had not been working for an undetermined period.	Gunlake should repair/ upgrade the existing meteorological station. A process should be implemented to ensure that the weather station is regularly checked to confirm it is operating correctly.
NC-07	Schedule 3 Condition 22	<p>The Applicant must prepare a Soil and Water Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared by suitably qualified and experienced person/s approved by the Secretary;</p> <p>(b) be prepared in consultation with the EPA, WaterNSW and DPI Water;</p> <p>(c) be submitted to the Secretary for approval within six months of commencing development under this consent and prior to commencing quarrying operations under this consent;</p> <p>(d) include a:</p> <p>(i) Site Water Balance that includes:</p> <ul style="list-style-type: none"> • details of: <ul style="list-style-type: none"> ○ sources and security of water supply; ○ water use and management on site; ○ any off-site water transfers; and 	Records were not available to verify that inspections of all drainage structures, channels and embankments had been conducted on a monthly basis or following intense storm events.	Gunlake should ensure that inspections required by management plans are completed, recorded and maintained.

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Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<ul style="list-style-type: none"> ○ reporting procedures; and ● measures that would be implemented to minimise clean water use on site; (ii) Erosion and Sediment Control Plan that: <ul style="list-style-type: none"> ● is consistent with the requirements of the Landcom’s Managing Urban Stormwater: Soils and Construction manual; ● identifies activities that could cause soil erosion and generate sediment; ● describes measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, including for the haul road between the extraction area and the western emplacement area; ● describes the location, function, and capacity of erosion and sediment control structures, including for the haul road between the extraction area and the western emplacement area; and ● describes what measures would be implemented to maintain (and if necessary, decommission) the structures over time. (iii) Surface Water Management Plan, that includes: <ul style="list-style-type: none"> ● detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development; ● surface water impact assessment criteria; ● a protocol for managing any exceedances of the surface water impact assessment criteria; ● a detailed description of the surface water management system on site including the: <ul style="list-style-type: none"> ○ clean water diversion system; ○ dirty water management system; ○ water storages, including their capacity to contain dirty water during flood events; ○ irrigation areas; and ○ design of creek and stream crossings; and ● a program to monitor and report on: <ul style="list-style-type: none"> ○ the effectiveness of the water management system in ensuring that the development has a neutral or beneficial effect on downstream receiving waters; ○ channel stability of the watercourses on the site; ○ surface water flows and quality in watercourses on the site; ○ surface water discharges from the site, including provisions for sampling of water quality during discharge events; ○ the impact of the irrigation areas on water quality; 		

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Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<ul style="list-style-type: none"> • details of the on-site wastewater management system, including the effluent disposal area, that demonstrates there is adequate capacity for the wastewater loads generated by the development; (iv) Groundwater Management Plan that includes: <ul style="list-style-type: none"> • detailed baseline data on groundwater levels, flows and quality in the region; • groundwater impact assessment criteria for monitoring bores; • a program to monitor: <ul style="list-style-type: none"> – groundwater levels and quality on the site; – the impacts of the development on any groundwater dependent ecosystems; – the impacts of the development on any groundwater bores, springs and seeps on privately-owned land; and • a protocol for the investigation of identified exceedances of the groundwater impact assessment criteria. <p>The Applicant must implement the Soil and Water Management Plan as approved by the Secretary.</p>		
NC-08	Schedule 3 Condition 22	<p>The Applicant must prepare a Soil and Water Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (e) be prepared by suitably qualified and experienced person/s approved by the Secretary; (f) be prepared in consultation with the EPA, WaterNSW and DPI Water; (g) be submitted to the Secretary for approval within six months of commencing development under this consent and prior to commencing quarrying operations under this consent; (h) include a: (v) Site Water Balance that includes: <ul style="list-style-type: none"> • details of: <ul style="list-style-type: none"> ○ sources and security of water supply; ○ water use and management on site; ○ any off-site water transfers; and ○ reporting procedures; and • measures that would be implemented to minimise clean water use on site; (vi) Erosion and Sediment Control Plan that: <ul style="list-style-type: none"> • is consistent with the requirements of the Landcom’s Managing Urban Stormwater: Soils and Construction manual; • identifies activities that could cause soil erosion and generate sediment; 	<p>Effective measures had not been implemented to minimise soil erosion and the potential for transport of sediment. Scouring of the embankment leading down to the process water dam was evident during the site inspection on 10/08/2022.</p> 	<p>Gunlake should ensure that inspections are conducted following rainfall events. Areas of erosion/ scouring should be promptly repaired. Records of inspections and repairs should be maintained.</p>

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Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<ul style="list-style-type: none"> • describes measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, including for the haul road between the extraction area and the western emplacement area; • describes the location, function, and capacity of erosion and sediment control structures, including for the haul road between the extraction area and the western emplacement area; and • describes what measures would be implemented to maintain (and if necessary, decommission) the structures over time. <p>(vii) Surface Water Management Plan, that includes:</p> <ul style="list-style-type: none"> • detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development; • surface water impact assessment criteria; • a protocol for managing any exceedances of the surface water impact assessment criteria; • a detailed description of the surface water management system on site including the: <ul style="list-style-type: none"> ○ clean water diversion system; ○ dirty water management system; ○ water storages, including their capacity to contain dirty water during flood events; ○ irrigation areas; and ○ design of creek and stream crossings; and • a program to monitor and report on: <ul style="list-style-type: none"> ○ the effectiveness of the water management system in ensuring that the development has a neutral or beneficial effect on downstream receiving waters; ○ channel stability of the watercourses on the site; ○ surface water flows and quality in watercourses on the site; ○ surface water discharges from the site, including provisions for sampling of water quality during discharge events; ○ the impact of the irrigation areas on water quality; • details of the on-site wastewater management system, including the effluent disposal area, that demonstrates there is adequate capacity for the wastewater loads generated by the development; <p>(viii) Groundwater Management Plan that includes:</p> <ul style="list-style-type: none"> • detailed baseline data on groundwater levels, flows and quality in the region; • groundwater impact assessment criteria for monitoring bores; • a program to monitor: <ul style="list-style-type: none"> – groundwater levels and quality on the site; 		

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Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<ul style="list-style-type: none"> - the impacts of the development on any groundwater dependent ecosystems; - the impacts of the development on any groundwater bores, springs and seeps on privately-owned land; and • a protocol for the investigation of identified exceedances of the groundwater impact assessment criteria. <p>The Applicant must implement the Soil and Water Management Plan as approved by the Secretary.</p>		
NC-09	<p>Schedule 3 Condition 25</p> <p>EPBC Condition 4</p>	<p>The Applicant must prepare a Traffic Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <ol style="list-style-type: none"> a) be prepared in consultation with the RMS and Council; b) be submitted to the Secretary for approval within six months of commencing development under this consent and prior to commencing quarrying operations under this consent; c) describe the measure that would be implemented to avoid dispatching and/or receiving large groups or convoys of laden trucks from the site onto public roads; d) include a Drivers' Code of Conduct as required under condition 28 of Schedule 3; e) describe the measures that would be put in place to ensure compliance with the Drivers' Code of Conduct; and f) include measures to minimise the transmission of dust and tracking of material onto the surface of the public road from vehicles leaving the quarry. <p>The Applicant must implement the Traffic Management Plan as approved by the Secretary.</p>	<p>No evidence was provided to verify that random compliance checks had been conducted of driver behaviour along the primary and secondary transport routes, as required by Section 3.11 of the Traffic Management Plan.</p> <p>It was reported that compliance checks were conducted but not documented.</p>	<p>Gunlake should ensure that inspections required by management plans are completed, recorded and maintained.</p>
NC-10	Schedule 3 Condition 28	<p>Prior to transporting more than 62,500 tonnes per calendar month of quarry products from the site, the Applicant must prepare a Truck Driver Code of Conduct and submit it to the Secretary for approval. The Truck Driver Code of Conduct is to:</p> <ol style="list-style-type: none"> a) require induction of all truck drivers, including a requirement to read the Truck Driver Code of Conduct and sign a Truck Driver Induction Form, prior to commencing truck driving duties to and from the site; b) include all speed restrictions for the primary transport route and secondary transport route in the Truck Driver Induction Forms; c) incorporate provisions regarding anti-social behaviour and anti-littering practices; d) incorporate details of the safe and quiet driving practices that must be used by drivers transporting products to and from the quarry (particularly on the primary and secondary transport routes) and on safe merging practices at the intersection of Red Hills Road and the Hume Highway; e) incorporate provisions prohibiting overtaking moving vehicles on the primary transport route and secondary transport route; 	<p>While a Truck Driver Code of Conduct and induction process had been implemented, the induction did not include transportation times restrictions for the secondary route.</p>	<p>Update the Truck Driver Code of Conduct and induction process to include transportation times restrictions for the secondary route.</p>

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Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<p>f) incorporate provisions prohibiting the use of air brakes by in-bound trucks at the Red Hills and Hume Highway intersection (except in the case of emergencies) and include provisions for truck drivers to be educated regarding the acceptable use of air brakes on local roads;</p> <p>g) include a copy of the Applicant's drug and alcohol policy; and</p> <p>(h) incorporate mechanisms for ensuring compliance with the Truck Driver Code of Conduct including a mechanism for the Applicant's onsite manager to conduct random compliance checks (no less than once per quarter) of driver behaviour along the primary transport route and secondary transport route.</p>		
NC-11	Schedule 3 Condition 30 Statement of Commitments 16	<p>The Applicant must prepare an Aboriginal Heritage Management Plan for the development to the satisfaction of the Secretary. The plan must:</p> <p>a. be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;</p> <p>b. be prepared in consultation with OEH and the Registered Aboriginal Parties;</p> <p>c. be submitted to the Secretary for approval within six months of commencing development under this consent and prior to commencing quarrying operations under this consent; and</p> <p>d. include a description of the measures that would be implemented to:</p> <p>(i) protect, monitor and manage known sites of archaeological significance;</p> <p>(ii) manage any new Aboriginal objects or relics that are discovered;</p> <p>(iii) store Aboriginal heritage items salvaged on site; and</p> <p>(iv) ensure ongoing consultation and involvement of the Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site.</p>	Gunlake Quarry had not ensured that all aboriginal sites had been actively protected. Site GL15 has not been protected as required by the AHMP.	Aboriginal sites should be maintained in accordance with the requirements of the AHMP. Consider approaching DPE to amend/ remove requirements for the active protection of aboriginal artefact sites as per correspondence from EMM received June 2018.
NC-12	Schedule 3 Condition 33 Statement of Commitments 8, 9	<p>Prior to commencing quarrying operations under this consent, unless otherwise agreed with the Secretary, the Applicant must make suitable arrangements to provide long-term security and funding for the Biodiversity Areas identified in condition 32 of Schedule 3, to the satisfaction of the Secretary and OEH.</p> <p><i>Note: Mechanisms to provide appropriate long-term security to the Biodiversity Area include a BioBanking Agreement, under the Threatened Species Conservation Act 1995, a Voluntary Conservation Agreement or an alternative mechanism that provides for a similar conservation outcome. Any mechanism must remain in force in perpetuity.</i></p>	Conservation agreement areas have not been finalised – awaiting outcome of delayed proceedings before the Land and Environment Court.	The agreement for the long-term security of the offset area should be finalised.
NC13	Schedule 5 Condition 4	<p>Within 3 months of the:</p> <p>(a) submission of an Annual Review;</p> <p>(b) submission of an incident report under condition 8 below;</p> <p>(c) submission of an audit report under condition 11 below; and</p> <p>(d) approval of any modifications to this consent,</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.</p>	No record were available to verify that the Secretary has been advised of the outcomes of review of management plans within 3 months of the Annual Review.	Strategies, plans, and programs required under this consent should be reviewed and the outcome of the reviews reported in accordance with Schedule 5, Condition 4.

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Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<p>Within 4 weeks of conducting any such review, the Applicant must advise the Secretary of the outcomes of the review, and provide any revised documents to the Secretary for review and approval.</p> <p>Note: This is to ensure that strategies, plans and programs are updated on a regular basis, and to incorporate any recommended measures to improve environmental performance of the development.</p>		
NC-14	Schedule 5 Condition 10	<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> <p>(a) describe the development (including any rehabilitation) that was carried out in the previous financial year, and the development that is proposed to be carried out over the current financial year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous financial year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • relevant statutory requirements, limits or performance measures/criteria; • requirements of any plan or program required under this consent; • monitoring results of previous years; and • relevant predictions in the documents listed in condition 2(a) of Schedule 2; <p>(c) identify any non-compliance over the past financial year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the development;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the current financial year to improve the environmental performance of the development.</p> <p>The Applicant must ensure that copies of the Annual Review are submitted to Council and the EPA and are available to the Community Consultative Committee (see condition 7 of Schedule 5) and any interested person upon request.</p>	<p>The 2020 Annual Review did not include non-compliances identified in the previous independent environmental audit, or describe what actions were (or are being) taken to ensure compliance.</p>	<p>Gunlake need to ensure that the Annual Review includes all information required by the conditions of consent.</p>
NC-15	Schedule 5 Condition 12	<p>Within 12 weeks of commencing this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report.</p>	<p>The previous Independent Environmental Audit Report had not been submitted within 12 weeks of commencing the audit.</p>	<p>Gunlake need to ensure that the Independent Environmental Audit Reports are submitted within 12 weeks of commencement of the audit.</p>

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Issue No.	Condition	Requirement	Issue sighted	Recommendation
NC-16	Schedule 5 Condition 13 EPBC Condition 8	<p>Within 6 months of the commencement of development under this consent, the Applicant must:</p> <p>(a) make the following information publicly available on its website:</p> <ul style="list-style-type: none"> • the documents listed in condition 2(a) of Schedule 2; • current statutory approvals for the development, including any environmental protection licence and any permits or approvals under the Roads Act 1993 relating to road upgrades, etc; • all approved strategies, plans and programs required under the conditions of this consent; • a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; • a complaints register, updated monthly; • the annual reviews of the development; • any independent environmental audit, and the Applicant's response to the recommendations in any audit; and • any other matter required by the Secretary; and <p>(b) keep this information up to date, to the satisfaction of the Secretary.</p>	<p>All required information was not provided on the company website. The EPBC Approval and the applicant's response to the recommendations in the previous Independent Environmental Audit were not included on website.</p>	<p>Gunlake need to ensure that information required to be published on the company website is uploaded and the website maintained.</p>
NC-17	EPL Condition A3.1	<p>Information supplied to the EPA</p> <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. In this condition the reference to "the licence application" includes a reference to:</p> <p>a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</p> <p>the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>	<p>Non-compliances have been identified with implementation of licence conditions, triggering a non-compliance with Condition A3.1</p>	<p>Gunlake need to ensure that processes are implemented to ensure compliance with all EPL licence conditions. Consider implementing a compliance tracking program for conditions of consent and EPL requirements.</p>
NC-18	EPL Condition L3.2	<p>To determine compliance with these noise limits, noise from the project 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.</p> <p>The noise limits apply under meteorological conditions of:</p> <ul style="list-style-type: none"> • wind speed up to 3m/s at 10m above the ground level; • temperature inversion conditions of up to 3 degrees c/100m and wind speed up to 2m/s at 10m above the ground; 	<p>Noise monitoring has not been conducted 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.</p>	<p>Noise monitoring should be conducted in accordance with the EPL. Consider amending the EPL to reflect the noise monitoring locations currently being used for monitoring.</p>

Independent Environmental Audit – Gunlake Quarry

Commercial in Confidence

Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<ul style="list-style-type: none">• where the wind velocity and temperature gradients are determined to be relevant to the project site in accordance with the NSW industrial Noise Policy.		

5.17 Areas of compliance

All other relevant conditions audited were found to be either compliant or not triggered. Refer to the audit checklist provided as an attachment for full details of compliance.

6 CONCLUSIONS

Gunlake Quarry had developed and generally implemented management plans and associated documentation to address the requirements of the conditions of consent.

While compliance with aspects of the conditions of the project approval and management plans was found, eighteen non-compliances were raised where compliance with requirements of the conditions of consent, EPL, Statement of Commitments or management plans prepared for the site was not demonstrated.

Gunlake Quarry should ensure that actions are identified and implemented to address the findings contained within this audit to enable compliance with all obligations and ensure environmental impacts of the developments are appropriately managed.

ATTACHMENTS

- ✓ **Substantive Changes**
- ✓ **Auditor CV**
- ✓ **Audit Checklists**

CIRCULATION

- ✓ **Gunlake Quarry**

7 Substantive Changes.

No substantive changes were made following a review of the draft audit report by Gunlake Quarry.

Appendix A. - Previous Audit Findings

Issue No.	Condition	Requirement	Issue sighted	Gunlake Quarry Response	2022 Status
1	Schedule 2 Condition 17	The Applicant must: a) provide annual quarry production data to DRG and the Secretary using the standard form for that purpose; and b) include a copy of this data in the Annual Review.	Copy of production data not included in Annual Review	No response sighted	Copy of production data not included in Annual Reviews as information considered confidential. Sighted Email response from DPE following 29/11/2019 accepting Gunlake Quarry's stance. Closed
2	Schedule 2 Condition 22	Following commencement of development under this consent, the contribution must be paid to Council within one month of the anniversary of the date of this consent each year and reported in the Annual Review.	Section 94 contributions have been paid to Council, however details of the payment were not provided in the Annual Review	No response sighted	Details of Section 94 contributions were not provided in the Annual Review as information considered confidential. Sighted Email response from DPE following 29/11/2019 accepting Gunlake Quarry's stance. Closed
3	Schedule 2 Condition 38	The Applicant must prepare a Biodiversity and Rehabilitation Management Plan for the development to the satisfaction of the Secretary. This plan must: a) be prepared in consultation with OEH, DPI Fisheries and Council;	Vegetation screening vegetation has not been planted due to drought conditions.	No response sighted	Rehabilitation of the noise bund, and bund along access road had been undertaken. Closed
4		b) be submitted to the Secretary within twelve months of commencing development under this consent and prior to commencing quarrying operations under this consent unless the Secretary agrees otherwise; c) provide details of the conceptual final landform and associated land uses for the site; d) describe how the implementation of condition 31 of Schedule 3 would be integrated with the overall rehabilitation of the site; e) include detailed performance and completion criteria for evaluating performance under condition 31 of Schedule 3 and rehabilitation of the site, including triggers for any necessary remedial action; f) (f) describe the short, medium and long term measures that would be implemented to:	No evidence provided that seed has been collected, suitably stored and propagated	No response sighted	No seed collection has been undertaken. However, it was reported that extensive natural regrowth has occurred as the result of higher than average rainfall. Natural regrowth of rehabilitated areas verified during site inspection. Noted that natural regeneration was identified as the preferred approach in the R&BOMP. Noted that the R&BOMP, Table 3.3 – Vegetations identifies local provenance seed will be sourced either by collecting seed on site or from local supplier. Closed

Issue No.	Condition	Requirement	Issue sighted	Gunlake Quarry Response	2022 Status
		<ul style="list-style-type: none"> • manage remnant vegetation and habitat, including within the Biodiversity Areas and any areas that would be used to offset the biodiversity credits identified in condition 34 of Schedule 3; and • ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent; g) include a detailed description of the measures that would be implemented over the next 3 years (to be updated for each 3 year period following initial approval of the plan) including the procedures to be implemented for: <ul style="list-style-type: none"> • maximising the salvage of environmental resources within the approved disturbance area, including tree hollows, vegetative and soil resources, for beneficial reuse in the enhancement of the offset area or site rehabilitation; • restoring and enhancing the quality of native vegetation and fauna habitat in the biodiversity offset and rehabilitation areas through assisted natural regeneration, targeted vegetation establishment and the introduction of fauna habitat features; • protecting vegetation and fauna habitat outside the approved disturbance area on-site; • protecting the Chapmans Creek riparian buffer area shown on the figure in Appendix 6 in accordance with the Policy and Guidelines for Fish Habitat Conservation and Management; • minimising the impacts on native fauna, including undertaking pre-clearance surveys; • establishing vegetation screening to minimise the visual impacts of the site on surrounding receivers; 			

Issue No.	Condition	Requirement	Issue sighted	Gunlake Quarry Response	2022 Status
		<ul style="list-style-type: none"> • ensuring minimal environmental consequences for threatened species, populations and habitats; • collecting and propagating seed; • controlling weeds and feral pests; • controlling erosion; and • managing bushfire risk; <p>h) include a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria;</p> <p>i) identify the potential risks to the successful implementation of condition 31 of Schedule 3, and include a description of the contingency measures that would be implemented to mitigate these risks; and</p> <p>j) include details of who would be responsible for monitoring, reviewing, and implementing the plan.</p> <p>The Applicant must implement the Biodiversity and Rehabilitation Management Plan as approved by the Secretary.</p>			

Appendix B. – Auditor Approval



Department of Planning and Environment

Mr David Kelly
Head of Development
Gunlake Quarries Pty Ltd
715 Brayton Road
MARULAN NSW 2579
19/07/2022

Dear Mr Kelly

**Gunlake Quarry Extension Project (LEC 2017/108663)
Independent Environmental Audit 2022**

I refer to your request of 13 July 2022 seeking approval of Mr James Hart of James Hart Consulting for the upcoming Independent Environmental Audit of Gunlake Quarry Extension Project (the development), in accordance with Schedule 5, Condition 11 of the Land and Environment Court development consent LEC 2017/108663 (the consent).

Having considered the qualifications and experience of Mr Hart, the Planning Secretary endorses the appointment of Mr Hart to undertake the audit in accordance with Schedule 5, Condition 11 of the consent. This approval is conditional on Mr Hart being independent of the development.

The audit is to be conducted in accordance with the Independent 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>. Audit team may also wish to consider the AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing.

The audit report is to include the following:

1. consultation with the relevant agencies and the CCC;
2. a compliance table indicating the compliance status of each condition of consent 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 undertaking the independent audit site inspection, Gunlake is to submit a copy of the audit report to the Planning Secretary, and any other NSW agency that requests it, 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 Gunlake review the report to ensure it complies with the relevant consent condition.

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.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K O'Reilly'.

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

Department of Planning and Environment



A handwritten signature in black ink, appearing to read "Julia Pope".

Julia Pope
Team Leader Compliance - Metro
Compliance

As nominee of the Planning Secretary

Appendix C. – Audit Tables

8 Audit Checklist – Development Consent LEC 2017/108663 (as modified 2020/327172)

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
SCHEDULE 2 - ADMINISTRATIVE CONDITIONS						
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT						
1.	1	The Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the development.	Environmental Management Strategy April 2016 2020 Annual Review 30/9/19	Evidence was not sighted to demonstrate that inspections had been conducted of water management system following rainfall events.	Not Compliant	NC-01
TERMS OF CONSENT						
2.	2	The Applicant must carry out the development: (a) generally in accordance with the EIS and SEE (MOD 2); and (b) in accordance with the conditions of this consent, the Development Layout Plan and the Statement of Commitments.		Non-compliances have been identified with the requirements of the conditions of consent, triggering a non-compliance with this condition.	Not Compliant	NC-02
3.	3	If there is any inconsistency between the documents in condition 2(a), the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail over all documents in condition 2(a) to the extent of any inconsistency.		No inconsistencies have been identified.	Not triggered	
4.	4	The Applicant must comply with any requirement/s of the Secretary arising from the Department’s assessment of: a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent (including any stages of these documents); b) any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with this consent; and c) the implementation of any actions or measures contained in these documents.		Gunlake Quarries has updated documentation to reflect comments from the Department for the Mod 2 approval.	Compliant	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
LIMITS ON CONSENT						
Quarrying Operations						
5.	5	The Applicant may carry out quarrying operations on the site for 25 years from the date of notification, as stipulated under Condition 10(a), Schedule 2. <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>	Effective date of commencement August 2018	Current year 2022. Quarrying permitted until August 2043.	Compliant	
6.	6	The Applicant must not undertake quarrying operations below a level of 572 m AHD.	Site interview	Current depth 643m AHD.	Compliant	
7.	7	The Applicant must not transport more than 2.6 million tonnes of quarry products from the site in any calendar year.	Annual	Material transported was less than 2.6 million tonnes.	Compliant	
8.	8	The Applicant must not receive more than 30,000 tonnes of cured concrete waste on the site in any calendar year. The volume of cured concrete waste held on site at any one time must not exceed 2,500 tonnes. No other material classified as waste under the EPA Waste Classification Guidelines 2014 (or its latest version) may be received on site.	Site interview, inspection	Reported that small quantities of concrete waste are accepted on site – Actual quantity on site not tracked. Spreadsheet sighted showing number of loads to quarry, from which the quantity of concrete waste is estimated. Records shows 14,040 tonnes for the 2021-2022 financial year.	Compliant	
Quarry Product Transport						
9.	9	The Applicant must limit truck movements to: (a) an average of 220 inbound movements and 220 outbound movements, including no more than 25 outbound movements on the secondary transport route, per working day (averaged over the working days in each quarter); and (b) a maximum of 295 inbound movements and 295 outbound movements, including no more than 38 outbound truck movements on the secondary transport route, per working day.	Environmental Monitoring Results – Gunlake Quarry	The highest report maximum truck movements were reported for June 2022: • 291 inbound movements • 291 outbound movements Average April to June 2022 • 175 movements inbound	Compliant	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		Note: In this condition: 'working day' means any day on which the Applicant may load and despatch trucks (see condition 4 of Schedule 3); and 'quarter' means a three-monthly period, comprising January to March, April to June, July to September and October to December (inclusive) in each calendar year.		<ul style="list-style-type: none"> 175 movements outbound Truck movements for all other periods were less than the identified limits. 		
NOTIFICATION OF COMMENCEMENT						
10.	10	The Applicant must notify the Department in writing of the date on which it will commence: (a) development permitted under this consent, at least 14 days prior to commencing that development; and (b) quarrying operations under this consent, at least 14 days prior to commencing those operations.		Verified previous audit	Compliant	
SURRENDER OF EXISTING DEVELOPMENT CONSENTS						
11.	11	Within six months of commencing development under this consent, or as otherwise agreed by the Secretary, the Applicant must surrender the project approval MP 07_0074 for the Gunlake Quarry granted on 24 September 2008, in accordance with the EP&A Regulation. Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 4A of the EP&A Act. The surrender of the project approval should not be understood as implying that works legally constructed can no longer be legally maintained or used.	Gunlake letter dated 1/8/18	Verified previous audit	Compliant	
12.	12	Following the commencement of development under this consent, the conditions of this consent shall prevail to the extent of any inconsistency with the conditions of project approval MP 07_0074.		Quarry management plans have been updated and implemented to reflect the conditions of the current consent.	Compliant	
STRUCTURAL ADEQUACY						
13.	13	The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. Notes:	Interview response	No buildings constructed since the previous audit	Not Triggered	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		<ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works; and Part 8 of the EP&A Regulation sets out the requirements for the certification of the development or project. 				
14.	14	The Applicant must ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	Interview response	No demolition work since the previous audit.	Not triggered	
PROTECTION OF PUBLIC INFRASTRUCTURE						
15.	15	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: <ul style="list-style-type: none"> (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. Note: This condition does not apply to damage to roads caused as a result of general road usage or otherwise addressed by contributions required by condition 21 of Schedule 2.	Interview response	No repairs to public infrastructure have been required	Not triggered	
16.	16	The Applicant must ensure that all the plant and equipment used at the site is: <ul style="list-style-type: none"> a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner. 	Front End Loader Model 990K 500hr service 30/06/2022 Daily prestart inspections	Records of maintenance of plant and equipment sighted. Records maintained in hard copy.	Compliant	
PRODUCTION DATA						
17.	17	The Applicant must: <ul style="list-style-type: none"> c) provide annual quarry production data to DRG and the Secretary using the standard form for that purpose; and d) include a copy of this data in the Annual Review. 	Annual Environmental Management Review, July 2020 to June 2021	Sighted copy provided to DRG 29/09/2020. Sighted copy to DPE. Not included in the Annual Review – confidentiality issues cited. Sighted Email response from DPE following 29/11/2019 accepting Gunlake Quarry's stance.	Compliant	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
IDENTIFICATION OF APPROVED EXTRACTION LIMITS						
18.	18	Prior to commencing quarrying operations under this consent, the Applicant must: a) engage a registered surveyor to mark out the boundaries of the approved disturbance area; and b) submit a survey plan of these boundaries with applicable GPS coordinates to the Secretary.	Site inspection	Survey plan verified previous audit. Boundary markers were verified during the site inspection.	Compliant	
19.	19	While quarrying operations are being carried out, the Applicant must ensure that the boundaries of the approved disturbance areas are clearly marked at all times in a manner that allows operating staff to clearly identify these approved limits.	Site inspection	Boundary markers were verified during the site inspection.	Compliant	
20.	20	The Applicant must ensure that: a) no quarrying operations take place outside the approved disturbance area; and b) the haul road between the extraction area and western overburden emplacement area is clearly marked at all times, has the minimum width required for safe hauling operations, and includes erosion and sedimentation measures to minimise impacts from the use of the road on Chapmans Creek. <i>Note: The approved disturbance area includes the extraction area, the overburden emplacement areas, the infrastructure area, haul roads and ancillary areas required to carry out the development</i>	Site inspection	During the site inspection, no work outside of the approved disturbance area was sighted. The haul road had been clearly marked and was noted to be an appropriate width.	Compliant	
CONTRIBUTIONS TO COUNCIL						
21.	21	The Applicant must pay to Council an annual financial contribution toward the maintenance of Council-owned roads along its primary and secondary transport routes. The contribution must be determined in accordance with the Goulburn Mulwaree s94 Development Contributions Plan 2009, or any subsequent relevant contributions plan adopted by Council.	Tax Invoice No 172151 17/08/2020.	Sighted council contribution for 2019-2020. 2022 invoice not yet received	Compliant	
22.	22	Following commencement of development under this consent, the contribution must be paid to Council within one month of the anniversary of the date of this consent each year and reported in the Annual Review.	Annual Review 2020-2021 Annual Review 2019-2020	Reporting on Council Contributions included in Section 4.2.2. Invoice Council received 21/08/2020, paid 15/09/2020.	Compliant	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
			Tax Invoice No 172151 17/08/2020. Received 21/08/2020.	2021 contribution paid 28/10/2021. Delayed due to incorrect rate used by Council to determine contribution. Contributions paid with timeframe as specified on the Tax Invoice.		

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.				
SCHEDULE 3 - ENVIRONMENTAL PERFORMANCE CONDITIONS										
NOISE										
Acquisition upon Request										
23.	1	<p>Upon receiving a written request from the owner of the land listed in Table 1, the Applicant must acquire the land in accordance with condition 5 of Schedule 4.</p> <p>Table 1: Land subject to acquisition upon request</p> <table border="1"> <thead> <tr> <th>Acquisition Basis</th> <th>Land</th> </tr> </thead> <tbody> <tr> <td>Noise</td> <td>R2</td> </tr> </tbody> </table>	Acquisition Basis	Land	Noise	R2		No written requests from residents	Not Triggered	
Acquisition Basis	Land									
Noise	R2									
24.	2	<p>Upon receiving a written request from the owner of any residence listed in Table 2, the Applicant must implement additional mitigation measures at the residence, in consultation with the landowner.</p> <table border="1"> <thead> <tr> <th>Mitigation Basis</th> <th>Residence</th> </tr> </thead> <tbody> <tr> <td>Noise</td> <td>R2, R7</td> </tr> </tbody> </table> <p>Note: <i>The location of the residences referred to in Table 2 is shown on the figure in Appendix 3.</i></p> <p>These measures must be reasonable and feasible, and directed towards reducing the noise impacts of the development on the residence. Mitigation may include measures such as double-glazing, insulation and/or air conditioning.</p> <p>If within 3 months of receiving this request from the owner, the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.</p>	Mitigation Basis	Residence	Noise	R2, R7		No written requests from residents	Not Triggered	
Mitigation Basis	Residence									
Noise	R2, R7									
Enclosure of Primary Crusher										
25.	3	The Applicant must achieve at least a 5 dB(A) reduction in the measured sound power level of the primary crusher by enclosing the primary crusher within two months of commencing development under this consent and prior to operating the primary crusher outside the hours of 7 am to 6 pm Monday to Saturday.	Crusher enclosed on 28/2/18 Site inspection	Verified previous audit. Quarterly noise monitoring conducted. No noise exceedances recorded.	Compliant					

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.														
		The Applicant must engage a suitably qualified and experienced acoustical practitioner to measure the sound power level of the primary crusher before and after constructing the enclosure to demonstrate that the enclosure has resulted in a 5 dB(A) sound power level reduction. A report from the acoustical practitioner must be provided to the Secretary within 30 days of constructing the enclosure.																		
Hours of Operation																				
26.	4	<p>The Applicant must comply with the operating hours set out in Table 3.</p> <p>Table 3: Operating Hours</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Permissible Hours</th> </tr> </thead> <tbody> <tr> <td>Construction</td> <td>7 am to 6 pm Monday to Friday 8 am to 1 pm Saturday At no time on Sunday or public holidays</td> </tr> <tr> <td>Blasting</td> <td>• 9 am to 5 pm Monday to Friday • At no time on Saturday, Sunday or public holidays</td> </tr> <tr> <td>Quarrying operations (excluding overburden removal/emplacement and drilling)</td> <td>• 24 hours a day but not between 6 pm Saturday and 2 am Monday • At no time on Sunday or public holidays</td> </tr> <tr> <td>Overburden removal/emplacement and drilling</td> <td>• 7 am to 6 pm Monday to Saturday • At no time on Sunday or public holidays</td> </tr> <tr> <td>Loading and dispatching</td> <td>• 24 hours a day but not between 6 pm Saturday and 2 am Monday At no time on Sunday or public holidays</td> </tr> <tr> <td>Transportation on the primary transport route</td> <td>• 24 hours a day but not between 6 pm Saturday and 2 am Monday At no time on Sunday or public holidays</td> </tr> </tbody> </table>	Activity	Permissible Hours	Construction	7 am to 6 pm Monday to Friday 8 am to 1 pm Saturday At no time on Sunday or public holidays	Blasting	• 9 am to 5 pm Monday to Friday • At no time on Saturday, Sunday or public holidays	Quarrying operations (excluding overburden removal/emplacement and drilling)	• 24 hours a day but not between 6 pm Saturday and 2 am Monday • At no time on Sunday or public holidays	Overburden removal/emplacement and drilling	• 7 am to 6 pm Monday to Saturday • At no time on Sunday or public holidays	Loading and dispatching	• 24 hours a day but not between 6 pm Saturday and 2 am Monday At no time on Sunday or public holidays	Transportation on the primary transport route	• 24 hours a day but not between 6 pm Saturday and 2 am Monday At no time on Sunday or public holidays	Site interviews Site induction Weighbridge records of truck movements.	Limited overburden removal required. Undertaken on a campaign basis. Quarrying operations generally 6am to 4pm. Compliance checks reported to be completed by Transportation Manager (not documented).	Compliant	
Activity	Permissible Hours																			
Construction	7 am to 6 pm Monday to Friday 8 am to 1 pm Saturday At no time on Sunday or public holidays																			
Blasting	• 9 am to 5 pm Monday to Friday • At no time on Saturday, Sunday or public holidays																			
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JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.																									
		<table border="1"> <tr> <td>Transportation on the secondary transport route</td> <td>6 am to 7 pm Monday to Saturday • At no time on Sunday or public holidays</td> </tr> <tr> <td>Maintenance</td> <td>At any time provided that the activity is not audible at any privately-owned residence</td> </tr> </table>	Transportation on the secondary transport route	6 am to 7 pm Monday to Saturday • At no time on Sunday or public holidays	Maintenance	At any time provided that the activity is not audible at any privately-owned residence																									
Transportation on the secondary transport route	6 am to 7 pm Monday to Saturday • At no time on Sunday or public holidays																														
Maintenance	At any time provided that the activity is not audible at any privately-owned residence																														
27.	5	<p>The following activities may be carried out on the site outside the hours specified in condition 4:</p> <ul style="list-style-type: none"> a) delivery or dispatch of materials as requested by Police or other authorities; and b) emergency work to avoid the loss of lives, property and/or to prevent environmental harm. <p>In such circumstances, the Applicant must notify the Secretary and affected residents prior to undertaking the activities, or as soon as is practical thereafter.</p>	Site interviews	Reported that no requests had been made for deliveries outside of the hours specified in column 4.	Not triggered																										
Noise Impact Assessment Criteria																															
28.	6	<p>The Applicant must ensure that operational noise generated by the development does not exceed the criteria in Table 4 at any residence on privately-owned land.</p> <p>Table 4</p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Day</th> <th>Evening</th> <th>Night</th> <th></th> </tr> <tr> <td></td> <td>L_{Aeq}(15 minute)</td> <td>L_{Aeq}(15 minute)</td> <td>L_{Aeq}(15 minute)</td> <td>L_{A1}(1 minute)</td> </tr> </thead> <tbody> <tr> <td>R7</td> <td>38</td> <td>38</td> <td>38</td> <td>45</td> </tr> <tr> <td>R8</td> <td>37</td> <td>37</td> <td>37</td> <td>45</td> </tr> <tr> <td>All other privately owned residences</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> </tbody> </table> <p>Noise generated by the development is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. Appendix 4 sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.</p>	Receiver	Day	Evening	Night			L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (1 minute)	R7	38	38	38	45	R8	37	37	37	45	All other privately owned residences	35	35	35	45	June 2022 noise monitoring results	<p>Quarterly noise monitoring conducted at two locations on site which is extrapolated to residential sites. No exceedances have been recorded. R7 now owned by Quarry.</p> <p>Evening and night noise levels have not been verified.</p>	Not Compliant	03
Receiver	Day	Evening	Night																												
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (1 minute)																											
R7	38	38	38	45																											
R8	37	37	37	45																											
All other privately owned residences	35	35	35	45																											

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		However, the noise criteria in Table 4 do not apply if the Applicant has an agreement with the relevant landowner to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.				
Operating Conditions						
29.	7	The Applicant must: <ul style="list-style-type: none"> a) implement best practice management to minimise the construction, operational and road transportation noise of the development, particularly during the evening and night periods; b) minimise the noise impacts of the development during meteorological conditions when the noise criteria in this consent do not apply (see Appendix 4); c) carry out quarterly attended noise monitoring, unless otherwise agreed by the Secretary, to determine whether the development is complying with the relevant conditions of this consent; and d) regularly assess noise monitoring data and modify and/or stop operations on site to ensure compliance with the relevant conditions of this consent, to the satisfaction of the Secretary. Note: <i>Required frequency of noise monitoring</i> may be reduced if approved by the Secretary.		Evening and night noise levels have not been verified.	Not Compliant	03
Noise Management Plan						
30.	8	The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Secretary. This plan must: <ul style="list-style-type: none"> a) be prepared in consultation with the EPA; b) be submitted to the Secretary within six months of commencing development under this consent and prior to commencing quarrying operations under this consent; c) describe the measures that would be implemented to ensure: <ul style="list-style-type: none"> • compliance with the noise criteria in this consent; • best practice noise management is being employed; 	Noise and Blast Management Plan, Rev 9, September 2021	Original plan approved 2018. Contents verified previous audit. Updated plan submitted to DPE 7/10/2021. Yet to be approved. All requirements of the Noise Management Plan have not been implemented.	Not Compliant	03

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.							
		<ul style="list-style-type: none"> noise impacts of the development are minimised during meteorological conditions under which the noise criteria in this consent do not apply (see Appendix 4); and best practice management is being employed to minimise the noise impacts on the primary transport route and the secondary transport route; d) describe the proposed noise management system; and e) include a monitoring program to be implemented to measure noise from the development against the noise criteria in Table 4, and which evaluates and reports on the effectiveness of the noise management system on site. The Applicant must implement the Noise Management Plan as approved by the Secretary.		Noise monitoring has not been conducted during evening and night periods on and around the site to verify the impact prediction made in the EIS and Mod 2 SEE.									
Traffic Noise Compliance Assessment													
31.	9	A noise compliance assessment of the traffic noise impacts of the project must be undertaken within two months of annual dispatches of quarry products exceeding 1 million, 1.5 million, 1.9 million and 2.5 million tonnes. The assessment must be conducted by a suitably qualified and experienced acoustical practitioner and must assess compliance of the traffic noise impacts against the predictions in the documents listed in condition 2(a) of Schedule 2 and relevant road noise criteria, to the satisfaction of the Secretary. The traffic noise compliance assessment reports must be provided to the Department within 1 month of each assessment.	Gunlake Quarry Road Traffic Noise Compliance Assessment, 10 September 2020. Email to DPE Compliance 11 September 2020	Compliance assessment completed for exceeding 1 million tonnes completed. 1.5 million assessment not triggered.	Compliant								
Blasting													
Blasting Impact Assessment Criteria													
32.	10	The Applicant must ensure that blasting on site does not cause any exceedance of the criteria in Table 5. Table 5: Blasting Criteria	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section 3 Blast Monitoring	Maximum airblast overpressure of 114.8 dB(Lin Peak) recorded in April and May 2022. Maximum Ground vibration of 1.442 mm/s recorded on 20/04/2020.	Compliant								
		<table border="1"> <thead> <tr> <th>Receiver</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td></td> <td>120</td> <td>10</td> <td>0%</td> </tr> </tbody> </table>	Receiver	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance		120	10	0%			
Receiver	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance										
	120	10	0%										

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.			
		<table border="1"> <tr> <td>Any residence on privately-owned land</td> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> </table> <p>However, these criteria do not apply if the Applicant has a written agreement with the relevant owner to exceed the limits in Table 3, and the Applicant has advised the Department in writing of the terms of this agreement.</p>	Any residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months		The results from the blast monitoring show that there have been no exceedances of the blasting criteria.	
Any residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months						
Blasting Frequency									
33.	11	<p>The Applicant may carry out a maximum of 2 blasts per week, unless an additional blast is required following a blast misfire. This condition does not apply to blasts required to ensure the safety of the quarry or workers on site.</p> <p><i>Note: For the purposes of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the quarry.</i></p>	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section 3 Blast Monitoring	Records show 3 blasts had occurred in one week in April 2021, with one blast on 28/04/2021 and 2 blasts on 30/04/2021 at were part of the same blast event which were separated for safety reasons.	Compliant				
Operating Conditions									
34.	12	<p>During blasting operations, the Applicant must:</p> <p>a) implement best practice management to:</p> <ul style="list-style-type: none"> protect the safety of people and livestock in the areas surrounding blasting operations; protect public or private infrastructure/property in the surrounding area from damage from blasting operations and minimise the dust and fume emissions of blasting; <p>b) operate a suitable system to enable the local community to get up-to-date information on the proposed blasting schedule on site;</p> <p>c) co-ordinate the timing of blasting on site with the timing of blasting at Johnniefields quarry and Lynwood quarry to minimise potential cumulative blasting impacts of the three quarries; and</p>	<p>Noise and Blast Management Plan April 2018- Section 4.2.</p> <p>Blast Report 18/04/2020</p> <p>Gunlake Quarry Website.</p>	<p>Best practice management measures implemented as described in plan. Website – Community Liaison includes link to sign up to obtaining blast information. Blasting is conducted at both Gunlake and Lynwood quarries by the same contractor. Blasting is planned for quarries on different days. Quarry Manager communicate with the other Quarry prior to blasting.</p>	Compliant				

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		d) carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent, to the satisfaction of the Secretary.		Johnniefelds quarry not operating.		
Blast Management Plan						
35.	13	<p>The Applicant must prepare a Blast Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> b) be submitted to the Secretary for approval within six months of commencing development under this consent and prior to commencing quarrying operations under this consent; c) describe the measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this consent; d) include measures to manage flyrock; e) include a monitoring program for evaluating and reporting on compliance with the blasting criteria in this consent; f) include a protocol for investigating and responding to complaints; and g) include community notification procedures for blasting, which includes: <ul style="list-style-type: none"> I. a notification process to alert any resident who registers an interest in the blasting schedule to be notified at least 24 hours in advance of each blast; II. a blasting hotline, or alternative system agreed to by the Secretary, to enable the public to obtain up-to-date information on blasting operations; and III. information on how the public will be kept informed of the hotline, or any alternative system. <p>The Applicant must implement the Blast Management Plan as approved by the Secretary.</p>	Noise and Blast Management Plan, Rev 9, September 2021	<p>Submitted to the Department in 2018. Compliance verified previous audit</p> <p>Updated plan submitted to DPE 7/10/2021. Yet to be approved.</p>	Compliant	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.																								
Air Quality																														
Air Quality Impact Assessment Criteria																														
36.	14	<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 cause exceedances of the criteria in Table 6 at any residence on privately-owned land.</p> <table border="1"> <thead> <tr> <th>Table 6: Air quality criteria</th> <th>Averaging period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Pollutant</td> <td></td> <td></td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>a, d 25 µg/m₃</td> </tr> <tr> <td></td> <td>24 hour</td> <td>b 50 µg/m₃</td> </tr> <tr> <td>Particulate matter < 2.5 µm (PM_{2.5})</td> <td>Annual</td> <td>a, d 8 µg/m₃</td> </tr> <tr> <td></td> <td>24 hour</td> <td>b 25 µg/m₃</td> </tr> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>a, d 90 µg/m₃</td> </tr> <tr> <td>c Deposited dust</td> <td>Annual</td> <td>b 2 g/m₂/month a, d 4 g/m₂/month</td> </tr> </tbody> </table> <p><i>Notes to Table 6:</i> a Cumulative impact (i.e. increase in concentrations due to the development plus background concentrations due to all other sources). b Incremental impact (i.e. increase in concentrations due to the development alone, with zero allowable exceedances of the criteria over the life of the development). c Deposited dust is to be assessed as insoluble solids as defined by emails to EPA and DPE following receipt of results. (e.g. 7/09/2021 reported 15/10/21 Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of</p>	Table 6: Air quality criteria	Averaging period	Criterion	Pollutant			Particulate matter < 10 µm (PM ₁₀)	Annual	a, d 25 µg/m ₃		24 hour	b 50 µg/m ₃	Particulate matter < 2.5 µm (PM _{2.5})	Annual	a, d 8 µg/m ₃		24 hour	b 25 µg/m ₃	Total suspended particulate (TSP) matter	Annual	a, d 90 µg/m ₃	c Deposited dust	Annual	b 2 g/m ₂ /month a, d 4 g/m ₂ /month	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section 2 Air Quality Monitoring emails to EPA and DPE following receipt of results. (e.g. 7/09/2021 reported 15/10/21 Response from EPA 18/10/21	Monitoring results for the period October 2019 to July 2022 show no exceedance of dust deposition criteria. Four (4) occasions where the 24 hour PM₁₀ concentration exceeded 50 µg/m³. Highest reported level of 64.2 µg/m³ (17/02/2021). PM _{2.5} monitoring commenced at R1 on 13th September 2021, Maximum 24 hour PM _{2.5} of 20 µg/m ³ . 3 results in December 2021 considered invalid as PM ₁₀ results were less than measured PM _{2.5} results. Where PM ₁₀ results have exceeded the 24 hour average, EPA and DPE have been notified of exceedances, including outcomes of investigation of the exceedances (e.g. Sighted).	Not Compliant	NC-04
Table 6: Air quality criteria	Averaging period	Criterion																												
Pollutant																														
Particulate matter < 10 µm (PM ₁₀)	Annual	a, d 25 µg/m ₃																												
	24 hour	b 50 µg/m ₃																												
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Total suspended particulate (TSP) matter	Annual	a, d 90 µg/m ₃																												
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JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		<p><i>Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.</i></p> <p><i>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.</i></p> <p><i>e "Reasonable and feasible avoidance measures" includes, but is not limited to, the operational requirements in conditions 14, 15 and 16 to develop and implement an air quality management system that ensures operational responses to the risks of exceedance of the criteria.</i></p>		<p>Reports show investigation of sources and assessment of results.</p> <p>No further action required (Noted that as per the March Response from EPA 18/10/2021 event – no further action required).</p>		
Operating Conditions						
37.	15	<p>The Applicant must:</p> <ol style="list-style-type: none"> implement best practice management to minimise the dust emissions of the development; regularly assess meteorological and air quality monitoring data and relocate, modify and/or stop operations on site to ensure compliance with the air quality criteria in this consent; minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note d under Table 6); monitor and report on compliance with the relevant air quality conditions in this consent; and minimise the area of surface disturbance and undertake progressive rehabilitation of the site, to the satisfaction of the Secretary. 	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section	2 water carts in use on site. Dust suppression on plant. Dust extractor on crushing plant.	Compliant	
Air Quality Management Plan						
38.	16	The Applicant must prepare an Air Quality Management Plan for the development to the satisfaction of the Secretary. This plan must:	Air Quality Management Plan	Original plan submitted to the Department in 2018.	Not Compliant	NC-05

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		f. be prepared in consultation with the EPA; g. be submitted to the Secretary for approval within six months of commencing development under this consent and prior to commencing quarrying operations under this consent; h. describe the measures that would be implemented to ensure: <ul style="list-style-type: none"> compliance with the relevant conditions of this consent; best practice management is being employed; and the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events; i. describe the proposed air quality management system, including a minimum of two High Volume Air Samplers in locations agreed to by the EPA; j. include an air quality monitoring program that: <ul style="list-style-type: none"> is capable of evaluating the performance of the development; includes a protocol for determining any exceedances of the relevant conditions of consent; effectively supports the air quality management system; and evaluates and reports on the adequacy of the air quality management system. The Applicant must implement the Air Quality Management Plan as approved by the Secretary.	Rev 10, September 2021	Compliance verified previous audit. Updated plan submitted to DPE 7/10/2021. Yet to be approved. GHG Emissions not calculated. GHG Emissions not reported in the annual review.		
Quarry-owned Land						
39.	17	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 cause exceedances of the criteria in Table 6 at any occupied residence on quarry-owned land unless: <ol style="list-style-type: none"> the tenant has been notified of any health risks associated with such exceedances in accordance with 	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section	Monitoring records do not identify any exceedances of particulate matter criteria.	Compliant	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		the notification requirements under Schedule 4 of this consent; and b. the tenant of any land owned by the Applicant can terminate their tenancy agreement without penalty at any time, subject to giving reasonable notice, to the satisfaction of the Secretary.				
Meteorological Monitoring						
40.	18	For the life of the development, the Applicant must ensure that there is a suitable meteorological station operating in the vicinity of the site that complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline.	Vista Vision Data continuous monitoring results – Marulan AWS 8-9/-8/2022.	Meteorological station on site. Rainfall data unable to be obtained from Meteorological station for an undetermined period.	Not Compliant	NC-06
Greenhouse Gas Emissions						
41.	19	The Applicant must implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site.	Plant Maintenance records. Technical Specifications, Cat C13	Plant maintenance. New equipment purchased which has lower greenhouse gas emission.	Compliant	
SOIL AND WATER						
Water Supply						
42.	20	The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of operations under the consent to match its available water supply, to the satisfaction of the Secretary. Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain all necessary water licences for the development.		Water imported from Council water treatment plant (industrial water) in first week of February 2020 following drought. No other periods when water was required to be imported.	Compliant	
Water Discharges						
43.	21	The Applicant must comply with the discharge limits in any EPL, or with section 120 of the POEO Act.	Environmental Monitoring Results Summary –Gunlake	Discharge following heavy rain in March 2022. Results for RW2 show TSS >50mg/L (71mg/L)	Compliant	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		<ul style="list-style-type: none"> • describes the location, function, and capacity of erosion and sediment control structures, including for the haul road between the extraction area and the western emplacement area; and • describes what measures would be implemented to maintain (and if necessary, decommission) the structures over time. <p>(xi) Surface Water Management Plan, that includes:</p> <ul style="list-style-type: none"> • detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development; • surface water impact assessment criteria; • a protocol for managing any exceedances of the surface water impact assessment criteria; • a detailed description of the surface water management system on site including the: <ul style="list-style-type: none"> ○ clean water diversion system; ○ dirty water management system; ○ water storages, including their capacity to contain dirty water during flood events; ○ irrigation areas; and ○ design of creek and stream crossings; and • a program to monitor and report on: <ul style="list-style-type: none"> ○ the effectiveness of the water management system in ensuring that the development has a neutral or beneficial effect on downstream receiving waters; ○ channel stability of the watercourses on the site; ○ surface water flows and quality in watercourses on the site; ○ surface water discharges from the site, including provisions for sampling of water quality during discharge events; ○ the impact of the irrigation areas on water quality; • details of the on-site wastewater management system, including the effluent disposal area, that demonstrates 				

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		there is adequate capacity for the wastewater loads generated by the development; (xii) Groundwater Management Plan that includes: <ul style="list-style-type: none"> • detailed baseline data on groundwater levels, flows and quality in the region; • groundwater impact assessment criteria for monitoring bores; • a program to monitor: <ul style="list-style-type: none"> – groundwater levels and quality on the site; – the impacts of the development on any groundwater dependent ecosystems; – the impacts of the development on any groundwater bores, springs and seeps on privately-owned land; and • a protocol for the investigation of identified exceedances of the groundwater impact assessment criteria. The Applicant must implement the Soil and Water Management Plan as approved by the Secretary.				
TRANSPORT						
Monitoring of Product Transport						
45.	23	The Applicant must keep accurate records of all truck movements to and from the site (including time of arrival and dispatch) and publish a summary of records, which includes daily maximum and calendar month averages, on its website every 6 months. <i>Note: See condition 9 of Schedule 2 for the relevant daily maximum and monthly averages.</i>	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section Weighbridge records	Summary provided on the website in the Environmental Monitoring Results Summary –Gunlake Quarry.	Compliant	
Operating Conditions						
46.	24	The Applicant must: <ol style="list-style-type: none"> a) ensure that all laden trucks entering or exiting the site have their loads covered, with the exception of loads consisting solely of boulders greater than one tonne in weight; 	Site observations Driver Code of Conduct.	Cameras installed at site entry to monitor truck movements and compliance. Sighted letter to Transport operator 7/10/2021 banning truck and driver (3 in total)	Compliant	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		b) ensure that all laden trucks exiting the site are cleaned of material that may fall on the road, before leaving the site; and c) use its best endeavours to ensure that appropriate signage is displayed on all trucks used to transport quarry product from the development so they can be easily identified by road users.		from site for two weeks due to failing to stop at stop sign.		
Traffic Management Plan						
47.	25	The Applicant must prepare a Traffic Management Plan for the development to the satisfaction of the Secretary. This plan must: g) be prepared in consultation with the RMS and Council; h) be submitted to the Secretary for approval within six months of commencing development under this consent and prior to commencing quarrying operations under this consent; i) describe the measure that would be implemented to avoid dispatching and/or receiving large groups or convoys of laden trucks from the site onto public roads; j) include a Drivers' Code of Conduct as required under condition 28 of Schedule 3; k) describe the measures that would be put in place to ensure compliance with the Drivers' Code of Conduct; and l) include measures to minimise the transmission of dust and tracking of material onto the surface of the public road from vehicles leaving the quarry. The Applicant must implement the Traffic Management Plan as approved by the Secretary.	Traffic Management Plan Rev 9, September 2021.	Original plan submitted to the Department in 2018. Compliance verified previous audit. Updated plan submitted to DPE 7/10/2021. Yet to be approved. Reported that traffic compliance checks were conducted by the Traffic Manager to verify compliance with approved truck route, speed compliance, convoying, etc. No records of compliance checks (not documented).	Not Compliant	NC-09
Primary Transport Route						Primary Transport Route

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
48.	26	<p>Prior to transporting more than 62,500 tonnes per calendar month of quarry products from the site, either under this consent or under this consent in combination with MP 07_0074 (while ever it has not been surrendered), the Applicant must implement and complete:</p> <p>a) Red Hills Road and Hume Highway intersection works - construct an additional 500m long (including taper) left turn northbound acceleration lane at the intersection of Red Hills Road and the Hume Highway in accordance with the relevant Austroads intersection design requirements and to the satisfaction of the Secretary and RMS; and</p> <p>b) Brayton Road and Quarry Access Road intersection works - upgrade the intersection of the quarry access road with Brayton Road in accordance with Austroads intersection design requirements, to the satisfaction of the local roads authority including carrying out the following:</p> <p>(i) laying asphalt; and</p> <p>(ii) constructing an acceleration lane on Brayton Road for truck traffic turning right from the Quarry Access Road onto Brayton Road, to be located south of the quarry intersection, and starting at the intersection.</p> <p>c) General Road Upgrade Works- the primary transport route shall be upgraded such that it conforms with current Austroads standards and is generally in accordance with the plans entitled Primary Transport Route Road Upgrade Plans prepared by EMM dated 29 June 2017, Map 1 - 39. Detailed road works plans, including relevant supportive calculations and modelling, shall be submitted to the local roads authority for approval, which outlines the extent of works to be undertaken. The applicant must:</p> <p>(i) Obtain a survey of the primary transport route from a registered surveyor of the entire road corridor. This</p>		Verified previous audit	Compliant	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		<p>should show road corridor boundaries, sealed and unsealed pavement extents, line markings, signage, hazards, driveways and intersections, shoulders and any significant vegetation within the corridor that would be affected by the road upgrade works. The survey shall include sufficient detail to indicate the levels and grades of existing pavement, shoulder and clear zone areas.</p> <p>(ii) The design plans shall show the full extent of works, including at a minimum, earthworks, road widening, shoulders and clear zones, stopping areas, bus bays, drainage, line marking, pavement upgrades, signage and vegetation to be removed or retained. The design plans shall include long-sections of roads and the drainage system, and representative road cross-sections which identify the extent of upgrade works.</p> <p>(iii) The design plans shall demonstrate that 3.1 m wide lanes are provided along the primary transport route.</p> <p>(iv) The design plans shall demonstrate that 1.5 m wide shoulders, with 0.5 m width being sealed, are provided along the primary transport route. Where this is not achieved, alternative measures are to be provided, and justification is to be given which demonstrates that the non-compliance does not result in an unacceptable road safety outcome.</p> <p>(v) The design plans shall demonstrate that 3.0 m wide clear zones are provided along the primary transport route. Where this is not achieved, alternative measures are to be provided generally in accordance with the plans entitled Primary Transport Route Road Upgrade Plans prepared by EMM dated 29 June 2017, Map 1 - 39.</p> <p>(vi) The design plans must identify all trees and native vegetation that need to be removed as a part of the works. Lawful approval for any vegetation removal</p>				

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		<p>must be provided to the local roads authority prior to the removal of any vegetation in association with the road works.</p> <p>(vii) A geotechnical report shall be provided to the local roads authority in respect of existing road pavement conditions, pavement carrying capacity, and requirements to upgrade the pavement to accommodate the increase in truck traffic. The geotechnical report shall document the existing pavement by way of borehole and strength testing, at a sampling frequency that will adequately characterise the existing pavement.</p> <p>(viii) A drainage design shall be submitted as a part of the road works plans. This will include relevant calculations and modelling of the road drainage system, and document the extent of drainage works required for the works. The drainage design shall be undertaken such that there will be no detrimental impact on the drainage system within the road corridor, on adjoining properties, or local vegetation.</p> <p>(ix) The design plans shall be certified by suitably qualified civil engineer to be compliant with Austroads standards.</p> <p>d) In addition to the matters specified in (c) above, in respect of the primary transport route</p> <ul style="list-style-type: none"> - carry out road safety upgrades generally in accordance with the plans entitled Primary Transport Route Road Upgrade Plans prepared by EMM dated 29 June 2017, Map 1 – 39, and subject to any requirements or variations requested by Council as the roads authority including: <ul style="list-style-type: none"> (i) line-marking and signage along the primary transport route, including by: <ul style="list-style-type: none"> • marking hidden driveways; 				

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		<ul style="list-style-type: none"> • upgrade line markings and increase signage; and • following discussions and agreement with Council, any upgrades required to improve school bus stop safety. <p>(ii) installing centre double white line-marking with retroreflective pavement markers along the full length (or along such sections as are otherwise required by Council) of the primary transport route, to prevent overtaking;</p> <p>(iii) installing edge line-marking on pavement edges with retroreflective pavement markers along the full length (or along such sections as are otherwise required by the Council) of the primary transport route;</p> <p>(iv) carrying out an analysis of the frequency of heavy fogs on the primary transport route within a 1 month period and in consultation with the Council;</p> <p>(v) installing guide posts and spacings along appropriate sections of the primary transport route in consultation with the Council. The guide post spacing is to be determined on the basis of the analysis of the frequency of heavy fogs to be prepared by the Applicant as per condition (d)(iv).</p> <p>e) Any application to Council under s138 of the Roads Act 1993 for the Primary Transport Route upgrade works is to be in accordance with the plans entitled Primary Transport Route Road Upgrade Plans prepared by EMM dated 29 June 2017, Map 1 – 39, and a copy of such application is to be provided to the Secretary no later than 2 working days after its lodgement with Council.</p> <p><i>Note: 62,500 tonnes per calendar month is the monthly equivalent of 750,000 tonnes per annum, the consented limit under project approval MP 07_0074.</i></p>				
49.	27	The Applicant must install and operate a video camera at the intersection of Red Hills Road and the Hume Highway, to the satisfaction of the Secretary. The Applicant must install the		Verified previous audit	Compliant	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		camera prior to commencing quarrying operations under this consent and operate the camera until the Hume Highway intersection acceleration lane is constructed and fully operational. The camera must be located in a fixed position with a field of view that accurately records heavy vehicles (including truck identification numbers) merging from Red Hills Road to travel north along the Hume Highway. Recordings from the camera must be examined weekly by the Applicant to ensure safe merging practices at the intersection, securely stored for at least 60 days and made available to the Department and RMS on request.				
Truck Driver Code of Conduct						
50.	28	<p>Prior to transporting more than 62,500 tonnes per calendar month of quarry products from the site, the Applicant must prepare a Truck Driver Code of Conduct and submit it to the Secretary for approval. The Truck Driver Code of Conduct is to:</p> <ul style="list-style-type: none"> h) require induction of all truck drivers, including a requirement to read the Truck Driver Code of Conduct and sign a Truck Driver Induction Form, prior to commencing truck driving duties to and from the site; i) include all speed restrictions for the primary transport route and secondary transport route in the Truck Driver Induction Forms; j) incorporate provisions regarding anti-social behaviour and anti-littering practices; k) incorporate details of the safe and quiet driving practices that must be used by drivers transporting products to and from the quarry (particularly on the primary and secondary transport routes) and on safe merging practices at the intersection of Red Hills Road and the Hume Highway; l) incorporate provisions prohibiting overtaking moving vehicles on the primary transport route and secondary transport route; 	Traffic Management Plan Rev 9, September 2021.	<p>Drivers Code of Conduct included as Appendix B of the Traffic Management Plan.</p> <p>Transportation times restrictions for secondary route not included in induction</p>	Not Compliant	NC-10

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		m) incorporate provisions prohibiting the use of air brakes by in-bound trucks at the Red Hills and Hume Highway intersection (except in the case of emergencies) and include provisions for truck drivers to be educated regarding the acceptable use of air brakes on local roads; n) include a copy of the Applicant's drug and alcohol policy; and o) (h) incorporate mechanisms for ensuring compliance with the Truck Driver Code of Conduct including a mechanism for the Applicant's onsite manager to conduct random compliance checks (no less than once per quarter) of driver behaviour along the primary transport route and secondary transport route.				
Transport Options Review						
51.	29	Within 10 years of commencing development under this consent, and every 10 years thereafter, the Applicant must commission, commence and pay the full cost of a Transport Options Review for the development. This review must: <ol style="list-style-type: none"> be conducted by a suitably qualified, experienced and independent expert/s whose appointment has been endorsed by the Secretary; include detailed consultation with Transport for NSW, RMS and Council; review the economic, social and environmental costs and benefits of all reasonable and feasible options for the transport of quarry products from the site (including by rail and including trucks movements currently permitted by this consent); recommend any appropriate measures or actions to reduce the economic, social and environmental costs associated with transport of quarry products from the site, and be conducted and reported to the satisfaction of the Secretary. 		Not required until 2028.	Not Triggered	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		Within 12 weeks of commencing this review or as otherwise agreed by the Secretary, the Applicant must submit a copy of the review report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the review report.				
ABORIGINAL HERITAGE						
Aboriginal Heritage Management Plan						
52.	30	The Applicant must prepare an Aboriginal Heritage Management Plan for the development to the satisfaction of the Secretary. The plan must: <ul style="list-style-type: none"> e. be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary; f. be prepared in consultation with OEH and the Registered Aboriginal Parties; g. be submitted to the Secretary for approval within six months of commencing development under this consent and prior to commencing quarrying operations under this consent; and h. include a description of the measures that would be implemented to: <ul style="list-style-type: none"> (i) protect, monitor and manage known sites of archaeological significance; (ii) manage any new Aboriginal objects or relics that are discovered; (iii) store Aboriginal heritage items salvaged on site; and (iv) ensure ongoing consultation and involvement of the Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site. 	Aboriginal Heritage Management Plan Ver 7, 21/07/2021.	Original plan submitted to the Department in 2018. Compliance verified previous audit. Updated plan submitted to DPE 7/10/2021. Yet to be approved. Aboriginal site GL15 has not been protected as required by the AHMP. Noted that survey conducted of the site on 19 June 2018 did not identify any aboriginal artefacts.	Not Compliant	NC-11
BIODIVERSITY AND REHABILITATION						
Biodiversity Offset Strategy						
53.	31	The Applicant must implement the Biodiversity Offset Strategy, including:	Landscape and Biodiversity Offset	Approval verified previous audit.	Compliant	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.												
		a) protecting, enhancing and maintaining the Biodiversity Areas identified in condition 32 of Schedule 3; and b) retiring the biodiversity credits identified in condition 34 of Schedule 3, in accordance with the Framework for Biodiversity Assessment - NSW Biodiversity Offsets Policy for Major Projects; to the satisfaction of the Secretary and OEH.	Management Plan, 2015.	Updated Landscape and Biodiversity Offset Management Plan prepared and submitted to DPE in February 2018. Yet to be approved. Pending outcome of court proceedings.														
Biodiversity Areas																		
54.	32	The Applicant must protect, enhance and maintain the Biodiversity Areas described in Table 7 and shown conceptually on the plan in Appendix 5, to achieve the objectives in Table 7 to the satisfaction of the Secretary and OEH. <table border="1"> <thead> <tr> <th><i>Table 7: Biodiversity Areas</i></th> <th>Objective</th> <th>Minimum Size (ha)</th> </tr> </thead> <tbody> <tr> <td>White Box-Yellow Box Blakely's Red Gum Woodland Endangered Ecological Community (Box Gum Woodland EEC)</td> <td>Protect, maintain and enhance, including through assisted regeneration, Box Gum Woodland EEC on the site</td> <td>32.66</td> </tr> <tr> <td>Cleared land</td> <td>Regenerate and/or replant cleared land on site with native vegetation representative of Box Gum Woodland EEC</td> <td>46.16</td> </tr> <tr> <td>Total</td> <td></td> <td>78.82</td> </tr> </tbody> </table>	<i>Table 7: Biodiversity Areas</i>	Objective	Minimum Size (ha)	White Box-Yellow Box Blakely's Red Gum Woodland Endangered Ecological Community (Box Gum Woodland EEC)	Protect, maintain and enhance, including through assisted regeneration, Box Gum Woodland EEC on the site	32.66	Cleared land	Regenerate and/or replant cleared land on site with native vegetation representative of Box Gum Woodland EEC	46.16	Total		78.82		Areas maintained	Compliant	
<i>Table 7: Biodiversity Areas</i>	Objective	Minimum Size (ha)																
White Box-Yellow Box Blakely's Red Gum Woodland Endangered Ecological Community (Box Gum Woodland EEC)	Protect, maintain and enhance, including through assisted regeneration, Box Gum Woodland EEC on the site	32.66																
Cleared land	Regenerate and/or replant cleared land on site with native vegetation representative of Box Gum Woodland EEC	46.16																
Total		78.82																
Security of Biodiversity Areas																		
55.	33	Prior to commencing quarrying operations under this consent, unless otherwise agreed with the Secretary, the Applicant must make suitable arrangements to provide long-term security and funding for the Biodiversity Areas identified in condition 32 of Schedule 3, to the satisfaction of the Secretary and OEH.	Extension letter provided to 31 May 2019. Extension letter provided 27/05/2019 to extend until	Biobanking agreement executed. Verified previous audit. Two biodiversity offset areas identified as part of the 3A approval.	Not compliant	NC-12												

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.									
		Note: Mechanisms to provide appropriate long-term security to the Biodiversity Area include a BioBanking Agreement, under the Threatened Species Conservation Act 1995, a Voluntary Conservation Agreement or an alternative mechanism that provides for a similar conservation outcome. Any mechanism must remain in force in perpetuity.	31/03/2020. 31 May 2019. Email correspondence to DPE 19/03/2020 requesting extension of period to finalise the agreement under Condition 33. No response provided Currently the subject of court proceedings.	Conservation agreement areas have not been finalised – awaiting outcome of Land and Environment Court proceedings.											
Biodiversity Offsets															
56.	34	<p>The Applicant must retire the biodiversity credits set out in Table 8, in accordance with the <i>Framework for Biodiversity Assessment - NSW Biodiversity Offsets Policy for Major Projects</i> to the satisfaction of the Secretary and OEH. The credits identified in Table 8 include credits arising from the carrying out of the primary transport route upgrade works referred to in condition 26. If the vegetation to be removed is less than anticipated at the date of this consent the credits arising from these upgrade works may be reduced if approved by the Secretary provided the number of credits does not fall below the minimum number identified in column 2 of the table.</p> <p><i>Table 8: Biodiversity credits to be retired</i></p> <table border="1"> <thead> <tr> <th>Credit type</th> <th>Number of Credits</th> <th>Additional Credits resulting from Primary Transport Route Upgrade Works</th> </tr> </thead> <tbody> <tr> <td>Ecosystem Credits</td> <td></td> <td></td> </tr> <tr> <td>Yellow Box - Blakely's Red Gum Grassy Woodland (PCT1330)</td> <td>373</td> <td>13</td> </tr> </tbody> </table>	Credit type	Number of Credits	Additional Credits resulting from Primary Transport Route Upgrade Works	Ecosystem Credits			Yellow Box - Blakely's Red Gum Grassy Woodland (PCT1330)	373	13		Biobanking agreement executed May 2019. Verified previous audit. Total credits 1466 credits. Awaiting outcome of the court proceedings to determine if a conservation agreement or biodiversity credits are required.	Compliant	
Credit type	Number of Credits	Additional Credits resulting from Primary Transport Route Upgrade Works													
Ecosystem Credits															
Yellow Box - Blakely's Red Gum Grassy Woodland (PCT1330)	373	13													

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.						
		Yellow Box - Blakely's Red Gum Grassy Woodland Derived Native Grassland (PCT1330) 185 Broad-leaved Peppermint - Red Stringybark grassy open forest (PCT734) 160 23 Broad-leaved Peppermint - Red Stringybark grassy open forest Derived Native Grassland (PCT734) 662 Total 1380 36										
Security of Offsets												
57.	35	Within eighteen months of commencing development under this consent, unless otherwise agreed with the Secretary, the Applicant must make suitable arrangements to provide long-term security and funding for the Biodiversity Offset Areas used to retire the credits identified in condition 34 of Schedule 3, through a Biobanking Agreement under the Threatened Species Conservation Act 1995, to the satisfaction of OEH.		Biobanking agreement executed May 2019. Verified previous audit.	Compliant							
Rehabilitation Objectives												
58.	36	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 must comply with the objectives in Table 9. <i>Table 9: Rehabilitation Objectives</i> <table border="1" data-bbox="392 1181 1131 1436"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Site (as a whole)</td> <td> Safe, stable and non-polluting • Final landform integrated with surrounding natural landforms as far as is reasonable and feasible • Final landform has minimal visual impact w viewed from surrounding land </td> </tr> <tr> <td>Surface Infrastructure</td> <td>Decommissioned and removed, unless otherwise agreed by the Secretary</td> </tr> </tbody> </table>	Feature	Objective	Site (as a whole)	Safe, stable and non-polluting • Final landform integrated with surrounding natural landforms as far as is reasonable and feasible • Final landform has minimal visual impact w viewed from surrounding land	Surface Infrastructure	Decommissioned and removed, unless otherwise agreed by the Secretary	Site inspection	Rehabilitation conducted on noise bund emplacement area rehabilitation and northern end of the Western overburden emplacement.	Compliant	
Feature	Objective											
Site (as a whole)	Safe, stable and non-polluting • Final landform integrated with surrounding natural landforms as far as is reasonable and feasible • Final landform has minimal visual impact w viewed from surrounding land											
Surface Infrastructure	Decommissioned and removed, unless otherwise agreed by the Secretary											

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		Land identified as the Biodiversity Area	Conserved and enhanced with native, endemic vegetation consistent with the objectives shown in table 7			
		Riparian corridors along Chapman Creek and its tributaries	Stabilised and Revegetated			
		Quarry benches	Landscaped and vegetated using native tree and understorey species			
		Final Void	<ul style="list-style-type: none"> Minimise the size, depth and slope of the batters of the final void Minimise the drainage catchment of the final void 			
Progressive Rehabilitation						
59.	37	<p>The Applicant must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim stabilisation measures must be implemented where reasonable and feasible to control dust emissions in disturbed areas that are not active and which are not ready for final rehabilitation.</p> <p><i>Note: It is accepted that parts of the site that are progressively rehabilitated may be subject to further disturbance in future.</i></p>	Site inspection	Rehabilitation of areas verified during site inspection.	Compliant	
Biodiversity and Rehabilitation Management Plan						
60.	38	<p>The Applicant must prepare a Biodiversity and Rehabilitation Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> k) be prepared in consultation with OEH, DPI Fisheries and Council; l) be submitted to the Secretary within twelve months of commencing development under this consent and prior to commencing quarrying operations under this consent unless the Secretary agrees otherwise; m) provide details of the conceptual final landform and associated land uses for the site; 	Rehabilitation and Biodiversity Offset Management Plan, October 2015	Compliance verified previous audit.	Compliant	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		<p>n) describe how the implementation of condition 31 of Schedule 3 would be integrated with the overall rehabilitation of the site;</p> <p>o) include detailed performance and completion criteria for evaluating performance under condition 31 of Schedule 3 and rehabilitation of the site, including triggers for any necessary remedial action;</p> <p>p) (f) describe the short, medium and long term measures that would be implemented to:</p> <ul style="list-style-type: none"> • manage remnant vegetation and habitat, including within the Biodiversity Areas and any areas that would be used to offset the biodiversity credits identified in condition 34 of Schedule 3; and • ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent; <p>q) include a detailed description of the measures that would be implemented over the next 3 years (to be updated for each 3 year period following initial approval of the plan) including the procedures to be implemented for:</p> <ul style="list-style-type: none"> • maximising the salvage of environmental resources within the approved disturbance area, including tree hollows, vegetative and soil resources, for beneficial reuse in the enhancement of the offset area or site rehabilitation; • restoring and enhancing the quality of native vegetation and fauna habitat in the biodiversity offset and rehabilitation areas through assisted natural regeneration, targeted vegetation establishment and the introduction of fauna habitat features; • protecting vegetation and fauna habitat outside the approved disturbance area on-site; • protecting the Chapmans Creek riparian buffer area shown on the figure in Appendix 6 in accordance with 				

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		the Policy and Guidelines for Fish Habitat Conservation and Management; <ul style="list-style-type: none"> • minimising the impacts on native fauna, including undertaking pre-clearance surveys; • establishing vegetation screening to minimise the visual impacts of the site on surrounding receivers; • ensuring minimal environmental consequences for threatened species, populations and habitats; • collecting and propagating seed; • controlling weeds and feral pests; • controlling erosion; and • managing bushfire risk; r) include a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria; s) identify the potential risks to the successful implementation of condition 31 of Schedule 3, and include a description of the contingency measures that would be implemented to mitigate these risks; and t) include details of who would be responsible for monitoring, reviewing, and implementing the plan. The Applicant must implement the Biodiversity and Rehabilitation Management Plan as approved by the Secretary.				
Biodiversity and Rehabilitation Bond						
61.	39	Within 6 months of the approval of the Biodiversity and Rehabilitation Management Plan, the Applicant must lodge a Biodiversity and Rehabilitation Bond with the Department to ensure that the Biodiversity Offset Strategy and rehabilitation of the site are implemented in accordance with the performance and completion criteria set out in the plan and the relevant conditions of this consent. The sum of the bond must be determined by: <ul style="list-style-type: none"> a) calculating the cost of implementing the Biodiversity Offset Strategy over the next 3 years for the 	Rehabilitation and Biodiversity Management Plan,	Awaiting approval of the conservation agreement and Rehabilitation and Biodiversity Management Plan prior to calculation of the rehabilitation bond.	Not Triggered	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		<p>Biodiversity Areas identified in condition 32 of Schedule 3;</p> <p>b) calculating the cost of rehabilitating all disturbed areas of the site, taking into account the likely surface disturbance over the next 3 years of quarrying operations; and</p> <p>c) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs, or by using the Rehabilitation Cost Estimate spreadsheet tool (RCE) issued by DRG.</p> <p>to the satisfaction of the Secretary.</p> <p>Notes:</p> <ul style="list-style-type: none"> • <i>Alternative funding arrangements for long term management of the Biodiversity Offset Strategy, such as provision of capital and management funding as agreed by OEH as part of a BioBanking Agreement, or transfer to conservation reserve estate can be used to reduce the liability of the Biodiversity and Rehabilitation Bond.</i> • <i>If capital and other expenditure required by the Biodiversity and Rehabilitation Management Plan is largely complete, the Secretary may waive the requirement for lodgement of a bond in respect of the remaining expenditure.</i> • <i>If the Biodiversity Offset Strategy and/or rehabilitation of the site area are completed (or partially completed) to the satisfaction of the Secretary, then the Secretary will release the bond (or relevant part of the bond). If the Biodiversity Offset Strategy and rehabilitation of the site are not completed to the satisfaction of the Sec</i> 				
62.	40	<p>Within 3 months of each Independent Environmental Audit (see condition 11 of Schedule 5), the Applicant must review, and if necessary, revise, the sum of the Biodiversity and Rehabilitation Bond to the satisfaction of the Secretary. This review must consider the:</p> <p>(a) effects of inflation;</p>		<p>Awaiting approval of the conservation agreement and Rehabilitation and Biodiversity Management Plan prior to calculation of the rehabilitation bond</p>	<p>Not Triggered</p>	

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		(b) likely cost of implementing the Biodiversity Offset Strategy and rehabilitating all disturbed areas of the site (taking into account the likely surface disturbance over the next 3 years of the development); and (c) performance of the implementation of the Biodiversity Offset Strategy and rehabilitation of the site to date.				
Visual						
63.	41	The Applicant must implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development to the satisfaction of the Secretary.	Site inspection	Remote location. No complaints from neighbours in relation to visual impacts	Compliant	
Waste						
64.	42	The Applicant must: a) manage on-site sewage treatment and disposal in accordance with the requirements of its EPL, and to the satisfaction of the EPA and Council; b) minimise the waste generated by the development; c) ensure that the waste generated by the development is appropriately stored, handled, and disposed of; and d) report on waste management and minimisation in the Annual Review, to the satisfaction of the Secretary.	South Coast Liquid Treatment Pty Ltd Invoice 90233, 13/10/2021.	Transpiration pit installed. Annual servicing of sewage system conducted by South Coast Liquid Treatment Pty Ltd.	Compliant	
65.	43	Except as expressly permitted in an EPL, the Applicant must not receive waste (with the exception of the cured concrete transported to the site in accordance with condition 8 of Schedule 2) at the site for storage, treatment, processing, reprocessing or disposal.	Site Interview Site Inspection	Reported that no other waste had been received. No waste other than concrete sighted during the site inspection.	Compliant	
Liquid Storage						
66.	44	The Applicant must ensure that all tanks and similar storage facilities (other than for water) are protected by appropriate bunding or other containment, in accordance with the relevant Australian Standards.	Site Inspection	Oils stored in a bunded area within the maintenance shed.	Compliant	
Dangerous Goods						

JHC Ref No.	Condition	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
67.	45	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.	Site Inspection	Oils stored in a bunded area within the maintenance shed. Diesel stored in double bunded tank.	Compliant	
Bushfire						
68.	46	The Applicant must: (a) ensure that the development is suitably equipped to respond to any fires on site; and (b) assist the Rural Fire Service and emergency services as much as possible if there is a fire in the vicinity of the site.	Site inspection. Site interviews	Water cart x 2 with fire hoses. Water storage on site. Access provided for RFS. Some site team are members of the RFS Clearance areas provided around powerlines, etc.	Compliant	

JHC Ref No.	Condition No.	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
SCHEDULE 4 - ADDITIONAL PROCEDURES						
NOTIFICATION OF LANDOWNERS						
69.	1	Within 2 months of the commencement of development under this consent, the Applicant must notify in writing the owner of: <ul style="list-style-type: none"> a. the residences listed in Table 2 of Schedule 3 that they are entitled to ask the Applicant to install additional noise mitigation measures at the residences; and b. notify any tenants of quarry-owned land of their rights under this consent. 	Gunlake Quarry Independent Environmental Audit November 2019.	Verified previous audit	Compliant	
70.	2	Prior to entering into any tenancy agreement for any land owned by the Applicant that is predicted to experience exceedances of the recommended dust and/or noise criteria, the Applicant must: <ul style="list-style-type: none"> a. advise the prospective tenants of the potential health and amenity impacts associated with living on the land, and give them a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time); and b. advise the prospective tenants of the rights they would have under this consent, to the satisfaction of the Secretary.	Site interview	No tenancy agreements in place.	Not triggered	
71.	3	As soon as practicable after obtaining monitoring results showing: <ul style="list-style-type: none"> a. an exceedance of any relevant criteria in Schedule 3, the Applicant must notify the affected landowners in writing of the exceedance, and provide regular monitoring results to each affected landowner until the development is again complying with the relevant criteria; and b. an exceedance of any relevant air quality criteria in Schedule 3, the Applicant must send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and current tenants of the land (including the tenants of land which is not privately-owned). 	Site interview		Not Triggered	
INDEPENDENT REVIEW						

JHC Ref No.	Condition No.	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
72.	4	<p>If an owner of privately-owned land considers the development to be exceeding the relevant criteria in Schedule 3, then he/she may ask the Secretary in writing for an independent review of the impacts of the development on his/her land.</p> <p>If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision, the Applicant must:</p> <ol style="list-style-type: none"> a. commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to: <ul style="list-style-type: none"> • consult with the landowner to determine his/her concerns; • conduct monitoring to determine whether the development is complying with the relevant criteria in Schedule 3; and • if the development is not complying with these criteria, then identify measures that could be implemented to ensure compliance with the relevant criteria; and b. give the Secretary and landowner a copy of the independent review. 	Site interview	No independent review has been requested.	Not Triggered	
LAND ACQUISITION						
73.	5	<p>Within 3 months of receiving a written request from a landowner with acquisition rights, the Applicant must make a binding written offer to the landowner based on:</p> <ol style="list-style-type: none"> a. the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development, having regard to the: <ul style="list-style-type: none"> • existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and • presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of the additional noise mitigation measures in condition 2 of Schedule 3; 	Site interview	No written request from a landowner with acquisition rights has been received.	Not Triggered	

JHC Ref No.	Condition No.	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		<p>b. the reasonable costs associated with:</p> <ul style="list-style-type: none"> • relocating within the Goulburn Mulwaree local government area, or to any other local government area determined by the Secretary; and • obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and <p>c. reasonable compensation for any disturbance caused by the land acquisition process.</p> <p>However, if at the end of this period, the Applicant and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.</p> <p>Upon receiving such a request, the Secretary will request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:</p> <ul style="list-style-type: none"> • consider submissions from both parties; • determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above; • prepare a detailed report setting out the reasons for any determination; and • provide a copy of the report to both parties. <p>Within 14 days of receiving the independent valuer's report, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.</p> <p>However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Secretary for</p>				

JHC Ref No.	Condition No.	Requirements	Evidence	Audit Findings and Recommendations	Compliance Status	Issue No.
		<p>review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions.</p> <p>Within 14 days of this determination, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the Secretary's determination.</p> <p>If the landowner refuses to accept the Applicant's binding written offer under this condition within six months of the offer being made, then the Applicant's obligations to acquire the land shall cease, unless the Secretary determines otherwise.</p> <p>The Applicant must pay all reasonable costs associated with the land acquisition process described in this condition, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.</p>				

JHC No	Condition No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue No.
Schedule 5 – ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING						
Environmental Management Strategy						
74.	1	If the Secretary requires, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must: <ul style="list-style-type: none"> (a) be submitted to the Secretary for approval within 6 months of the date of this consent; (b) provide the strategic framework for environmental management of the development; (c) identify the statutory approvals that apply to the development; (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (e) describe the procedures that would be implemented to: <ul style="list-style-type: none"> • keep the local community and relevant agencies informed about the operation and • environmental performance of the development; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the course of the development; • respond to any non-compliance; • respond to emergencies; and (f) include: <ul style="list-style-type: none"> • copies of any strategies, plans and programs approved under the conditions of this consent; and • a clear plan depicting all the monitoring required to be carried out under the conditions of this consent. 	Environmental Management Strategy, Rev 5, 27/03/2020	Environmental Management Strategy had been developed, although it was reported that the Secretary had not requested an Environmental Management Strategy be prepared. Updated following 2019 Independent Environmental Audit. Not updated following approval of SSD Development Consent Mod 2 (LEC 2020/327172, 9/6/21)	Compliant	
Management Plan Requirements						
75.	2	2. The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include: <ul style="list-style-type: none"> (a) detailed baseline data; (b) a description of: 		Management plans have been reviewed and approved. Content of management plans verified previous audit.	Compliant	

JHC No	Condition No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue No.
		<ul style="list-style-type: none"> • the relevant statutory requirements (including any relevant approval, licence or lease conditions); • any relevant limits or performance measures/criteria; and • the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> • impacts and environmental performance of the development; and • effectiveness of any management measures (see (c) above); <p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> • incidents; • complaints; • non-compliances with statutory requirements; and • exceedances of the impact assessment criteria and/or performance criteria; and <p>(h) a protocol for periodic review of the plan.</p> <p>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</p>				

JHC No	Condition No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue No.
Application of Existing Management Plans						
76.	3	Prior to the approval of management plans under this consent, the Applicant shall manage development undertaken pursuant to this consent in accordance with any equivalent or similar management plan/s required under project approval MP 07_0074.		Currently operating under the existing RHBOMP	Compliant	
Revision of Strategies, Plans and Programs						
77.	4	<p>Within 3 months of the:</p> <p>(a) submission of an Annual Review;</p> <p>(b) submission of an incident report under condition 8 below;</p> <p>(c) submission of an audit report under condition 11 below; and</p> <p>(d) approval of any modifications to this consent, the Applicant must review, and if necessary, revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.</p> <p>Within 4 weeks of conducting any such review, the Applicant must advise the Secretary of the outcomes of the review, and provide any revised documents to the Secretary for review and approval.</p> <p>Note: This is to ensure that strategies, plans and programs are updated on a regular basis, and to incorporate any recommended measures to improve environmental performance of the development.</p>		No record to verify that strategies, plans, and programs had been reviewed within 3 months of submission of the annual reviews and that the Secretary has been advised of the outcomes of the review within 4 weeks of conducting the Review.	Not Compliant	NC-13
Updating and Staging of Strategies, Plans or Programs						
78.	5	To ensure that strategies, plans or programs required under this consent are updated on a regular basis, and that they incorporate any appropriate additional measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis. With the agreement of the Secretary, the Applicant may prepare a revision of or a stage of a strategy, plan or program without	Site interview	Management plans have been updated in 2021 and submitted to DPE. Awaiting approval of documents.	Compliant	

JHC No	Condition No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue No.
		undertaking consultation with all parties nominated under the applicable condition in this consent. Notes: <ul style="list-style-type: none"> • While any strategy, plan or program may be submitted on a staged basis, the Applicant will need to ensure that the operations associated with the development are covered by suitable strategies, plans or programs at all times. • If the submission of any strategy, plan or program is to be staged; then the relevant strategy, plan or program must clearly describe the specific stage/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program. 				
Adaptive Management						
79.	6	The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation. Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity: <ol style="list-style-type: none"> take all reasonable and feasible steps to ensure that the exceedance ceases and does not reoccur; consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and implement remediation measures as directed by the Secretary; to the satisfaction of the Secretary.	ALS Laboratory Report CA2201647	No exceedances of noise criteria identified. Air quality exceedances (PM ₁₀) had been identified on four occasions. Where PM ₁₀ results have exceeded the 24 hour average, EPA and DPE have been notified of exceedances, including outcomes of investigation of the exceedances (e.g. Sighted). Reports show investigation of sources and assessment of results. No further action required (Noted that as per the March	Compliant	

JHC No	Condition No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue No.
				Response from EPA 18/10/2021 event – no further action required).		
COMMUNITY CONSULTATIVE COMMITTEE						
80.	7	The Applicant must establish and operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Secretary. The CCC must be operated in general accordance with the Department’s Community Consultative Committee Guidelines for State Significant Projects (November 2016, or its latest version). Note: • <i>The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent.</i>	Community Consultative Committee meeting minutes up to April 2022	Community Consultative Committee established. Meeting minutes for April 2022 awaiting approval before posting on website.	Compliant	
Incident Reporting						
81.	8	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.		Where air quality exceedances were recorded (PM ₁₀), records were available to show the exceedances were reported to the EPA and DPE, including results of a review conducted for each exceedance.	Compliant	
Regular Reporting						
82.	9	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.	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022 provides a summary of the site environmental performance. Updated on a monthly basis.	Compliant	

JHC No	Condition No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue No.
Annual Review						
83.	10	<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> <p>(a) describe the development (including any rehabilitation) that was carried out in the previous financial year, and the development that is proposed to be carried out over the current financial year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous financial year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • relevant statutory requirements, limits or performance measures/criteria; • requirements of any plan or program required under this consent; • monitoring results of previous years; and • relevant predictions in the documents listed in condition 2(a) of Schedule 2; <p>(c) identify any non-compliance over the past financial year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the development;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the current financial year to improve the environmental performance of the development.</p>	<p>Annual Review 2019 Annual Review 2020 Annual Review 2021 Automated Response from No-Reply@major.projects.planning.NSW.Gov.au</p>	<p>2019 submitted 30/09/2019 2020 submitted through NSW Major Projects Portal 30/09/2020 2021 submitted through NSW Major Projects Portal 30/09/2021 The 2020 Annual Review did not include non-compliances identified in the previous independent environmental audit, or describe what actions were (or are being) taken to ensure compliance.</p>	Not Compliant	NC-14

JHC No	Condition No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue No.
		The Applicant must ensure that copies of the Annual Review are submitted to Council and the EPA and are available to the Community Consultative Committee (see condition 7 of Schedule 5) and any interested person upon request.				
INDEPENDENT ENVIRONMENTAL AUDIT						
84.	11	<p>Within a year of commencing development under 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"> be conducted by a 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 development and whether it is complying with the relevant requirements in this consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals); review the adequacy of strategies, plans or programs required under the abovementioned approvals; recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and be conducted and reported to the satisfaction of the Secretary. <p>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</p>	<p>Gunlake Quarry Independent Environmental Audit, November 2019. Prepared by International Environmental Consultants Pty Limited, "Longmead" 700 Wombeyan Caves Road High Range NSW 2575</p>	<p>Previous audit commenced 26/07/2019.</p>	<p>Compliant</p>	
85.	12	<p>Within 12 weeks of commencing this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report.</p>	<p>Email submission 6/1/2019</p>	<p>Audit commenced 26/07/19. Report submitted 6/11/19 Not submitted within 12 weeks of commencing audit</p>	<p>Not Compliant</p>	<p>NC-15</p>

JHC No	Condition No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue No.
ACCESS TO INFORMATION						
86.	13	Within 6 months of the commencement of development under this consent, the Applicant must: (a) make the following information publicly available on its website: <ul style="list-style-type: none"> • the documents listed in condition 2(a) of Schedule 2; • current statutory approvals for the development, including any environmental protection licence and any permits or approvals under the Roads Act 1993 relating to road upgrades, etc; • all approved strategies, plans and programs required under the conditions of this consent; • a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; • a complaints register, updated monthly; • the annual reviews of the development; • any independent environmental audit, and the Applicant's response to the recommendations in any audit; and • any other matter required by the Secretary; and (b) keep this information up-to-date, to the satisfaction of the Secretary.	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022	Report updated monthly and made available on website. Applicant's response to the recommendations in previous IEA were not included on website. EPBC Approval not provided on website.	Not Compliant	NC-16

9 Audit Checklist – Environmental Protection Licence 13012

JHC Ref No	EPL Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.												
1.	A1.1	<p>What the licences authorises and regulates</p> <p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.</p> <p>Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <table border="1"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Extractive activities</td> <td>Extractive activities</td> <td>> 2000000 T annually extracted or processed</td> </tr> <tr> <td>Resource recovery</td> <td>Recovery of general waste</td> <td>Any general waste recovered</td> </tr> <tr> <td>Waste storage</td> <td>Waste storage - other types of waste</td> <td>Any other types of waste stored</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Extractive activities	Extractive activities	> 2000000 T annually extracted or processed	Resource recovery	Recovery of general waste	Any general waste recovered	Waste storage	Waste storage - other types of waste	Any other types of waste stored		<p>No activities outside the scope of the licence observed during the audit.</p> <p>Extraction activities have not exceeded 2,000,000T annually.</p>	Compliant	
Scheduled Activity	Fee Based Activity	Scale																
Extractive activities	Extractive activities	> 2000000 T annually extracted or processed																
Resource recovery	Recovery of general waste	Any general waste recovered																
Waste storage	Waste storage - other types of waste	Any other types of waste stored																
2.	A1.2	The licensee must not carry on any scheduled activities until the scheduled development works are completed, except as elsewhere provided in this licence.		Verified previous audit	Compliant													
3.	A2.1	<p>Premises or plant to which this licence applies</p> <p>_____</p> <p>Premises Details</p> <p>Gunlake Quarries</p> <p>715 Brayton Road</p> <p>Marulan</p>	Licensed activities are applied to the nominated site only.	All operational activities are conducted at the site listed in the licence	Compliant													

JHC Ref No	EPL Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.												
		NSW 2579 Lot 13 DP 1123374																
4.	A3.1	<p>Information supplied to the EPA</p> <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> <ul style="list-style-type: none"> b) 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 c) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence. 	EPA Licence Return 2022 EPA Licence Return 2021	Two non-compliances have been identified with implementation of licence conditions	Not Compliant	NC-17												
5.	P1.1	<p>Location of monitoring/discharge points and areas</p> <p>The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.</p> <table border="1" data-bbox="360 1106 1167 1428"> <thead> <tr> <th>EPA identification No.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Dust Monitoring</td> <td></td> <td>Dust Deposition Gauge labelled DDG 1 on map titled "Figure A- Receptor and DDG locations- July 2009 " provided to DECC on 3 July 2009 (DOC09/31859)</td> </tr> <tr> <td>2</td> <td>Dust Monitoring</td> <td></td> <td>Dust Deposition Gauge labelled DDG 2 on map titled "Figure A- Receptor and DDG locations- July</td> </tr> </tbody> </table>	EPA identification No.	Type of Monitoring Point	Type of Discharge Point	Location Description	1	Dust Monitoring		Dust Deposition Gauge labelled DDG 1 on map titled "Figure A- Receptor and DDG locations- July 2009 " provided to DECC on 3 July 2009 (DOC09/31859)	2	Dust Monitoring		Dust Deposition Gauge labelled DDG 2 on map titled "Figure A- Receptor and DDG locations- July	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022.	Air quality monitoring has been conducted at the locations as identified in the EPL.	Compliant	
EPA identification No.	Type of Monitoring Point	Type of Discharge Point	Location Description															
1	Dust Monitoring		Dust Deposition Gauge labelled DDG 1 on map titled "Figure A- Receptor and DDG locations- July 2009 " provided to DECC on 3 July 2009 (DOC09/31859)															
2	Dust Monitoring		Dust Deposition Gauge labelled DDG 2 on map titled "Figure A- Receptor and DDG locations- July															

JHC Ref No	EPL Condition	Requirement				Evidence	Findings/ Recommendations	Compliant Status	Issue No.
					2009 " provided to DECC on 3 July 2009 (DOC09/31859)				
		3	Dust Monitoring		Dust Deposition Gauge labelled DDG 3 on map titled "Figure A- Receptor and DDG locations- July 2009 " provided to DECC on 3 July 2009 (DOC09/31859)				
		4	PM ₁₀ Monitoring		High Volume Air Sampler labelled R1 - HVAS on map titled "Figure A – Receptor and DDG locations - July 2009" provided to DECC on 3 July 2009 (DOC09/31859)				
		11	PM ₁₀ Monitoring		High Volume Air Sampler labelled R4 - HVAS on map titled "Figure 2 – Gunlake Quarry Environmental Monitoring Sites" submitted with licence variation application to EPA on 29 May 2018(DOC18/375566)				
6.	P1.3	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.				Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022.	Groundwater quality monitoring has been conducted quarterly at EPA monitoring locations 7 & 8.	Compliant	
		EPA identification No.	Type of Monitoring Point	Type of Discharge Point	Location Description				
		7	Groundwater Monitoring		Bore labelled as 'GM 6' on Figure 2 in the document titled 'Groundwater and Surface Water Monitoring Program' received by DECC 15 June 2009 (DOC09/28459)				
		8	Groundwater Monitoring		Bore labelled as 'GM 13' on Figure 2 in the document titled 'Groundwater and Surface Water Monitoring				

JHC Ref No	EPL Condition	Requirement				Evidence	Findings/ Recommendations	Compliant Status	Issue No.										
					Program' received by DECC 15 June 2009 (DOC09/28459)														
7.	L1.1	<p>Pollution of waters 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</p>				Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section 5.	Discharge following heavy rain in March 2022. Results for RW2 show TSS >50mg/L (71mg/L) Process water dam TSS 17mg/L.	Compliant											
8.	L2.1	<p>The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled “Waste” and meeting the definition, if any, in the column titled “Description” in the table below.</p> <p>Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled “Activity” in the table below.</p> <p>Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled “Other Limits” in the table below.</p> <p>This condition does not limit any other conditions in this licence.</p> <table border="1"> <thead> <tr> <th>Code</th> <th>Waste</th> <th>Description</th> <th>Activity</th> <th>Other Limits</th> </tr> </thead> <tbody> <tr> <td>NA</td> <td>General or Specific exempted waste</td> <td>Cured concrete waste from a batch plant as defined in Section 49 Definitions of waste classifications, in Schedule 1 of the Protection of the Environment Operations Act 1997, as in force from time to time.</td> <td>As specified in each particular resource recovery exemption</td> <td>No more than 30,000 tonnes per year imported to the site. No more than 2,500 tonnes at any one time.</td> </tr> </tbody> </table>				Code	Waste	Description	Activity	Other Limits	NA	General or Specific exempted waste	Cured concrete waste from a batch plant as defined in Section 49 Definitions of waste classifications, in Schedule 1 of the Protection of the Environment Operations Act 1997, as in force from time to time.	As specified in each particular resource recovery exemption	No more than 30,000 tonnes per year imported to the site. No more than 2,500 tonnes at any one time.	Site interview, inspection	Reported that small quantities of concrete waste are accepted on site - Not tracked Spreadsheet sighted showing number of loads to quarry, from which the quantity of concrete waste is estimated. Records shows 14,040 tonnes for the 2021-2022 financial year.	Compliant	
Code	Waste	Description	Activity	Other Limits															
NA	General or Specific exempted waste	Cured concrete waste from a batch plant as defined in Section 49 Definitions of waste classifications, in Schedule 1 of the Protection of the Environment Operations Act 1997, as in force from time to time.	As specified in each particular resource recovery exemption	No more than 30,000 tonnes per year imported to the site. No more than 2,500 tonnes at any one time.															
9.	L3.1	<p>Noise limits L3.1 Noise generated at the premises must not exceed the noise limits presented in the table below:</p>				June 2022 noise monitoring results	Quarterly day time noise monitoring at two locations on site which is extrapolated to residential sites. No exceedances have been recorded.	Not Compliant	NC-03										

JHC Ref No	EPL Condition	Requirement					Evidence	Findings/ Recommendations	Compliant Status	Issue No.																
		Noise Assessment Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night LA1(1 minute)																				
		<table border="1"> <thead> <tr> <th>Noise Assessment Location</th> <th>Day LAeq(15 minute)</th> <th>Evening LAeq(15 minute)</th> <th>Night LAeq(15 minute)</th> <th>Night LA1(1 minute)</th> </tr> </thead> <tbody> <tr> <td>R7</td> <td>38</td> <td>38</td> <td>38</td> <td>45</td> </tr> <tr> <td>R8</td> <td>37</td> <td>37</td> <td>37</td> <td>45</td> </tr> <tr> <td>All other privately owned residences</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> </tbody> </table> <p>Note: For the purpose of the above table, the following definitions apply:</p> <ul style="list-style-type: none"> • Day - the period from 7.00am to 6.00pm Monday to Saturday; or 8.00am to 6.00pm on Sundays and Public Holidays • Evening - the period from 6.00pm to 10.00pm • Night - the remaining periods <p>The locations referred to in the above table represent noise assessment locations as indicated in Appendix 3 'Noise Assessment Locations' in the document titled "ANNEXURE 'A' OF S34 AGREEMENT FILED 30 JUNE 2017 IN PROCEEDINGS NO: 108663 OF 2017 CONDITIONS OF CONSENT"</p>	Noise Assessment Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night LA1(1 minute)	R7	38	38	38	45	R8	37	37	37	45	All other privately owned residences	35	35	35	45		<p>Noted that R7 owned by Quarry.</p> <p>Noise monitoring has not been conducted during evening and night periods on and around the site to verify compliance with noise limits.</p>		
Noise Assessment Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night LA1(1 minute)																						
R7	38	38	38	45																						
R8	37	37	37	45																						
All other privately owned residences	35	35	35	45																						
10.	L3.2	<p>To determine compliance with these noise limits, noise from the project 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.</p> <p>The noise limits apply under meteorological conditions of:</p> <ul style="list-style-type: none"> • wind speed up to 3m/s at 10m above the ground level; • temperature inversion conditions of up to 3 degrees c/100m and wind speed up to 2m/s at 10m above the ground; • where the wind velocity and temperature gradients are determined 	Noise monitoring results.	<p>Noise monitoring conducted at two locations on the Quarry site.</p> <p>Noise monitoring has not been conducted 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.</p>	Not Compliant	NC-18																				

JHC Ref No	EPL Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
		to be relevant to the project site in accordance with the NSW industrial Noise Policy.				
L4 Blasting						
11.	L4.1	The overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section 3 Blast Monitoring	Maximum airblast overpressure of 114.8 dB(Lin Peak) recorded in April and May 2022. The results from the blast monitoring show that there have been no exceedances of the blasting criteria.	Compliant	
12.	L4.2	The overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section 3 Blast Monitoring	Maximum airblast overpressure of 114.8 dB(Lin Peak) recorded in April and May 2022.	Compliant	
13.	L4.3	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section 3 Blast Monitoring	Maximum Ground vibration of 1.442 mm/s recorded on 20/04/2020. The results from the blast monitoring show that there have been no exceedances of the blasting criteria.	Compliant	
14.	L4.4	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section 3 Blast Monitoring	Maximum Ground vibration of 1.442 mm/s recorded on 20/04/2020.	Compliant	

JHC Ref No	EPL Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.																																							
15.	L5.1	<p>Hours of Operation The licensee must comply with the operating hours listed in the below table:</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td>Overburden removal/ emplacement and drilling</td> <td>Monday-Saturday</td> <td>7.00am to 6.00pm</td> </tr> <tr> <td></td> <td>Sunday and Public Holidays</td> <td>None</td> </tr> <tr> <td>Blasting</td> <td>Monday-Friday</td> <td>9.00am to 5.00pm</td> </tr> <tr> <td></td> <td>Saturday, Sunday and Public Holidays</td> <td>None</td> </tr> <tr> <td>Quarrying operations (excluding overburden removal/emplacment and drilling)</td> <td>Monday-Saturday</td> <td>24-hours but not between 6.00pm Saturday to 2.00am Monday.</td> </tr> <tr> <td></td> <td>Sunday and Public Holidays</td> <td>None</td> </tr> <tr> <td>Maintenance</td> <td>Monday-Saturday Sunday and Public Holidays</td> <td>Any time provided that the activity is not audible at any privately-owned residence</td> </tr> <tr> <td>Loading and dispatching</td> <td>Monday-Saturday</td> <td>24-hours but not between 6.00pm Saturday to 2.00am Monday.</td> </tr> <tr> <td></td> <td>Sunday and Public Holidays</td> <td>None</td> </tr> <tr> <td>Construction</td> <td>Monday-Saturday</td> <td>7.00am to 6.00pm</td> </tr> <tr> <td></td> <td>Saturday</td> <td>8.00am to 1.00pm</td> </tr> <tr> <td></td> <td>Sunday and Public Holidays</td> <td>None</td> </tr> </tbody> </table>	Activity	Day	Time	Overburden removal/ emplacement and drilling	Monday-Saturday	7.00am to 6.00pm		Sunday and Public Holidays	None	Blasting	Monday-Friday	9.00am to 5.00pm		Saturday, Sunday and Public Holidays	None	Quarrying operations (excluding overburden removal/emplacment and drilling)	Monday-Saturday	24-hours but not between 6.00pm Saturday to 2.00am Monday.		Sunday and Public Holidays	None	Maintenance	Monday-Saturday Sunday and Public Holidays	Any time provided that the activity is not audible at any privately-owned residence	Loading and dispatching	Monday-Saturday	24-hours but not between 6.00pm Saturday to 2.00am Monday.		Sunday and Public Holidays	None	Construction	Monday-Saturday	7.00am to 6.00pm		Saturday	8.00am to 1.00pm		Sunday and Public Holidays	None	Site interviews Site induction Weighbridge records of truck movements.	Limited overburden removal required. Undertaken on a campaign basis. Quarrying operations generally 6am to 4pm. Weighbridge records of truck movements. Compliance checks reported to be completed by Transportation Manager (not documented).	Compliant	
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4 Operating Conditions																																													
16.	O1.1	Activities must be carried out in a competent manner	Site Inspection	Measures have been identified and	Compliant																																								

JHC Ref No	EPL Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
		Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity		generally implemented to manage the environmental impacts of the activities.		
17.	O2.1	Maintenance of plant and equipment All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Front End Loader Model 990K 500hr service 30/06/2022 Daily prestart inspections	Records of maintenance of plant and equipment sighted. Records maintained in hard copy.	Compliant	
18.	O3.1	Dust The licensee must maintain the premises in a condition which or prevents the emission of dust from the premises.	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section	2 water carts in use on site. Dust suppression (water sprays) on plant. Dust extractor on crushing plant.	Compliant	
5 Monitoring and Recording Conditions						
19.	M1.1	Monitoring records 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.		Monitoring records were readily available during the audit	Compliant	
20.	M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and produced in a legible form to any authorised officer of the EPA who asks to see them.	Site interviews and inspection	Records were generally maintained in electronic format on the company server Hard copy records of maintenance retained. Records available from 2010 to 2022.	Compliant	
21.	M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence:	June Quarter Monitoring report	Air quality monitoring by ALS Chain of Custody Form shows date	Compliant	

JHC Ref No	EPL Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.																
		a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	from ALS, Certificate No EW2202910 Certificate of Analysis CA2203798 Dust Deposition June 2022. Field Static Dust Observation Sheet	and time sampled, location provided on package. Field Static Dust Observation Sheet identifies date, time, sample location and sampler. ALS Chain of Custody form completed for water samples by site Environment Manager (sampler).																		
22.	M2.1	<p>Requirement to monitor concentration of pollutants discharged</p> <p>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:</p>	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section 2.	PM ₁₀ and dust deposition monitoring has been conducted as required.	Compliant																	
23.	M2.2	<p>Air Monitoring Requirements</p> <p>Points 1, 2, 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> <tr> <td>Particulates - Deposited Matter</td> <td>grams per square metre per month</td> <td>Monthly</td> <td>Australian Standard 3580.10.1-2003</td> </tr> </tbody> </table> <p>Points 4, 11</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>PM₁₀</td> <td>micrograms per cubic metre</td> <td>Special Frequency 1</td> <td>AS/NZS 3580.9.6:2003</td> </tr> </tbody> </table>	Pollutant	Units of Measure	Frequency	Sampling Method	Particulates - Deposited Matter	grams per square metre per month	Monthly	Australian Standard 3580.10.1-2003	Pollutant	Units of Measure	Frequency	Sampling Method	PM ₁₀	micrograms per cubic metre	Special Frequency 1	AS/NZS 3580.9.6:2003	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section 2.	PM ₁₀ and dust deposition monitoring has been conducted as required.	Compliant	
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24.	M2.3	For the purposes of the table(s) above Special Frequency 1 means the collection of samples on a one day in six cycle using a HVAS fitted with size selective inlet for PM10.	Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section 2.	Records show monitoring has been conducted on a one day in six cycle using a HVAS fitted with size selective inlet for PM10.	Compliant	
25.	M3.1	<p>Testing methods – concentration limits</p> <p>1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:</p> <p>a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</p> <p>b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or</p> <p>c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</p>	<p>June Quarter Monitoring report from ALS, Certificate No EW2202910</p> <p>Certificate of Analysis CA2203798 Dust Deposition June 2022.</p>	Monitoring has been conducted in accordance with the methods nominated in the EPL.	Compliant	
M4 Recording of Pollution Complaints						
26.	M4.1	<p>Recording of pollution complaints</p> <p>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.</p>	Complaints Register Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section 8	Complaints register maintained	Compliant	
27.	M4.2	<p>The record must include details of the following:</p> <p>a)the date and time of the complaint;</p> <p>b)the method by which the complaint was made;</p> <p>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;</p>	Complaints register Environmental Monitoring Results Summary –Gunlake Quarry 14 July 2022, Section 8	Complaints register maintained includes required information	Compliant	

JHC Ref No	EPL Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
		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.				
28.	M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Site interview Electronic records Hard copy records	Records maintained indefinitely	Compliant	
29.	M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Site interview	Records were readily available on site	Compliant	
30.	M5.1	Telephone complaints line 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.	Site interview Site Inspection	Telephone number displayed at entry to site and on company web page.	Compliant	
31.	M5.2	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.	Site interview	Telephone number displayed at entry to site and on company web page.	Compliant	
32.	M6.3	The preceding two conditions do not apply until 3 months after: a) the date of the issue of this licence		Telephone number displayed at entry to site and on company web page	Compliant	
33.	R1.1	Annual return documents 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,	Annual returns for 2018-19, 2019-20 and 2020-21.	Annual returns completed and submitted to EPA	Compliant	

JHC Ref No	EPL Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
		6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned.				
34.	R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	Annual returns for 2018-19, 2019-20 and 2020-21.	Annual returns completed and submitted to EPA	Compliant	
35.	R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.		The licence has not been transferred at any time since the last independent environmental audit.	Not Triggered	
36.	R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.		The licence has not been surrendered at any time since the last independent environmental audit.	Not Triggered	
37.	R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was	Annual returns for 2018-19, 2019-20 and 2020-21	Annual Returns submitted: 2018-19 9/09/2019 2019-20 10/09/2020	Compliant	

JHC Ref No	EPL Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
		granted (the 'due date').		2020-21 7/09/2021		
38.	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.	Annual returns in electronic format (sighted Annual Return 2019)	Annual returns are maintained in electronic and hardcopy format.	Compliant	
39.	R1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or by a person approved in writing by the EPA to sign on behalf of the licence holder.	Annual Return 2020-2021.	Section A - Statement of compliance. Signed by Company Directors. Signed statement of compliance not sighted. Signed as part of the electronic submission.	Compliant	
40.	R2.1	Notification of environmental harm Notifications must be made by telephoning the Environment Line service on 131 555.		No notifications of environmental harm have been reported.	Not Triggered	
41.	R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred. Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.		No notifications of environmental harm have been reported.	Not Triggered	
42.	R3.1	Written report Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material		No written reports have been requested	Not Triggered	

JHC Ref No	EPL Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
		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.				
43.	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.		No written reports have been requested	Not Triggered	
44.	R3.3	The request may require a report which includes any or all of the following information: <ul style="list-style-type: none"> a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters. 		No written reports have been requested	Not Triggered	
45.	R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.		No written reports have been requested	Not Triggered	
46.	G1.1	Copy of licence kept at the premises or plant A copy of this licence must be kept at the premises to which the licence applies.	Site inspection and interview	The licence was available in electronic and hardcopy form.	Compliant	

JHC Ref No	EPL Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
47.	G1.2	The licence must be produced to any authorised office of the EPA who asks to see it.	Site inspection and interview	The licence is available at the site office should an Officer of the EPA request it.	Compliant	
48.	G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Site inspection and interview	The licence is maintained in electronic and hardcopy form should personnel request it.	Compliant	

10 Statement of Commitments

JHC Ref No	SoC Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
1.	1	Voluntary land acquisition and mitigation <ul style="list-style-type: none"> • Voluntarily acquisition rights will be offered to receiver R2 in accordance with the VLAMP. • Voluntarily mitigation rights will be offered to receiver R2 and R7 in accordance with the VLAMP. 	Email correspondence with Landowners 29/09/2019.	Sighted correspondence with landowners confirming communication of acquisition rights.	Compliant	
2.	2	Primary crusher noise attenuation <ul style="list-style-type: none"> • The primary crusher will be enclosed as part of the extension project within four months of approval. • The primary crusher will not be operated at night until it is enclosed. 	Site Inspection	Primary crusher had been enclosed.	Compliant	
3.	3	Overburden emplacement <ul style="list-style-type: none"> • The overburden emplacement east of the infrastructure area will be extended to the north and south as shown in the general site layout. 	Site Inspection	Overburden has been placed as per project requirements.	Compliant	
4.	4	Evening and night operation of mobile fleet <ul style="list-style-type: none"> • The mobile fleet operations will be reduced during the evening and night periods, as represented in the noise model. 		Nigh shift 6 persons Day shift 50 persons Reported that average of 12 deliveries per night.	Compliant	
5.	5	Noise and Blast Management Plan <ul style="list-style-type: none"> • An updated Noise and Blast Management Plan will be submitted to DPE within six months of commencing development under the consent. 	Gunlake Quarry Noise and Blast Management Plan Rev 09, 5/07/2021 Gunlake Quarry Independent Environmental Audit November 2019	Previous audit report identifies that the Noise Management Plan had been provided within the required timeframe. Noise management Plan had been updated to address requirements for MOD 2 approval.	Compliant	
6.	6	Air quality monitoring <ul style="list-style-type: none"> • The existing air quality monitoring network will continue 	Gunlake Quarry Marulan	Air quality monitoring had been conducted as per the existing air	Compliant	

JHC Ref No	SoC Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
		under the extension project. Monitoring results will be reviewed on an annual basis against the Environment Protection Licence (EPL) and approval conditions to determine if additional monitoring is required due to production increases.	Summary of Environmental Monitoring Data, 14 July 2022	quality monitoring network		
7.	7	<p>Air quality management</p> <ul style="list-style-type: none"> • The following additional management measures will be implemented to enable Gunlake to continue to manage potential air quality impacts effectively: <ul style="list-style-type: none"> - compliance with the USA-EPA Tier 3 or Tier 4 emissions standards, where practicable, for any new plant acquired by Gunlake; and - consideration of the following factors during blast design: <ul style="list-style-type: none"> <input type="checkbox"/> delaying blasting to avoid unfavourable weather conditions that are likely to cause or spread a blast fume; <input type="checkbox"/> selecting an explosive product that is correct for the conditions; <input type="checkbox"/> monitoring the amount of hydrocarbon (diesel) in the product; <input type="checkbox"/> preventing water ingress into blast holes; <input type="checkbox"/> dewatering holes before loading; <input type="checkbox"/> keeping sleep time (the amount of time between charging and firing of a blast) to a minimum, well within manufacturer recommended times; <input type="checkbox"/> providing effective stemming; and <input type="checkbox"/> loading the product using the appropriate techniques. 	Cat C13 Diesel Engine Technical Data	Verified for Caterpillar Cat C13 motor used for equipment purchased for the site.	Compliant	

JHC Ref No	SoC Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
8.	8	<p>Rehabilitation and Biodiversity Offsets Management Plan [previously the Landscape Management Plan]</p> <ul style="list-style-type: none"> The Rehabilitation and Biodiversity Offsets Management Plan (RBOMP) will be updated to include details on biodiversity management and rehabilitation for the extension project. The plan will be completed and implemented within 12 months of commencing development under the consent. The RBOMP will include procedures to be applied for the management of the offset properties, the arrangements for conservation in perpetuity and regeneration works to be undertaken. This will include the procedures for: <ul style="list-style-type: none"> - assisting the revegetation and regeneration in the offset areas, including establishment of canopy, understorey and groundcover in areas of native pasture where required; - controlling weeds and feral pests; - fencing and access arrangements; - erosion control; and - bushfire management. An offset monitoring program will also be included within the RBOMP to monitor any changes to the condition of the offset areas. 	<p>Gunlake Quarry Independent Environmental Audit November 2019.</p> <p>Rehabilitation and Biodiversity Offset Management Plan, October 2015</p>	<p>Rehabilitation and Biodiversity Offset Management Plan, October 2015 had been updated and submitted to DPE in February 2018 for approval. Approval has not been received.</p> <p>Gunlake advised that this is due to the current modification application which deals specifically with this issue, as well as the finalisation of the Biobanking Site, and the plan will be updated once both are completed to which an extension of time has been granted by NSW DPE.</p>	Compliant	
9.	9	<p>Offsets</p> <ul style="list-style-type: none"> Biodiversity Areas of 78.82 ha will be provided to compensate for the biodiversity impacts of the original approval, as modified. An offset package with 1,380 ha of biodiversity credits will be provided under a BioBanking agreement to compensate for the additional biodiversity impacts of the extension project. The offset areas will be managed in accordance with the RBOMP. 	<p>Extension letter provided to 31 May 2019.</p> <p>Extension letter provided 27/05/2019 to extend until 31/03/2020. 31 May 2019.</p> <p>Email correspondence to DPE 19/03/2020 requesting extension of period to finalise</p>	<p>Conservation agreement areas have not been finalised – awaiting outcome of proceedings before the Land and Environment Court.</p>	Not Compliant	NC-12

JHC Ref No	SoC Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
			the agreement under Condition 33. No response provided Currently the subject of court proceedings.			
10.	10	<p>Water Management Plan</p> <p>The Water Management (WMP) Plan will be updated to provide details of the surface water management system, surface water management and monitoring for the extended quarry and will be submitted to DPE within six months of commencing development under the consent.</p> <p>The Gunlake water management plan will be updated to include:</p> <ul style="list-style-type: none"> • triggers values to facilitate the identification of groundwater impacts outside of predictions; • the use of monitoring data to calibrate and update the model at significant project stages; • quarterly groundwater quality and level monitoring to facilitate the early identification of adverse impacts and test model predictions; • monitoring of spring flow in conjunction with the quarterly groundwater level and quality program; • monitoring mapped areas of Box Gum Woodland; • procedures for the re-use of site water; and • response protocols and contingency mitigation measures to be implemented in the event of an unpredicted adverse impact. 	<p>Soil and Water Management Plan, Rev 12, 5/07/2021</p> <p>Gunlake Quarry</p> <p>Independent Environmental Audit</p> <p>November 2019.</p>	<p>Previous IEA identifies that the Water Management Plan had been updated April 2018 and approved by the Secretary.</p>	Compliant	
11.	11	<p>Groundwater licensing</p> <ul style="list-style-type: none"> • Gunlake Quarry will obtain a WAL(s) for the predicted groundwater take over the lifespan of extension project (up to 37 ML/year). 	WAL 42340	WAL42340 obtained. Reported that no water has been taken.	Compliant	

JHC Ref No	SoC Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
		<ul style="list-style-type: none"> Groundwater monitoring bores will be registered under the Water Act. 				
12.	12	Surface water licensing <ul style="list-style-type: none"> Gunlake will seek any required water licences should water need to be imported during extended dry periods. 	Site Interview	Water imported from Council water treatment plant (industrial water) in first week of February 2020 following drought. No other periods when water was required to be imported.	Not Triggered	
13.	13	Surface water monitoring <ul style="list-style-type: none"> The current surface water monitoring program will be modified to include monitoring at: <ul style="list-style-type: none"> two receiving water sites on Chapmans Creek, downstream of the quarry; and the Process Water Dam and Pit Dewatering Dam. Should the monitoring program indicate that the quarry is potentially adversely affecting water quality in Chapmans Creek, Gunlake will undertake an investigation to establish the likely cause and will implement necessary mitigation measures. The updated Soil and Water Management Plan will include the site water balance and measures to manage water excesses and deficits. 	Environmental Monitoring Data, 14 July 2022	Quarterly water monitoring conducted.	Compliant	
14.	14	Aboriginal Heritage Management Plan <ul style="list-style-type: none"> An updated Aboriginal Heritage Management Plan, prepared in consultation with OEH and Registered Aboriginal Parties, will be submitted to DPE within six months of commencing development under the consent The Gunlake Quarry Aboriginal Heritage Management Plan (AHMP) will be updated and provide details of: <ul style="list-style-type: none"> all Aboriginal sites identified for the project and those previously recorded in the broader project site boundary; management measures and their progress towards 	Gunlake Quarry Aboriginal Heritage Management Plan, 3 April 2018	Plan had been updated and approved prior to the previous IEA.	Compliant	

JHC Ref No	SoC Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
		completion; - continuing consultation and involvement of registered Aboriginal parties; - protocols for newly identified sites; - protocols for suspected human skeletal material; and - provisions for review and updates of the AHMP.				
15.	15	Aboriginal sites • All Aboriginal sites in the project disturbance footprint will be collected by a qualified archaeologist and members of the RAPs and relocated to the same area as previously collected artefacts at the site. • If new Aboriginal sites are discovered outside of known site areas, all work will halt and an archaeologist and members of the RAPs be contacted to determine the significance of the objects. Objects will be managed based on their sensitivity in a manner consistent with the management measures outlined above, including appropriate forms of salvage for the items. • In the event that known or suspected human skeletal remains are encountered during the activity, the procedures detailed in Appendix M of the EIS will be followed.	Site Inspection	Aboriginal artefacts had been collected and relocated as required to GL123.	Compliant	
16.	16	Avoiding Aboriginal sites • The Aboriginal sites, GL4, GL12, GL13 and GL15, will be fenced and avoided by the project	Site inspection and interview	Site GL15 has not been protected in accordance with AHMP. Noted that survey conducted of the site on 19 June 2018 did not identify any aboriginal artefacts.	Not Compliant	NC-11
17.	17	Local employment, training and engagement • Gunlake will ensure that preference is given to local employees. Gunlake will use local or regional contractors and suppliers where this presents a cost effective and feasible option. • Gunlake will provide ongoing training and certification	Site interviews	Reported that all quarry employees are locals. Refer Social Impact Assessment for the Continuation project.	Compliant	

JHC Ref No	SoC Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
		opportunities for local community members to ensure they have the necessary skills to work in extractive industries. <ul style="list-style-type: none"> • Gunlake will continue to actively engage with the local community and affected individuals and groups and address any complaints and feedback on quarry operations. 				
18.	18	Rehabilitation scheduling <ul style="list-style-type: none"> • Rehabilitation will be progressively staged as soon as possible after final completion of works is determined. Staging of rehabilitation activities will require identification of timelines for decommissioning of pits, buildings and other supporting infrastructure. A more detailed schedule of works will be developed 12 to 24 months prior to the confirmed closure. 	Site Inspection	Progressive rehabilitation has been undertaken. Rehabilitation conducted on noise bund emplacement area rehabilitation and northern end of the Western overburden emplacement.	Compliant	
19.	19	Erosion and sediment control <ul style="list-style-type: none"> • Erosion and sediment control measures will be defined in an Erosion and Sediment Control Plan to be implemented throughout the life of the project. 	Soil and Water Management Plan, Rev 12, 5/07/2021 – Section 4. Site Inspection	Erosion and Sediment Control Plan included in the Water Management Plan. Site inspection found that erosion and sediment controls measures had been generally implemented. Some scouring had been identified as the result of recent rainfall.	Compliant	
20.	20	Weeds <ul style="list-style-type: none"> • Gunlake will take the necessary precautions to prevent excessive development of weeds within rehabilitated areas. 	Weed spraying logs.	Weed management by site personnel. Local contractor engaged for weed spraying in May 2022. Delayed due to wet conditions on site Reported that aerial spraying was being planned with surrounding landowners.	Compliant	
21.	21	Rehabilitation monitoring <ul style="list-style-type: none"> • Gunlake will undertake an ongoing monitoring program throughout and beyond the operation of the project. Areas being rehabilitated will regularly be inspected and assessed 	Site Inspection	Reported that ongoing monitoring was conducted, however no records of ongoing monitoring of the rehabilitation areas. Reporting in the	Compliant	

JHC Ref No	SoC Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
		<p>against the short and long-term rehabilitation objectives outlined in EIS Section 6.4.1.</p> <ul style="list-style-type: none"> It is envisaged that rehabilitation monitoring will be undertaken for at least 2 years following the completion of all rehabilitation. The exact period would reflect seasonal conditions during that period. In any event, maintenance will continue until such time as the objectives have been achieved. The monitoring criteria will be reviewed and finalised with Goulburn Mulwaree Council at the time of submitting a final rehabilitation plan. 		<p>AEMR only.</p> <p>Two small areas of rehabilitation at this stage of the project.</p>		
22.	22	<p>Visual amenity</p> <ul style="list-style-type: none"> Gunlake will continue to consult with surrounding landowners regarding the visual amenity of the quarry and will implement any reasonable additional controls to further reduce their visual impact, if necessary. 	Site Inspection.	<p>The location of the Quarry means the quarry is not readily sighted. Reported that no residents have views of the quarry.</p> <p>No complaints received regarding visual amenity.</p>	Compliant	
23.	23	<p>Unexpected finds</p> <ul style="list-style-type: none"> Gunlake will include an unexpected finds protocol in relation to historic heritage as part of the EMS for the quarry. 	Aboriginal Heritage Management Plan, 3 April 2018.	New finds procedure provided in Section 6 of the Aboriginal Heritage Management Plan.	Compliant	

11 EPBC 2015/7557 Approval Conditions

JHC Ref No	EPBC Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
1.	1	For the protection of listed threatened species and communities, the person taking the action must not impact more than 16.06 hectares of White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland as a result of the proposed action.	Site Inspection	Clearing of vegetation is undertaken progressively ahead of pit development within the approved disturbance areas as detailed in the referral to the Department and therefore no greater than 16.06 hectares has or will be disturbed.	Compliant	
2.	2	For the protection of listed threatened species and communities, the person taking the action must comply with the NSW conditions of consent, as in force or existing from time to time, where those conditions relate to avoiding, mitigating, offsetting, managing, recording or reporting on impacts to listed threatened species and communities.	Compliance audit	No non-compliances have been identified in relation to the protection of listed threatened species and communities.	Compliant	
3.	3	Within 20 business days after commencement of the action, the person taking the action must advise the Department in writing of actual date of commencement.		Action commenced prior to previous reporting period.	Compliant	
4.	4	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the Biodiversity Offset Strategy, Biodiversity and Rehabilitation Management Plan, and Environmental Management Plan required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with Section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Site audit and interviews.	Records as required by conditions of consent generally available. Records to verify monitoring as required by management plans not always retained. Refer NC-07 and NC-09 from Development Consent LEC 2020/00327172.	Not Compliant	07, 09

JHC Ref No	EPBC Condition	Requirement	Evidence	Findings/ Recommendations	Compliant Status	Issue No.
5.	5	Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published. Reports must remain published for the life of the approval. The approval holder must continue to publish reports until otherwise advised by the Minister in writing.	Compliance Report Gunlake Extension Project EPBC2015/7557 September 2021	Annual compliance assessments have been conducted and provided on the company website	Compliant	
6.	6	The person taking the action must advise the Department of any potential non-compliance with any of these conditions of approval in writing within seven days of becoming aware of the potential non-compliance.	Site Interview.	Reported that no no-compliances with the EPBC conditions of consent have been identified.	Compliant	
7.	7	If, at any time after five years from the date of this approval, the person taking the action has not commenced the action, then the person taking the action must not commence the action without the written agreement of the Minister.	Site Interview.	Commencement occurred on 5th February 2018	Compliant	
8.	8	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management documents referred to in these conditions of approval on their website. This includes documents required indirectly through the NSW conditions of consent.	https://www.gunlake.com.au/gunlake-quarries-environmental-information/	Management Plans available on website. Applicant's response to the recommendations in previous IEA were not included on website. EPBC Approval not provided on website.	Not Compliant	NC-16

Appendix D. Consultation Records

James Hart

From: Georgia Dragicevic <Georgia.Dragicevic@planning.nsw.gov.au>
Sent: Wednesday, 27 July 2022 9:49 AM
To: James Hart
Cc: 'Kirsty Nielsen'
Subject: RE: Gunlake Quarry Extension Project (LEC 2017/108663)

Hi James,

Thank you for consulting the department on the upcoming IEA for Gunlake Quarry Extension Project. Please consider the management of biodiversity and rehabilitation, including the biodiversity offset and rehabilitation bond and whether any vegetation clearance to date has been undertaken in contravention of the consent.

Kind Regards,
Georgia

Georgia Dragicevic
A/Team Leader Compliance

Compliance | Department of Planning and Environment
T 02 4247 1852 | M 0439 612 137 | E georgia.dragicevic@planning.nsw.gov.au
PO Box 5475, Wollongong NSW 2520
www.dpie.nsw.gov.au



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

Please note that I work flexibly. I'm sending this message now because it's a good time for me, but I don't expect that you will read, respond to or action it outside of your own regular hours.

If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via compliance@planning.nsw.gov.au.

The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).

From: James Hart <james_hart@bigpond.com>
Sent: Thursday, 21 July 2022 10:22 AM
To: Georgia Dragicevic <Georgia.Dragicevic@planning.nsw.gov.au>
Cc: 'Kirsty Nielsen' <kirsty@gunlake.com.au>
Subject: Gunlake Quarry Extension Project (LEC 2017/108663)

Independent Environmental Audit – Gunlake Quarry

Commercial in Confidence

James Hart

From: Michelle Hughes <Michelle.Hughes@goulburn.nsw.gov.au>
Sent: Thursday, 11 August 2022 8:39 AM
To: 'James Hart'
Subject: RE: Gunlake Quarry Independent Environmental Audit

Good Morning James

Thank you for your email.

In relation to the Gunlake Quarry at Marulan, Goulburn Mulwaree Council have not identified any issues or concerns to pass on as part of the independent environmental audit.

Kind regards
Michelle

Michelle Hughes
Executive Assistant - Planning & Environment
T: 02 4823 4480
[Goulburn Mulwaree Council](#) Locked Bag 22 Goulburn NSW 2580 | Connect on [Facebook](#)



Goulburn Mulwaree Council acknowledge the traditional custodians of the land where the Goulburn Mulwaree Local Government operates today and pay our respects to Elders past, present and emerging.

From: James Hart <james_hart@bigpond.com>
Sent: Monday, 1 August 2022 2:14 PM
To: Michelle Hughes <Michelle.Hughes@goulburn.nsw.gov.au>
Subject: FW: Gunlake Quarry Independent Environmental Audit

Hi Michelle,

I have been engaged to undertake an Independent Environmental Audit of the Gunlake Quarry at Marulan, NSW. As a requirement of the Independent Environmental Audit process I am seeking feedback from various agencies in regard to any issues that may have arisen or concerns which you may have in relation to the operations. These will be included in the audit.

I would appreciate it if you would respond to this email identifying any issues or concerns you have, or if you have none, please respond and let me know.

Independent Environmental Audit – Gunlake Quarry

Commercial in Confidence

James Hart

From: elder@goulburn.net.au
Sent: Sunday, 14 August 2022 2:54 PM
To: 'James Hart'
Subject: RE: Gunlake Quarry Independent Environmental Audit

The company has lodged a Modification 3 with DPIE to further increase truck movements to 750 per day. DPIE has not yet decided its attitude to this. Community members of the CCC are strongly opposed on safety grounds and would prefer less movements.

Regards,
Don

From: James Hart <james_hart@bigpond.com>
Sent: Sunday, 14 August 2022 12:21 PM
To: elder@goulburn.net.au
Subject: RE: Gunlake Quarry Independent Environmental Audit

Thanks Don.

Can you clarify the issue with truck movements. From the information I have seen, they comply with their conditions of consent.

I assume the community is saying these movements are too many, and they'd prefer less movements be allowed?

Regards

James Hart | Management Consultant

James Hart Consulting

*Certified Exemplar Global Lead OHS Auditor
Certified Exemplar Global Lead Environmental Auditor
Certified Exemplar Global Lead Quality Management System Auditor*

Mobile: 0408 238 882
Email: james_hart@bigpond.com

From: elder@goulburn.net.au <elder@goulburn.net.au>
Sent: Sunday, 14 August 2022 11:56 AM
To: 'James Hart' <james_hart@bigpond.com>
Subject: RE: Gunlake Quarry Independent Environmental Audit

Hi James,

Thank you for your email. The Gunlake CCC meets about 4 times each year and there is a good exchange of ideas between the company and the CCC. This has improved dramatically over the past 12 months and the company reports to all CCC meetings in reasonable detail. Principle concerns relate to traffic movement and noise from the

Independent Environmental Audit – Gunlake Quarry

Commercial in Confidence

James Hart

From: elder@goulburn.net.au
Sent: Sunday, 14 August 2022 11:56 AM
To: 'James Hart'
Subject: RE: Gunlake Quarry Independent Environmental Audit

Hi James,

Thank you for your email. The Gunlake CCC meets about 4 times each year and there is a good exchange of ideas between the company and the CCC. This has improved dramatically over the past 12 months and the company reports to all CCC meetings in reasonable detail. Principle concerns relate to traffic movement and noise from the quarry. There is a strong feeling from the CCC that truck movements should be limited and a proper investigation made of rail movement as an alternative—the company says that rail is not economically viable.

I do not see this disagreement as being readily solvable and it will continue to occupy a large proportion of the CCC's time

Thanks,

Don Elder
Chairman CCC

From: James Hart <james_hart@bigpond.com>
Sent: Monday, 1 August 2022 11:37 AM
To: elder@goulburn.net.au
Subject: Gunlake Quarry Independent Environmental Audit
Thanks

Hi Don,

I have been engaged to undertake an Independent Environmental Audit of the Gunlake Quarry at Marulan, NSW. As a requirement of the Independent Environmental Audit process I am seeking feedback from various agencies, including the communitive consultative committee, in regard to any issues that may have arisen or concerns which you may have in relation to the operations. These will be included in the audit.

I would appreciate it if you would respond to this email identifying any issues or concerns you have, or if you have none, please respond and let me know.

If you have any questions or prefer to talk to someone about issues regarding the development, you can contact me on 0408238682.

Please note that the audit will be conducted on 9-10 August 2022.

Regards

James Hart | Management Consultant

James Hart Consulting

Certified Exemplar Global Lead OHS Auditor
Certified Exemplar Global Lead Environmental Auditor
Certified Exemplar Global Lead Quality Management System Auditor

Gunlake Response to Non-compliances and Recommendations – Independent Environmental Audit 2022

Ref No.	Condition	Independent Audit Finding	Independent Audit Recommendation	Proponent's Response	Proposed Action Due Date
NC-01	Schedule 2 Condition 1	Evidence was not sighted to demonstrate that inspections had been conducted of water management system following rainfall events. Aboriginal artefact site GL15 has not been actively protected as required by the AHMP.	Measures identified in the management plans for monitoring and, preventing or minimising environmental harm should be implemented. Records to verify implementation should be retained.	Auditor was informed that inspections do take place but are not specifically recorded as water management on the check sheets. Further, it is evident on site that all water management controls are functioning as designed GL 15 was investigated on 19 June 2018 by two archaeologists and no artefacts were found, the site had been eroded and it was concluded that any artefacts that existed had been washed away. Management plans for the quarry will be reviewed.	May 2023
NC-02	Schedule 2 Condition 2	Non-compliances have been identified during the current audit which triggers a non-compliance with this condition	It is recommended that all non-compliances identified are addressed and closed out. A process to tack compliance requirements and status should be considered	Noted, but a process is not required.	
NC-03	Schedule 3 Condition 6 Condition 7 Condition 8 EPL Condition L3.1 Condition L3.2	Noise monitoring has not been conducted during evening and night periods on and around the site to verify the impact prediction made in the EIS and Mod 2 SEE.	Undertake noise monitoring during evening and night periods to verify compliance with project requirements.	Day, evening and night limits are the same, therefore by meeting day time limits night time limits are complied with. Attended noise monitoring scheduled for October 2022 to include day, evening and night time monitoring for compliance checks.	31 st December 2022
NC-04	Schedule 3 Condition 14	The 24hour PM ₁₀ concentration has exceeded the criterion of 50 µg/m ³ on four occasions during the period covered by the current audit	Exceedances had been investigated and closed out. No further action required.	The cause of these elevated dust concentrations was investigated, reported to both the DPE and EPA and determined not to be a result of quarrying operations. This does not constitute a non-compliance. As noted by auditor, exceedances had been investigated and closed out and no further action required.	N/A

Gunlake Response to Non-compliances and Recommendations – Independent Environmental Audit 2022

Ref No.	Condition	Independent Audit Finding	Independent Audit Recommendation	Proponent's Response	Proposed Action Due Date
NC-05	Schedule 3 Condition 16	Calculation of greenhouse gas emissions was not undertaken, and measures to minimise greenhouse gas emissions were not reported in the Annual Review.	Gunlake should implement processes for the monitoring and reporting of greenhouse gas emissions as per the AQMP.	Calculation of greenhouse gas emissions will be undertaken annually based on diesel usage. Note GHG emissions were re-addressed and calculated in the Gunlake Extension Project Mod 2 SEE and the Continuation Project EIS.	Annually by 30 th September
NC-06	Schedule 3 Condition 18	While a suitable meteorological station was provided on site, the rain gauge had not been working for an undetermined period.	Gunlake should repair/ upgrade the existing meteorological station. A process should be implemented to ensure that the weather station is regularly checked to confirm it is operating correctly.	The Gunlake weather station has experienced some issues with maintenance and replacement parts availability, especially in recent times. As a result Gunlake have purchased a replacement weather station with a completely new set up. It should be noted that the information mentioned by the auditor is readily available at two other weather stations in the immediate area.	31 st December 2022
NC-07	Schedule 3 Condition 22	Records were not available to verify that inspections of all drainage structures, channels and embankments had been conducted on a monthly basis or following intense storm events.	Gunlake should ensure that inspections required by management plans are completed, recorded and maintained.	Gunlake will continue to undertake inspections required by management plans	Ongoing
NC-08	Schedule 3 Condition 22	Effective measures had not been implemented to minimise soil erosion and the potential for transport of sediment. Scouring of the embankment leading down to the process water dam was evident during the site inspection on 10/08/2022.	Gunlake should ensure that inspections are conducted following rainfall events. Areas of erosion/ scouring should be promptly repaired. Records of inspections and repairs should be maintained.	Gunlake will continue to undertake inspections required by management plans. Unprecedented rainfall events over the past 24 months have prevented access to many areas of the site. Maintenance will be undertaken as soon as conditions allow	Ongoing

Gunlake Response to Non-compliances and Recommendations – Independent Environmental Audit 2022

Ref No.	Condition	Independent Audit Finding	Independent Audit Recommendation	Proponent's Response	Proposed Action Due Date
					
NC-09	Schedule 3 Condition 25 EPBC Condition 4	No evidence was provided to verify that random compliance checks had been conducted of driver behaviour along the primary and secondary transport routes, as required by Section 3.11 of the Traffic Management Plan. It was reported that compliance checks were conducted but not documented.	Gunlake should ensure that inspections required by management plans are completed, recorded and maintained.	Gunlake will continue to undertake compliance inspections required by management plans.	Ongoing
NC-10	Schedule 3 Condition 28	While a Truck Driver Code of Conduct and induction process had been implemented, the induction did not include transportation times restrictions for the secondary route.	Update the Truck Driver Code of Conduct and induction process to include transportation times restrictions for the secondary route.	This is not a requirement of the conditions of consent and therefore cannot be a non-compliance with the consent. However in good faith Gunlake will update the Truck Driver Code of Conduct and induction to include transportation times restrictions for the secondary route.	31 st March 2023
NC-11	Schedule 3 Condition 30 Statement of Commitments 16	Gunlake Quarry had not ensured that all aboriginal sites had been actively protected. Site GL15 has not been protected as required by the AHMP.	Aboriginal sites should be maintained in accordance with the requirements of the AHMP. Consider approaching DPE to amend/ remove requirements for the active protection of aboriginal artefact sites as per correspondence from EMM received June 2018.	GL 15 was investigated on 19 June 2018 by two archaeologists and no artefacts were found, the site had been eroded and it was concluded that any artefacts that existed had been washed away. AHMP to be updated to reflect this.	May 2023
NC-12	Schedule 3 Condition 33 Statement of Commitments 8, 9	Conservation agreement areas have not been finalised – awaiting outcome of delayed proceedings before the Land and Environment Court.	The agreement for the long-term security of the offset area should be finalised.	This was subject to court proceedings and could not be progressed until determination of those proceedings.	TBC

Gunlake Response to Non-compliances and Recommendations – Independent Environmental Audit 2022

Ref No.	Condition	Independent Audit Finding	Independent Audit Recommendation	Proponent's Response	Proposed Action Due Date
NC13	Schedule 5 Condition 4	No record were available to verify that the Secretary has been advised of the outcomes of review of management plans within 3 months of the Annual Review.	Strategies, plans, and programs required under this consent should be reviewed and the outcome of the reviews reported in accordance with Schedule 5, Condition 4.	Management Plans have been updated in required time in accordance with this condition and will continue to do so. The Secretary will be advised of the outcome of the review as required by this condition.	28 th January annually
NC-14	Schedule 5 Condition 10	The 2020 Annual Review did not include non-compliances identified in the previous independent environmental audit, or describe what actions were (or are being) taken to ensure compliance.	Gunlake need to ensure that the Annual Review includes all information required by the conditions of consent.	This condition has been met, the Auditor's findings are incorrect	
NC-15	Schedule 5 Condition 12	The previous Independent Environmental Audit Report had not been submitted within 12 weeks of commencing the audit.	Gunlake need to ensure that the Independent Environmental Audit Reports are submitted within 12 weeks of commencement of the audit.	The timing of submission of the previous independent audit is not a relevant consideration of this audit	N/A
NC-16	Schedule 5 Condition 13 EPBC Condition 8	All required information was not provided on the company website. The EPBC Approval and the applicant's response to the recommendations in the previous Independent Environmental Audit were not included on website.	Gunlake need to ensure that information required to be published on the company website is uploaded and the website maintained.	Gunlake has and does ensure that information required to be published on the company website is uploaded and the website maintained.	Ongoing
NC-17	EPL Condition A3.1	Non-compliances have been identified with implementation of licence conditions, triggering a non-compliance with Condition A3.1	Gunlake need to ensure that processes are implemented to ensure compliance with all EPL licence conditions. Consider implementing a compliance tracking program for conditions of consent and EPL requirements.	Not required.	N/A
NC-18	EPL Condition L3.2	Noise monitoring has not been conducted 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.	Noise monitoring should be conducted in accordance with the EPL. Consider amending the EPL to reflect the noise monitoring locations currently being used for monitoring.	Not required monitoring is undertaken in accordance with the approved NBMP.	N/A