

Environmental Management Strategy

for the

Possum Brush Quarry

DA 283/97

Prepared in conjunction with:



R.W. CORKERY & CO. PTY. LIMITED

December 2019

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for the

Possum Brush Quarry

DA 283/97

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LIST OF ACRONYMS

| | |
|------------|---|
| AHD | Australian Height Datum |
| AS | Australian Standard |
| CCC | Community Consultative Committee |
| DA | Development Application |
| DPE | Department of Planning and Environment |
| DPIE | Department of Planning, Industry & Environment (formally DPE) |
| Department | Department of Planning, Industry & Environment (formally DPE) |
| EA | Environmental Assessment |
| EMS | Environmental Management Strategy |
| EP&A Act | Environmental Planning and Assessment Act 1979 |
| EPA | Environment Protection Authority |
| EPL | Environment Protection Licence |
| ERM | Environmental Resource Management Pty Ltd |
| GTCC | Greater Taree City Council (MidCoast Council as of 1 July 2016) |
| MCC | MidCoast Council |
| OEH | Office of Environment and Heritage |
| PBM | Pacific Blue Metal Pty Ltd |
| RPM | Runge Pincock Minarco Ltd |
| Secretary | Secretary of the Department, or nominee |

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1. INTRODUCTION

This *Environmental Management Strategy* (EMS) has been prepared by Pacific Blue Metal Pty Ltd (PBM) in conjunction with R.W. Corkery & Co. Pty Limited for the Possum Brush Quarry (the Quarry). The Quarry is located approximately 2km west of the Pacific Highway at Possum Brush, 4km northwest of Failford and 5km northeast of Nahiabac (**Figure 1**).

This EMS has been prepared in satisfaction of *DA Condition 5(1)* of Development Consent DA 283/97¹ and describes the following.

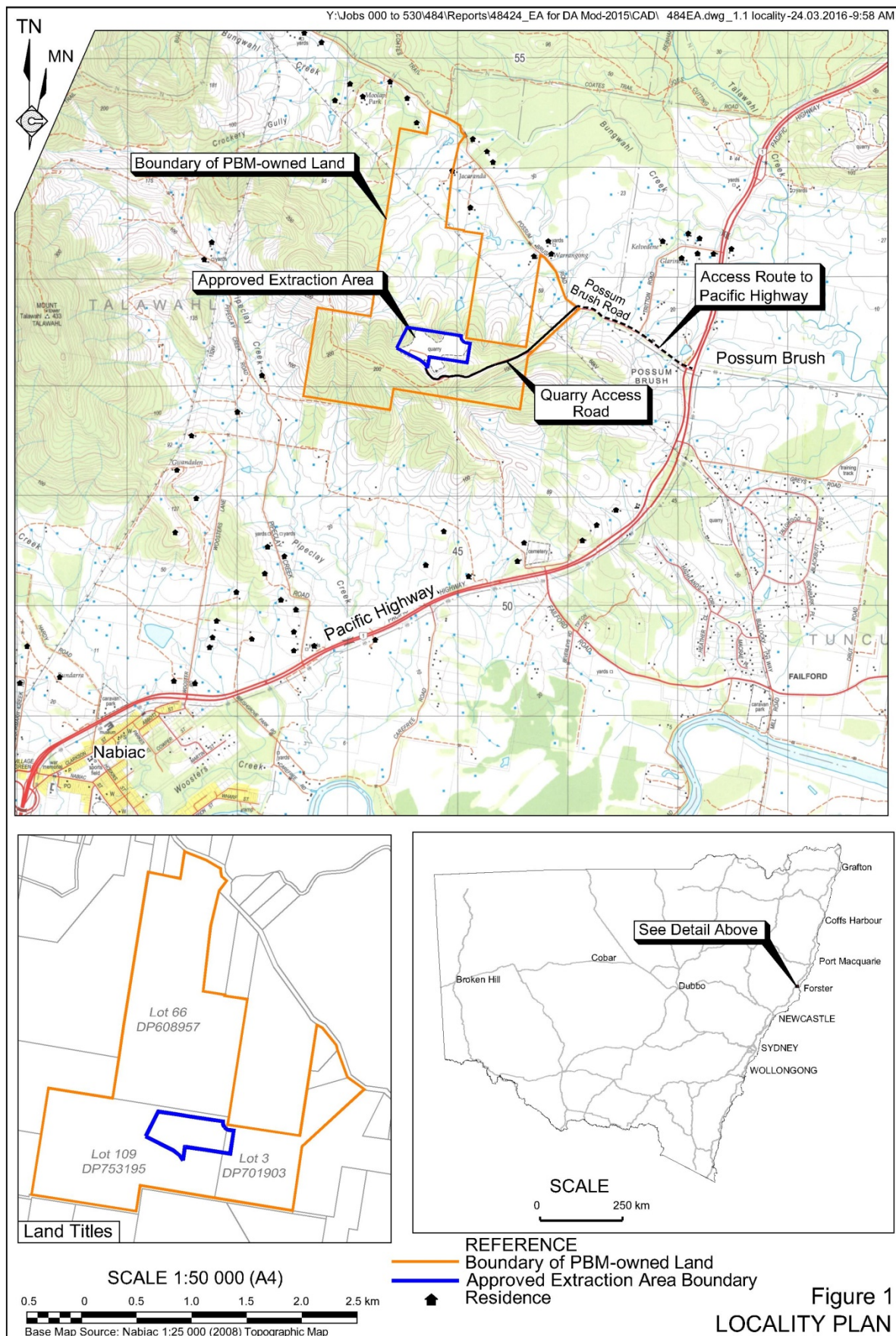
- The activities approved under DA 283/97.
- The legal and other requirements that apply to the Quarry.
- The consultation undertaken during preparation of this Strategy and the supporting Management Plans.
- The objectives and key performance outcomes for this Plan and the Quarry.
- Key environmental monitoring measures that will be implemented.
- Evaluation of compliance with relevant assessment criteria and responding to non-compliances.
- Roles and responsibilities.
- Competence training and awareness.
- Complaints handling and response procedures that will be implemented.
- Incident reporting procedures.
- Publication of monitoring information.
- Plan review.

The approved Quarry is fully described in the *Environmental Assessment* dated November 2015 to support a modification of Development Consent DA 283/97.

In addition, a range of other management plans have also been prepared to guide operations within the Quarry. These supporting documents include the following.

- Noise Management Plan.
- Blast Management Plan.
- Air Quality Management Plan.
- Water Management Plan.
- Transport Management Plan.
- Landscape and Rehabilitation Management Plan.

¹ All conditions in Development Consent DA 283/97 are referred to as *DA Condition ...*



2. APPROVED ACTIVITIES AND STAGED OPERATIONS

2.1 APPROVED ACTIVITIES

The activities approved at the Quarry (**Figure 2**) under Development Consent DA 283/97 comprise the following.

- Extraction operations within two defined areas, namely A and B.
- Crushing and screening operations within a fixed plant and blending operations with a pugmill / wetmix plant.
- Product stockpiling and despatch via PBM-owned trucks and subcontractors.
- Quarry administration, workforce amenities and quarry infrastructure.
- Progressive rehabilitation of sections of the Quarry Site no longer required for quarry operations.

In addition to the above activities, PBM has approval to:

- manufacturing a range of asphalt products (approved by GTCC (now MCC) on 25 July 2005); and
- import, process and blend up to 10 000t of waste materials (concrete, bricks, tiles and asphalt) with other quarry products (approved by GTCC (now MCC) on 16 July 2014).

The relevant limitations upon the approved activities nominated in conditions within Schedule 2 of DA 283/97 are as follows.

“Quarrying Operations

6. The Applicant may carry out quarrying operations on the site until 31 March 2046.
Note: Under this consent, the Applicant is required to rehabilitate the site and perform 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 satisfactorily.
7. The Applicant shall not extract extractive materials below a level of 45 metres AHD.
8. The Applicant shall not extract more than 16.2 million tonnes of extractive material from the site under this consent.
9. The Applicant shall not transport more than 500,000 tonnes of quarry products from the site in any calendar year.
Note: Extractive material provided to Council free of charge for roads works on Possum Brush Road in accordance with condition 19 of Schedule 2 shall be excluded from the limit specified above (i.e. 500 000tpa).



Figure 2
EXISTING QUARRY LAYOUT

Quarry Product Transport

10. The Applicant shall ensure that:

- (a) no more than 36 truck movements occur per hour; and
- (b) no more than 420 truck movements occur per day.

Note: Truck movements mean heavy vehicle one-way trips, either entering or leaving the site, including trucks associated with the asphalt and recycling activities”.

The approved hours of operation are outlined in **Table 1**.

Table 1
Operating Hours

| Activity | Operating Hours |
|--------------------------------------|---|
| Extraction and processing operations | 6:30am to 6:00pm Monday to Friday. 7:00am to 3:00pm Saturday. |
| Maintenance operations | 6:00am to 9:00pm Monday to Friday. 6:00am to 9:00pm Saturday. |
| Loading and dispatch of laden trucks | 6:30 am to 6:00pm Monday to Friday. 7:00am to 3:00pm Saturday. |
| Blasting | 9:00am and 3:00pm Monday to Friday. No blasting is allowed on Saturdays, Sundays or public holidays, or at any other time without the written approval of the Secretary. |

2.2 STAGED OPERATIONS

Figures 3 and 4 display the proposed extraction sequence in 5 yearly stages.

Figure 3

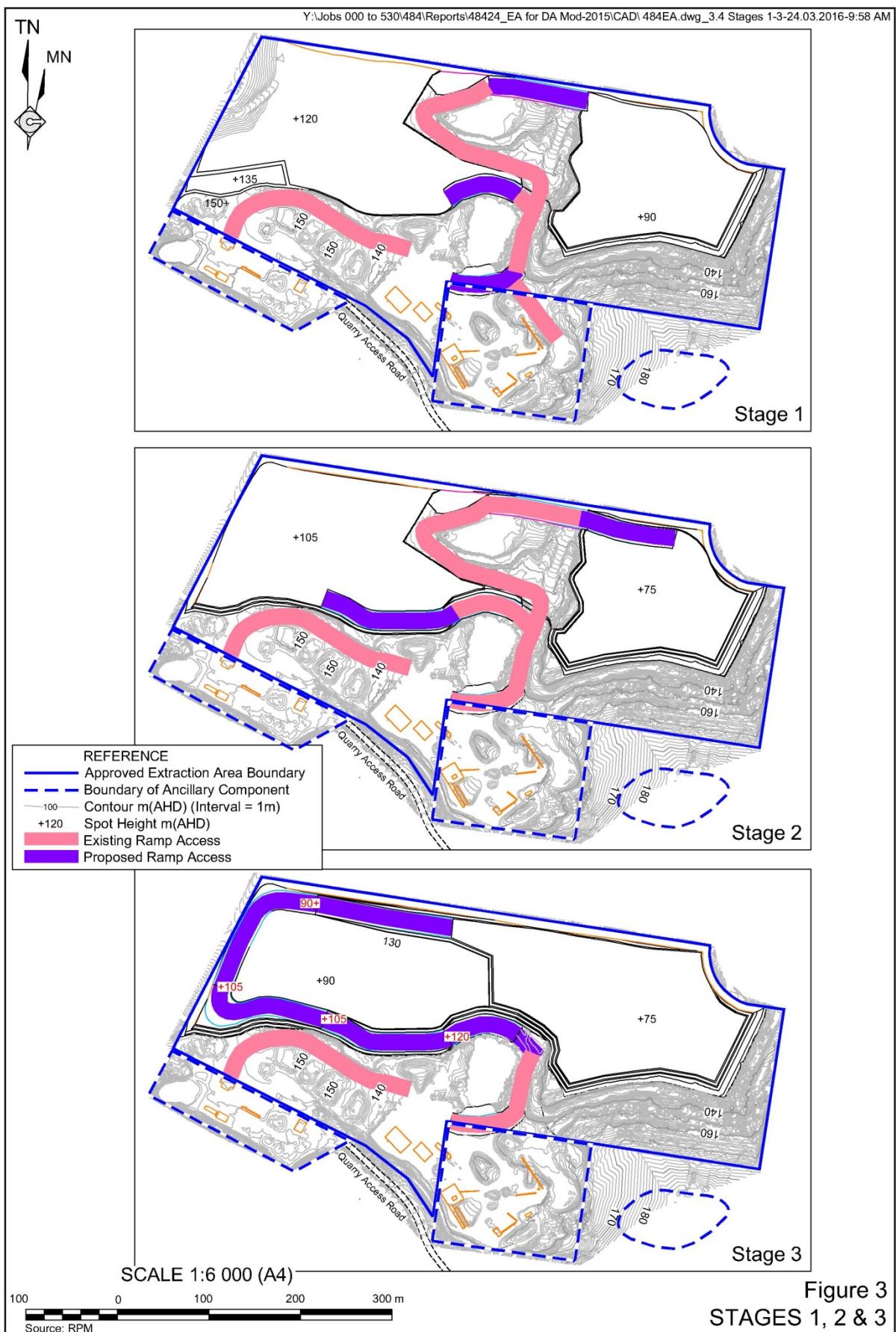
- Stage 1 – Year 1 to 5.
- Stage 2– Year 6 to 10.
- Stage 3 – Year 11 to 15.

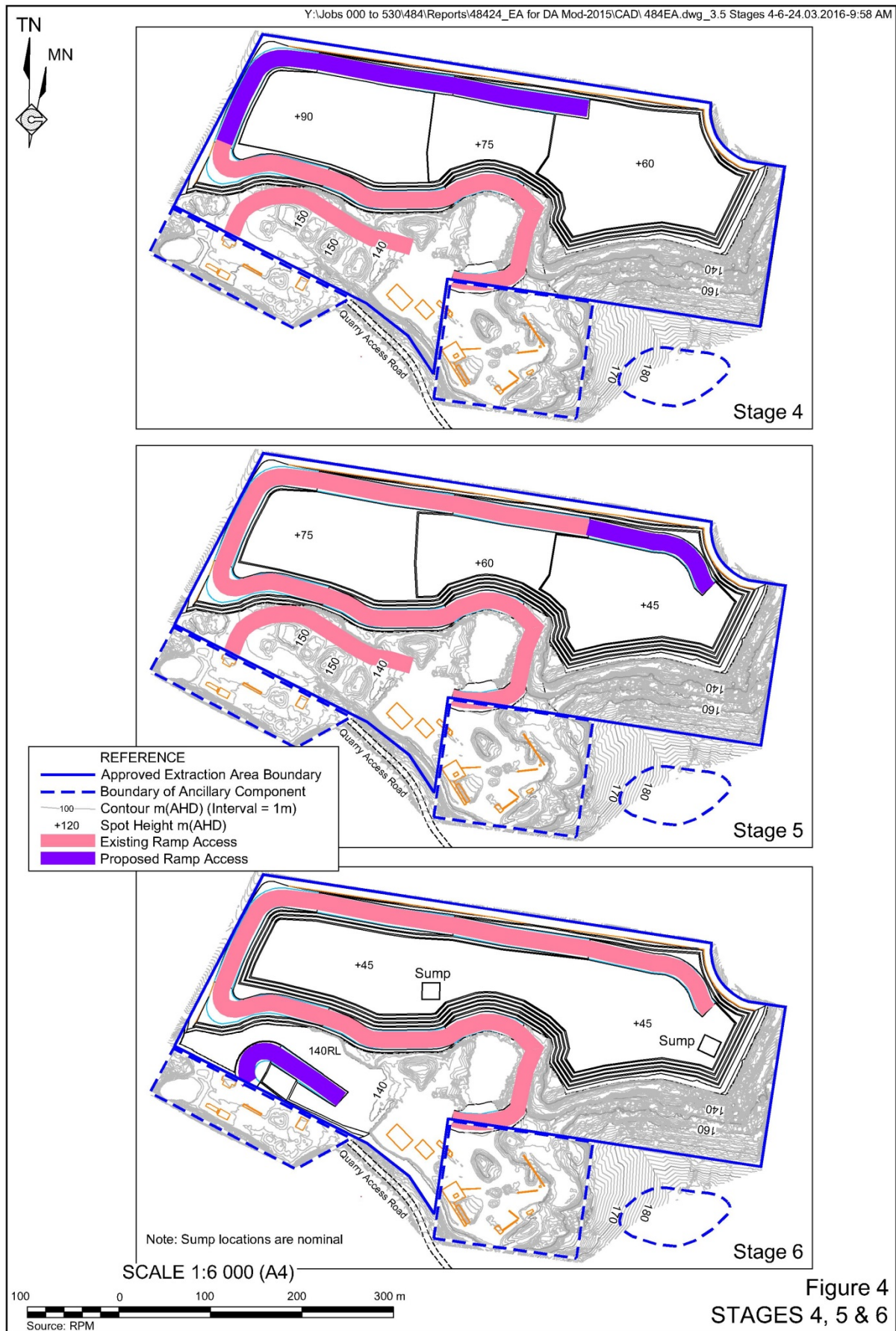
Figure 4

- Stage 4– Year 16 to 20.
- Stage 5– Year 21 to 25.
- Stage 6– Year 26 to 30.

The 5 yearly staged extraction plans proposed by RPM reflect the concepts outlined in ERM (1997) which have been adopted by PBM to date.

Extraction activities would continue to occur separately within Areas A and B during the next 10 years (Stages 1 and 2) although both areas would have internal road access between them. A single combined extraction area would be created within Stages 3 to 6 as development of Area B would be required to enable extraction activities in Area A to progress below 75m AHD.





Area A

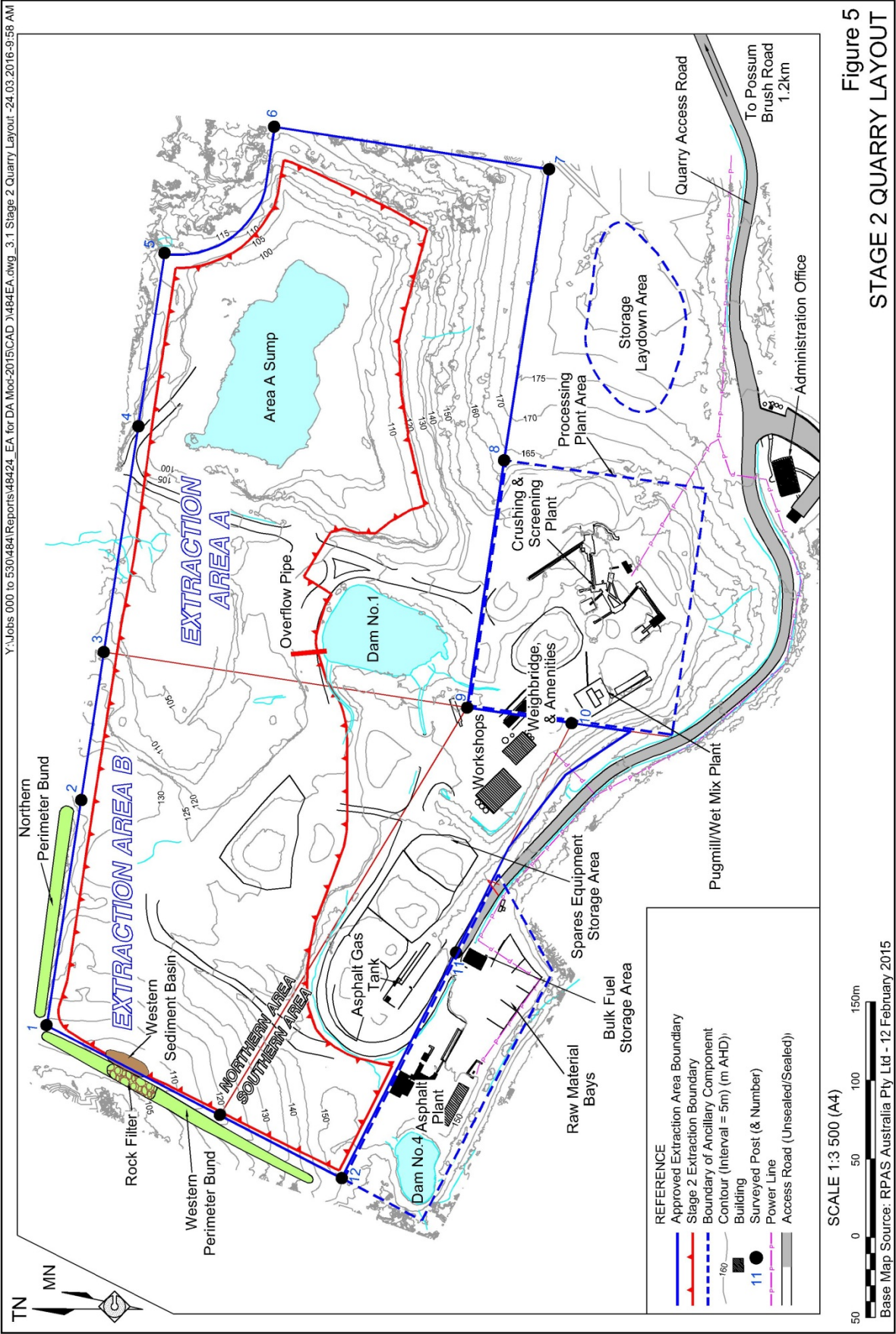
The ongoing extraction of the resource within Area A would involve extraction generally below the current 90m AHD extraction floor to a nominated elevation of 45m AHD with active extraction floors (and benches) created at 75m AHD and 60m AHD.

Area B

Area B was nominally split into two separate areas in ERM (1997), namely the northern and southern areas (see **Figure 5**), with the southern area now containing a product stockpile area and internal haul road connecting the processing plant area to the external road network via the Quarry Access Road.

To date, extraction operations have been undertaken only in the northern area, with parts of this area also utilised for product stockpiling, as required. The bulk of the extraction to be undertaken in Area B during Stage 2 would occur within the northern area. The fresh rock in Area B typically occurs below approximately the 135m AHD level. Weathered material remaining above this level would continue to be blended as required for road pavement products. Throughout Stage 2, PBM would progressively create active extraction floors (and benches) at 120m AHD, 105m AHD, 90m AHD, 75m AHD, 60m AHD and floor level at 45m AHD.

Area B has been fully stripped of its vegetation and requires no further preparatory works to allow the remaining weathered material to be extracted. It is envisaged that the bulk of the southern area would continue to be used as a stockpiling area and to continue to provide access to the processing plant and active extraction areas. Extraction of materials within the western side of the southern area would commence during Stage 6 near the end of Stage 2 (see **Figure 4**).



3. STRATEGIC FRAMEWORK

This EMS forms part of the integrated management system that PBM has adopted to manage the Possum Brush Quarry.

This section describes the overall framework for environmental management for the ongoing operation of the Possum Brush Quarry. The EMS addresses the principal strategies adopted by PBM, including PBM's emphasis upon planning, compliance management and monitoring, follow-up actions and information dissemination processes. PBM's approach to each of the key elements of its strategic framework are as follows.

Planning

PBM undertakes a range of planning tasks to ensure that all quarry-related tasks are undertaken in the correct order and manner and at the optimum time to minimise environmental impacts and importantly contain operational costs. Central to the planning element of the strategic framework is the development of a professionally designed extraction area in which benches and internal roads are positioned in optimum locations that satisfy practical and environmental considerations. PBM's experience has enabled the approach to the planning and operation of the Possum Brush Quarry to be practical and achievable.

Appendix 2 presents a table that lists the date-related conditions PBM is required to satisfy.

Compliance Management and Checking

PBM will operate the Possum Brush Quarry with a range of routine checks recorded in the on-site daily activities and check list register. In addition to the Company's internal six (6) monthly auditing and checks, PBM is required through DA 283/97 *Condition 5(10)* to commission independent audits of the development consent and related approvals at 3 yearly intervals, i.e. after an initial independent audit prior to 30 September 2016.

PBM will continue to undertake a range of environmental monitoring programs to demonstrate its compliance with criteria nominated in DA 283/97 and its Environment Protection Licence (EPL). Details of all monitoring to be undertaken by PBM are set out in the supporting management plans.

Response to Incidents and Complaints

PBM recognises the benefits of quickly responding to both incidents and complaints, PBM has in place a response process to ensure any complaint is swiftly and thoroughly investigated and followed up to ensure the issue that prompted the complaint is appropriately managed.

Consultation and Information Dissemination

PBM has consulted with the Community Consultative Committee, neighbouring residents, DPE, DPI, EPA, OEH and GTCC during the preparation of the 2015 *Environmental Assessment* and the modification of DA 283/97 to discuss the Company's plans for the ongoing operation of the quarry. It is recognised the Quarry will continue to be operated sufficiently distant from the surrounding residences so as not to cause adverse environmental impacts. Notwithstanding this, PBM will maintain a proactive approach with these landowners and occupiers to ensure the current low level of impact is maintained.

The EMS is supported by a range of management plans and monitoring programs identified in Section 1. These are in turn supported by a range of operational procedures developed by PBM that describe in detail the tasks to be undertaken by its workforce and/or contractors to ensure optimal management of the Quarry.

4. LEGAL AND OTHER REQUIREMENTS

4.1 DEVELOPMENT CONSENT

Development Consent DA 283/97 was formally modified as Mod 4 by the Executive Director, Resource Assessments and Compliance as a delegate of the Minister of Planning on 1 April 2016 pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). DA 283/97 includes the conditional requirements that PBM needs to comply with and sets out the specific requirements of this Plan.

This EMS is required to be submitted to the Department for approval by 1 July 2016. **Table 2** presents where each relevant conditional requirement identified in Schedule 5 in DA 283/97 has been addressed in this document.

Table 2
Project Approval Conditions

| Schedule (Cond. No.) | Condition Requirement | Section |
|---------------------------------|---|---|
| Environmental Management | | |
| 5(1) | Environmental Management Strategy The Applicant shall prepare and implement an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must: | This document |
| | a) be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary; | |
| | b) provide the strategic framework for the environmental management of the development; | 3 |
| | c) identify the statutory approvals that apply to the development; | 4 |
| | d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; | 14 |
| | 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; and - respond to emergencies; and | 11, 16 9.1 9.2 7,8 15 |
| | f) include: <ul style="list-style-type: none"> - copies of any strategies, plans and programs approved under the conditions of this development consent; and - a clear plan depicting all the monitoring required to be carried out under the conditions of this consent. | 4.3 Table 5 & Supporting Management Plans |

| Schedule (Cond. No.) | Condition Requirement | Section |
|---------------------------------|---|---|
| 5(2) | Management Plan Requirements The Applicant shall ensure that the Management Plans required under this consent are prepared in accordance with any relevant guidelines, and include: | |
| | a) detailed baseline data; | EMS Section 2 MP's Section 4 |
| | b) a description of: <ul style="list-style-type: none"> - the relevant statutory requirements (including any relevant approval, licence or lease conditions); - any relevant limits or performance measures/criteria; and - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; | EMS Section 4 MP's Section 2 EMS Section 4 MP's Section 2 EMS Section 5 MP's Section 3 |
| | c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; | MP's Section 5 |
| | d) a program to monitor and report on the : <ul style="list-style-type: none"> - impacts and environmental performance of the project; and - effectiveness of any management measures (see (c) above); | EMS & MP's Section 6 & 7 |
| | e) a contingency plan to manage any unpredicted impacts and their consequences; | EMS & MP's Section 8 |
| | f) a program to investigate and implement ways to improve the environmental performance of the development over time; | EMS & MP's Section 7 |
| | g) a protocol for managing and reporting any: <ul style="list-style-type: none"> - incidents; - complaints; - non-compliances with statutory requirements; and - exceedances of the impact assessment criteria and/or performance criteria; and | EMS & MP's Section 8 9 10 |
| | h) a protocol for periodic review of the plan. Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans. | EMS & MP's Section 12 |
| 5(3) | Updating & Staging Submission of Strategies, Plans or Programs To ensure the strategies, plans or programs under this consent are updated on a regular basis, and that they incorporate any appropriate mitigation measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval. 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 revise any strategy, plan or program approved under this consent without consulting with all the parties nominated under the applicable conditions of consent. Notes: <ul style="list-style-type: none"> • While any strategy, plan or program may be submitted on a progressive basis, the Applicant will need to ensure that existing operations on site 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 to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program. | n/a |

| Schedule (Cond. No.) | Condition Requirement | Section |
|---|---|----------------------|
| 5(4) | Revision of Strategies, Plans & Programs Within 3 months of the submission of an: a) Annual Review under condition 9 below; b) incident report under condition 7 below; c) audit report under condition 10 below; and d) any modifications to this consent, the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent, to the satisfaction of the Secretary. | 12 |
| 5(5) | Adaptive Management The Applicant shall 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. | Section 6 Table 5 |
| | Where any exceedance of these criteria and/or performance measures has occurred, the Applicant shall, at the earliest opportunity: a) take all reasonable and feasible measures to ensure that the exceedance ceases and does not recur; b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and c) implement remediation measures as directed by the Secretary, | 7, 8, 9 |
| Community Consultative Committee | | |
| 5(6) | The Applicant shall operate a Community Consultative Committee (CCC) for the development, to the satisfaction of the Secretary. This CCC must be operated in general accordance with the <i>Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects</i> (Department of Planning, 2007, or its latest versions) | 16. 2 |
| | Notes: <ul style="list-style-type: none"> The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent. In accordance with the guideline, the committee should be comprised of an independent chair and appropriate representation from the Applicant, Council, and the local community. | |
| Reporting | | |
| 5(7) | Incident Reporting The Applicant shall notify, at the earliest opportunity, the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the development, the Applicant shall notify the Secretary and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested. | 10 |
| 5(8) | Regular Reporting The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent. | 11 |

| Schedule (Cond. No.) | Condition Requirement | Section |
|--|--|---------|
| Annual Review | | |
| 5(9) | By the end of March each year, or other timing as may be agreed by the Secretary, the Applicant shall review the environmental performance of the development to the satisfaction of the Secretary. This review must: a) describe the development (including rehabilitation and road maintenance) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year; | 7 |
| | b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against: - the relevant statutory requirements, limits or performance measures/criteria; - requirements of any plan or program required under this consent; - the monitoring results of previous years; and - the relevant predictions in the documents listed in condition 2 of Schedule 2; | 7 |
| | c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; | |
| | d) identify any trends in the monitoring data over the life of the development; | |
| | e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and | |
| | f) describe what measures will be implemented over the current calendar year to improve the environmental performance of the development. | |
| | The Applicant shall ensure that copies of the Annual Review are submitted to Council and are available to the Community Consultative Committee (see condition 6 of Schedule 5) and any interested person upon request. | |
| Independent Environmental Audit | | |
| 5(10) | By 30 September 2016, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must: a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; b) include consultation with the relevant agencies; c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL and/or Water License (including any assessment, plan or program required under these approvals); d) review the adequacy of any approved strategy, plan or program required under the these approvals; and e) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals. Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary. | 7 |
| 5(11) | Within 6 weeks of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report. | |

| Schedule (Cond. No.) | Condition Requirement | Section |
|------------------------------|--|---------|
| Access to Information | | |
| 5(12) | <p>By 31 December 2016, unless otherwise agreed by the Secretary, the Applicant shall:</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 of Schedule 2; current statutory approvals for the development; approved strategies, plans or programs; a summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent; a complaints register, which is to be updated on a quarterly basis; the Annual Reviews (over the last 5 years); 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> | 11 |

4.2 ENVIRONMENT PROTECTION LICENCE

PBM currently holds Environment Protection Licence (EPL) 3393 for the operation of the Quarry. Each of the supporting management plans relating to air quality, noise and water have been prepared in a manner that is consistent with the EPL.

4.3 ENVIRONMENTAL MANAGEMENT PLANS

Table 3 lists the environmental approval documentation and supporting management plans relevant to Development Consent DA 283/97 for the Quarry.

Table 3

Environmental Approval Documentation, Management Plans and Monitoring Program

| Title | Original Approval Date | Review Date |
|--|------------------------|------------------------------------|
| Environmental Impact Statement | 25 May 1998 | Not Applicable |
| Environmental Assessment - Modification | 1 April 2016 | Not Applicable |
| Environment Protection Licence | 1 September 2015 | As required |
| Noise Management Plan | 21 July 2017 | As identified by DA Condition 5(4) |
| Blast Management Plan | 4 July 2017 | |
| Air Quality Management Plan | 21 July 2017 | |
| Water Management Plan | 4 July 2017 | |
| Transport Management Plan | 21 July 2017 | |
| Landscape and Rehabilitation Management Plan | 4 July 2017 | |
| Environmental Management Strategy | 21 July 2017 | |

4.4 LEGISLATION

Key legislation that is potentially relevant to guide management of the Quarry includes the following.

- *Environmental Planning and Assessment Act 1979*
- *Local Government Act 1993*
- *Protection of the Environment Operations Act 1997*
- *Contaminated Land Management Act 1997*
- *National Parks and Wildlife Act 1974*
- *National Greenhouse and Energy Reporting Act 2007(Commonwealth Act)*
- *Dangerous Goods (Road and Rail Transport) Act 2008*
- *Roads Act 1993*
- *Work Health and Safety Act 2011*
- *Work Health and Safety (Mines and Petroleum Sites) Act 2013*
- *Protection of the Environment Administration Act 1991*
- *Biodiversity Conservation Act 2016*
- *Local Land Services Act 2013*
- *Water Management Act 2000*
- *Environment Protection and Biodiversity Conservation Act 1999*
- *Soil Conservation Act 1938 (Commonwealth Act)*

4.5 STANDARDS

The following standards are, or are potentially, of relevance to the operation of the Quarry. AS refers to an “Australian Standard, NZS refers to “New Zealand Standard” and ISO refers to the “International Standards Organisation”.

- AS 3580.1.1 – 2016 Methods for Sampling and Analysis of Ambient Air – Guide to Siting Air Monitoring Equipment.
- AS 3580.10.1 – 2016 Methods for Sampling and Analysis of Ambient Air – Determination of Particulates – Deposited Matter – Gravimetric Method.
- AS 2923 – 1987 Ambient Air – Guide for Measurement of Horizontal Wind for Air Quality Applications.
- AS 2922:1987 Ambient Air – Guide for the Siting of Sampling Units (NSW DECCW Method AM-1).
- AS1055.1- 2018 Acoustics – Description and Measurement of Environmental Noise – General Procedures.
- AS 3780- 2008 – The storage and handling of corrosive substances.

- AS 1940 – 2017 The Storage and Handling of Flammable and Combustible Liquids.
- AS 1742 – 2017 Manual of Uniform Traffic Control Devices.
- AS IEC 60672-2004 Electroacoustics – Sound Level Meters.
- AS/NZS ISO 9001: 2015 Quality Management Systems
- AS/NZS ISO 14001:2015 Environmental Management Systems
- AS/NZS ISO 45001:2018 Occupational Health and Safety Management Systems.
- AS/NZS ISO 31000: 2018 Risk Management – Principles and Guidelines.

4.6 GUIDELINES

The following guidelines are, or are potentially, of relevance to the Quarry's approach to environmental management.

- *Community Consultative Committee Guidelines* published by Planning & Environment 2019.
- *Managing Urban Stormwater: Soils and Construction* published by Landcom in 2004.
- *Managing Urban Stormwater: Soils and Construction – Volume 2C – Unsealed Roads* published by Department of Environment and Climate Change in 2008.
- *Managing Urban Stormwater: Soils and Construction – Volume 2E – Mines and Quarries* published by Department of Environment and Climate Change in 2008.
- *National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting* published by ANZECC/ARMCANZ in 2000.
- *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW* published by Environment Protection Authority in 2007.
- *Approved Methods for Modelling and Assessment of Air Pollutants in NSW* published by Environment Protection Authority in 2016.
- EPA 454/R-99-005 *Meteorological monitoring guidance for regulatory modelling applications* published by United States Environment Protection Authority in 2000.
- *NSW Road Noise Policy* published by Environment Protection Authority in 2011.
- *Noise Policy for Industry* published by Environmental Protection Authority in 2017.
- *Waste Classification Guidelines* published by Environment Protection Authority in 2014.

5. OBJECTIVES AND OUTCOMES

Table 4 lists PBM's principal objectives and key performance outcomes throughout Stage 2 of the Quarry's operational life. The key performance outcomes will be used to assess progress towards the achievement of the nominated objectives. These objectives and key performance outcomes will be updated following any review or modification of the relevant Management Plans or Monitoring Programs to continually improve environmental performance for the Quarry.

Table 4
Objectives and Key Performance Outcomes

| Objectives | Key Performance Outcomes |
|---|--|
| Air Quality, Blasting, Noise and Transport | |
| (a) To ensure compliance with the criteria of DA 283/97, EPL 3393 and reasonable community expectations. | (i) Compliance with all relevant criteria and reasonable community expectations, as determined in consultation with the relevant government agencies. |
| (b) To implement management and mitigation measures during all stages of the Project. | (ii) All identified management and mitigation measures are implemented to the extent required. |
| (c) To implement a monitoring program to establish compliance or otherwise with relevant criteria during all stages of the Project. | (iii) All identified monitoring is undertaken in accordance with the relevant procedures and at the relevant intervals. |
| (d) To implement a complaints handling and response protocol. | (iv) Complaints (if any) are handled and responded to in an appropriate and timely manner. |
| (e) To implement continual improvement for investigating, implementing and reporting on reasonable and feasible measures to reduce noise. | (v) A continual improvement program has been implemented. |
| (f) To implement an incident reporting program, if required. | (vi) Incidents (if any) are reported and recorded in a timely manner. |
| Water | |
| (a) To ensure compliance with all relevant DA 283/97, EPL 3393 criteria and reasonable community expectations. | (i) Compliance with all relevant criteria and reasonable community expectations, as determined in consultation with the relevant government agencies. |
| (b) To ensure sufficient water is available during all phases of the life of the Quarry for environmental and operation purposes | (ii) Sufficient water is available for all Quarry-related purposes, including for environmental and operational purposes. |
| (c) To ensure that sediment and erosion control measures are implemented and maintained. | (iii) All water management structures constructed and maintained in accordance with Landcom (2004) and DECC (2008). |
| (d) To ensure that chemical and hydrocarbon management is implemented and maintained. | (iv) All chemicals and hydrocarbons are used in accordance with manufactures instructions, Safety Data Sheet requirements and Australian Standards in a manner that ensures risk of water contamination is reduced to an acceptable level. |
| (e) To ensure that water within the Quarry Site is used in an efficient and environmentally responsible manner. | (v) Water resources are managed in a manner that maximises environmental flows and minimises the potential for adverse impacts to water resources. |

Table 4 (Cont'd)
Objectives and Key Performance Outcomes

| Objectives | Key Performance Outcomes |
|--|--|
| Water (Cont'd) | |
| (f) To ensure that an appropriate surface water program is implemented throughout the life of the Quarry. | (vi) Water monitoring programs are sufficiently robust to detect any adverse water quality or quantity impacts associated with the Quarry to allow appropriate adaptive management measures to be implemented. |
| (g) To ensure that appropriate contingency and emergency management plans are in place and annually reviewed. | (vii) Contingency and emergency management plans are prepared for all relevant contingencies and annually reviewed and upgraded. |
| (h) To implement an appropriate incident reporting program, if required. | (viii) Incidents (if any) reported in an appropriate manner. |
| (i) To ensure that all relevant water-related information is made available in a timely and accessible manner. | (ix) All water-related information is available in a timely manner on the Quarry website. |
| Rehabilitation and Landscape Management | |
| (a) To ensure compliance with all relevant Development Consent conditions, statements of commitment and reasonable community expectations. | (i) Compliance with all relevant criteria and reasonable community expectations, as determined in consultation with the relevant government agencies. |
| (b) To implement progressive rehabilitation and landscape management and mitigation measures during all stages of the Quarry | (ii) All identified rehabilitation and landscape management and mitigation measures implemented. |
| (c) To manage site preparation works to ensure that suitable rehabilitation material remains for rehabilitation operations during all stages of the Quarry | (iii) Sufficient, viable rehabilitation materials are available for rehabilitation operations during all stages of the Quarry |
| (d) To ensure that the visual amenity from residences and public vantage points is not unacceptably impacted by Quarry-related activities. | (iv) Visual amenity management measures implemented and effective in a timely manner. |
| (e) To implement a complaints handling and response protocol | (v) Complaints (if any) handled and responded to in an appropriate manner. |
| (f) To implement corrective and preventative actions, if required. | (vi) Corrective and preventative actions implemented, if required |
| (g) To implement an incident reporting program, if required. | (vii) Incidents (if any) reported and recorded. |

6. MONITORING

In order to meet the objectives and key performance outcomes listed in Section 5, PBM's monitoring strategy has been outlined in detail in the supporting Management Plans, to adequately address and outline the monitoring locations, timing and criteria for each parameter defined in DA 283/97. **Table 5** presents consolidated summary of the Quarry environmental monitoring program. Monitoring locations are displayed in **Figure 6**.

The Compliance Manager will be responsible for the implementation and continued monitoring requirements for the Quarry.



Table 5 Consolidated Summary of the Environmental Monitoring Program

| Environmental Monitoring Requirement | Monitoring Location (See Figure 6) | Frequency | Criteria | Timing | Characterisation / Quantification | Record of Information |
|--------------------------------------|------------------------------------|--|--|---|---|--|
| Noise Management Plan | | | | | | |
| Attended Noise Monitoring | Locations R1, R2, R3 | Annually | L_{Aeq} 15 min R1 – 39 dB(A) R2 – 38 dB(A) R3 – 37 dB(A) L_{Amax} R1, R2, R3 – 45 dB(A) | 15 minute measurement period during approved operating hours. | L_{Amax} L_{Aeq} | Name of person undertaking measurements. Location of Monitoring. Recording Intervals (date and time). Meteorological conditions. Statistical noise level descriptor with notes identifying principal noise sources. Instrument make, model, serial number and calibration details. A description of activities occurring within the Quarry Site during the period of measurement. Relevant mobile equipment, operating shift logs and location. |
| Air Quality Management Plan | | | | | | |
| Deposited dust | Locations R1 and R2 | On receipt of a dust related complaint | Maximum Increase 2g/m ² /month Maximum Total 4g/m ² /month (Annual average) | Ongoing | Monthly deposited dust levels | Samplers name. Location of monitors. Recording Interval (date and time) Deposited dust levels. |
| Meteorology | On-site Meteorological Station | Continuous | - | Ongoing | - | Temperature Rainfall Wind speed, direction and sigma theta |
| Greenhouse Gas Emissions | All Quarry emissions | Reported Annually | - | - | - | Monthly diesel usage. |
| Water Management Plan | | | | | | |
| Surface Water Monitoring | Dam 3 | Within 24 hours after discharge | TSS :< 50mg/L. pH: 6.5 - 8.5 Oil & Grease – not visible | Ongoing | Total Suspended Solids, pH, Oil and Grease | Sampler's name Date and time of sampling Location of sampling Water quality parameter and values |

| Environmental Monitoring Requirement | Monitoring Location (See Figure 6) | Frequency | Criteria | Timing | Characterisation / Quantification | Record of Information |
|---|--|-----------|----------|---------|--|---|
| Landscape & Rehabilitation Management Plan | | | | | | |
| Rudders Box (planted specimens) | Wildlife Corridor | Annually | - | Ongoing | Number | Name of person undertaking monitoring Date of monitoring Location of trees Tree Identification Number Height of each tree Diameter of each tree (at 1.3m height) |
| Rehabilitation Assessment | Wildlife Corridor, 50m buffer zone, terminal benches | Annually | | Ongoing | Florist composition and health, including presence of weed species | Annual Rehabilitation Report |

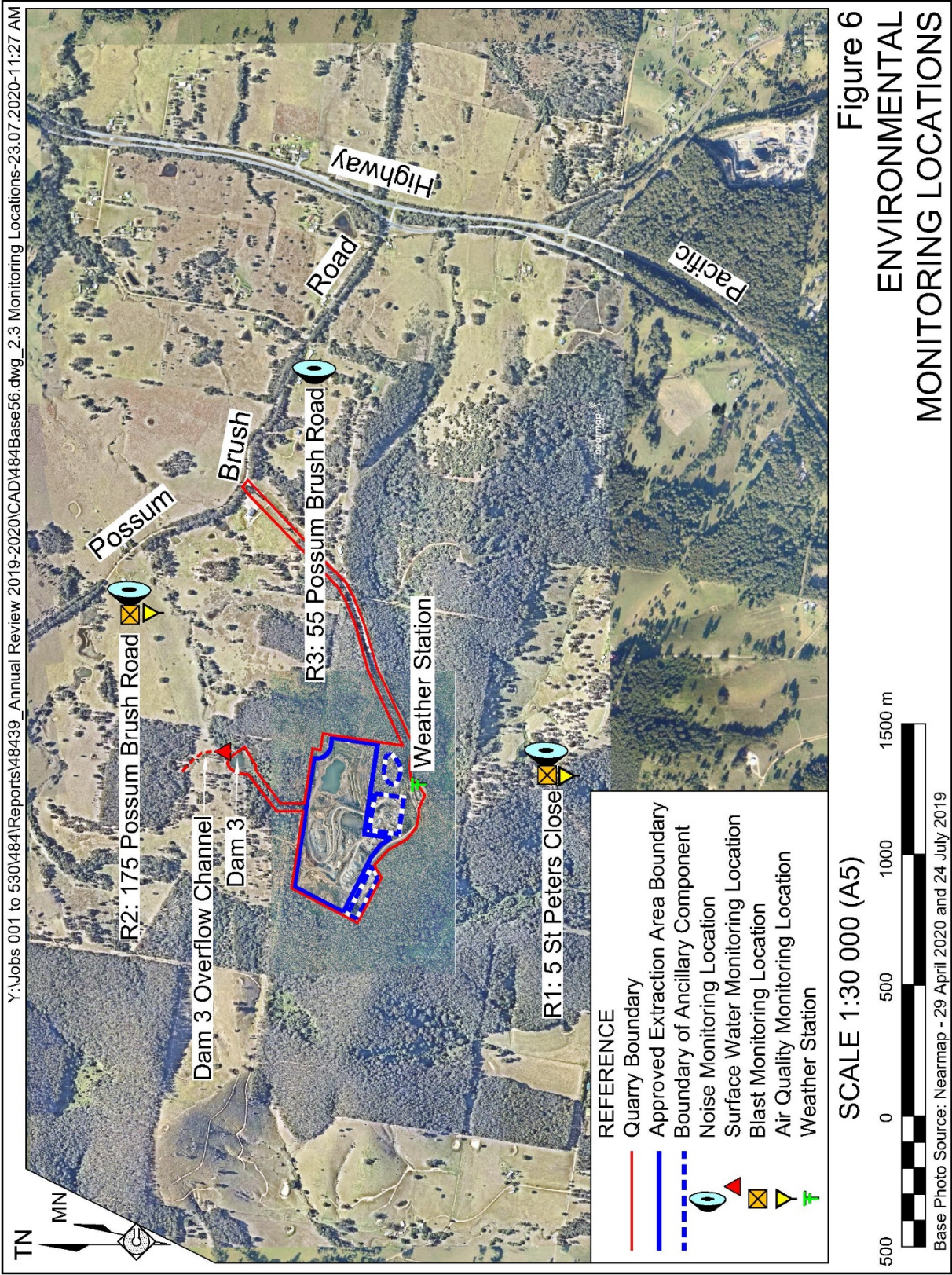


Figure 6 Environmental Monitoring Locations

7. EVALUATION OF COMPLIANCE

PBM's Compliance Manager will undertake an internal audit of all relevant approval conditions every six (6) months, the results of which will be included in the *Annual Review*. This scheduled monitoring and reporting program will allow for continual assessment and improvement of the environmental performance of the project.

PBM will collate the *Annual Review* as required under *DA Condition 5(9)* and include the following information.

- Any non-compliances with statutory requirements during the reporting period.
- A summary of any corrective actions and/or mitigation and management activities carried out during the reporting period.
- A summary of monitoring carried out during the reporting period, including identification of monitoring trends over the life of the development.
- A summary of the development that was carried out in the reporting period.
- A summary of proposed activities to occur over the following reporting period.

DA Condition 5(10) requires that PBM commissions an independent audit of the Quarry:

- by 30 September 2016; and
- every three years thereafter.

The results of the external independent environmental audit will be placed on PBM's website and a summary will be included in the relevant *Annual Review*.

Where additional compliance evaluation is required this is detailed in the supporting Management Plans.

8. CORRECTIVE AND PREVENTATIVE ACTIONS

. In the event an exceedance of any relevant criteria or breach of condition(s) is identified, the incident will be investigated to determine the likely cause. The investigation will seek to determine:

- if the incident is related to the Quarry's operations;
- the primary cause(s) of the non-compliance;
- any contributing factors which led to the non-compliance;
- whether appropriate controls were implemented to prevent the non-compliance;
- corrective and preventative measures that may be implemented to prevent a recurrence of the non-compliance.

Corrective and/or preventative actions will be assigned to relevant Company personnel. Actions will be delegated by the Quarry Manager or the Compliance Manager or their representative.

Actions will be communicated internally through planning meetings and toolbox talks and will be monitored for their effectiveness.

A copy of the investigation report and regular updates on the status of the identified corrective and/or preventative actions will be provided to the relevant government agencies (as detailed in Section 9) and if required, any complainant. In addition, a copy of all reports will be summarised in the relevant Annual Review.

9. COMPLAINTS HANDLING AND DISPUTE RESOLUTION

9.1 COMPLAINTS HANDLING

In order to receive, record and respond to any complaints in a timely manner, PBM has established the following mechanisms for receiving complaints.

- Directly via the 24-hour, 7 day per week Community Information Line (02) 6554 3597. This number is displayed on a sign at the Quarry entrance and on the PBM website.
- Directly via an email address *qse@pacificbluemetal.com.au* which is listed on the PBM website.
- Indirectly via a local or State government agency.

PBM proposes to raise any complaints received at relevant meetings of the Community Consultation Committee.

All complaints will be registered in a database and responded to within three business days from the receipt the complaint. The following information will be recorded (where it can be reasonably obtained) in the database.

- The date/time the complaint was made.
- The name of the person receiving the complaint (and method of receipt, e.g. phone, text, email).
- Complainant's name.
- Complainant's contact details.
- Nature of the complaint.
- Action taken in relation to the complaint including any follow-up contact.
- If no action, the reason why.
- Satisfaction of the complainant.

The nature of the response will depend on the nature and source of complaint but will include one or more of the following actions.

1. The complaint will be reviewed by the Quarry Manager or his / her delegate to determine the nature, date and time of the exceedance or non-compliance.
2. Liaison with the complainant to ascertain all details and to identify the nature and source of the complaint and provide supplementary details for the log.
3. The initiation of monitoring or other investigations to verify or otherwise the exceedance or non-compliance with approval or licence condition(s).
4. Initiation of appropriate changes in operating practices or procedures.

5. Conducting a follow-up interview with the complainant to determine their level of satisfaction with the response and the resultant outcome.

A copy of the complaint report will be offered to the complainant.

The complaints database will be updated on PBM's website on a quarterly basis as per *Condition 5(12)*. A summary of the complaints received in each 12 month period will be included in each *Annual Review*.

The Compliance Manager will be responsible for the recording of the complaint, response action requirements and updating of the database and website.

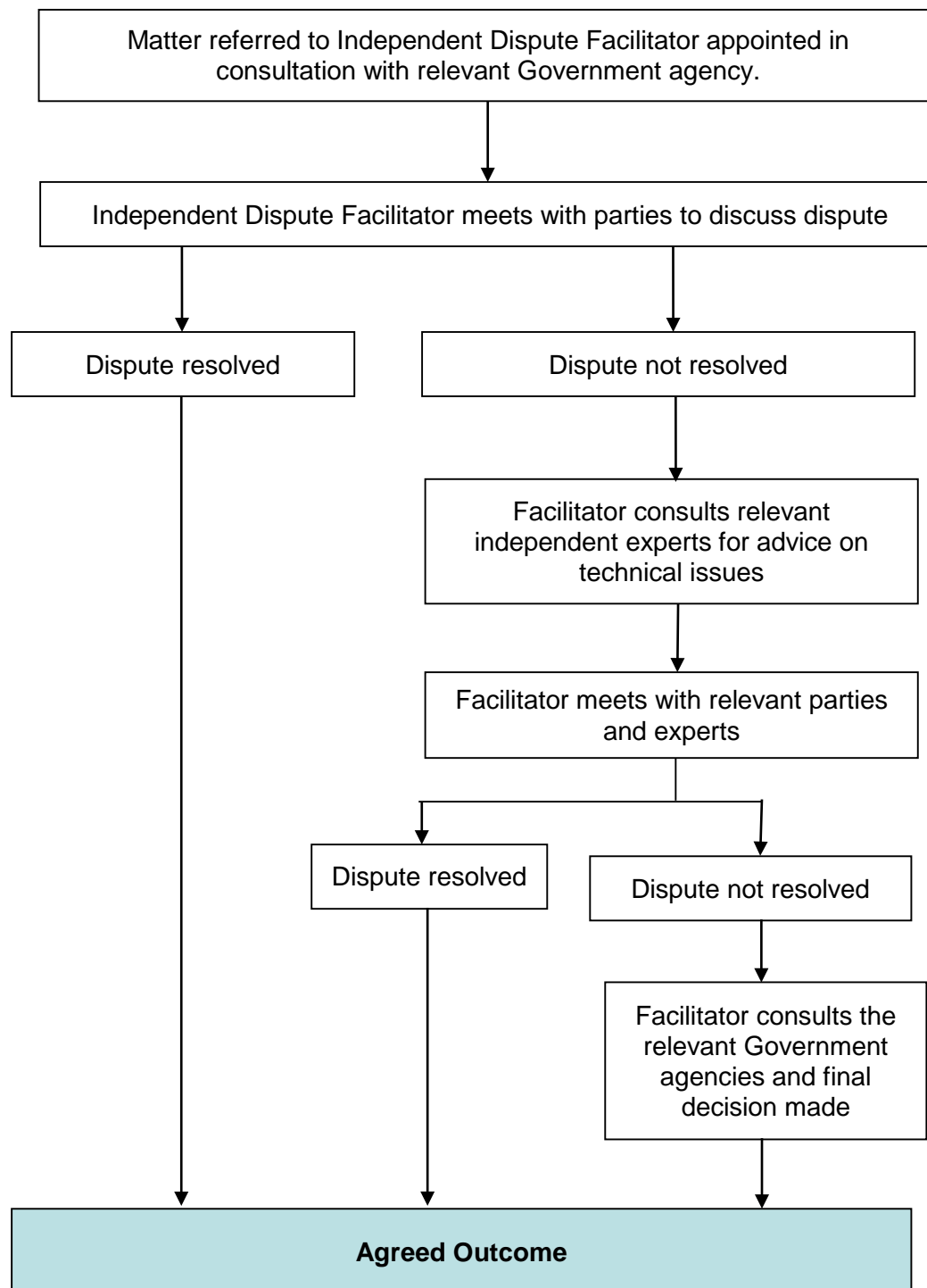
9.2 DISPUTE RESOLUTION

In the event that any complainant does not consider that the response or reactions adequately address their concerns, the following procedure will be adopted.

1. A meeting will be convened with the Quarry Manager or other senior PBM personnel to seek resolution of the matter. The complainant will be provided with a written response, detailing the results of investigations undertaken and the agreed actions to be taken regarding the measures to be implemented.
2. On implementation of the nominated measures, a further meeting will be convened to seek advice of satisfaction, or otherwise, regarding the outcomes.

If, after 21 days following Steps 1 and 2, the complainant believes the matter remains unresolved and no further agreement can be reached as to additional measures to be undertaken, the matter will be referred to an Independent Dispute Facilitator for independent review (**Figure 7**).

Figure 7 Independent Dispute Resolution Process



10. INCIDENT REPORTING

The Department defines an incident as “*a set of circumstances that:*

- *causes or threatens to cause material harm to the environment; and/or*
- *breaches or exceeds the limits or performance measures/criteria.”*

In accordance with the definition provided by Section 147 of the POEO Act, harm to the environment is deemed to be material if:

- i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or
- ii) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations).

An incident which is only as a result of an exceedance of a criterion, is referred to as a **Non-Compliance Incident**. An incident which threatens to cause material harm to the environment (and may or may not result in an criteria exceedance) is referred to as **Environmental Harm**.

10.1 Environmental Harm

In the event of Environmental Harm, PBM shall report the event to the Department and any other relevant agencies, at the earliest opportunity. The the Department shall be notified via email. Where the EPA is to be notified, (as per Part 5.7 of the POEO Act), this shall be undertaken via the Environmental Line service on 131 555.

Any Environmental Harm will be investigated by quarry management to ascertain the cause, or likely cause, of the exceedance. Should the cause, or likely cause, of the exceedance be due to quarry activities, quarry management will implement Corrective and Preventative Actions as identified in **Section 8**.

Within seven (7) days of the incident, the Company will submit a report to the Department and other relevant agencies outlining the cause(s) of the exceedance, actions taken and ongoing management to prevent future incidents.

10.2 Non-Compliance Incident

On identification of a non-compliance against an environmental criteria, PBM shall notify the Department and any other relevant agencies as soon as practicable after becoming aware of the incident. Where the non-compliance is associated with noise limits, affected neighbours will also be notified in writing (see NMP Section 7 for further details).

An investigation into the cause of the non-compliance shall be commenced in accordance with Section 8 Corrective & Preventative Actions.

Within seven (7) days of the date of the incident, PBM shall provide the Department and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

In addition a summary of all incidents, including dates of occurrence, corrective measures taken and success of these measures will be compiled and reported in the Annual Review and Annual Return for EPL 3393.

11. PUBLICATION OF ENVIRONMENTAL PERFORMANCE INFORMATION

PBM operates a company website to help keep the local community and relevant government agencies informed about the operation, management and environmental performance of the quarry. As per DA Condition 5(12), the following information is available on the website:

- EIS, EA (Mod 3) and EA (Mod 4)*.
- Other current statutory approvals.
- Approved Strategies, Plans or Programs.
- A summary of all monitoring results.
- A complaints register.
- Annual Reviews
- The three (3) yearly Independent Audit, and our response to the recommendations in the audit.

*Note: EA's for Mod 1 and Mod 2 were not developed as these modifications were administrative only.

The Compliance Manager will be responsible for publication of all relevant monitoring information and keeping the website information up to date.

12. STRATEGY REVIEW

In accordance with *DA Condition 5(4)*, this Environmental Management Strategy and the supporting Management Plans will be reviewed and, if required, revised within 3 months of:

- the submission of an annual review under *DA Condition 5(9)*;
- the submission of an incident report under *DA Condition 5(7)*;
- the submission of an audit report under *DA Condition 5(10)*; and
- any modification to the conditions of DA 283/97.

The Compliance Manager will be responsible for the review.

13. COMPETENCE TRAINING AND AWARENESS

All PBM personnel and contractors will undergo environmental management awareness training as part of the site induction program. The induction program draws upon the various environmental measures outlined in each of the six (6) supporting Management Plans and covers the following:

- Noise management.
 - Use of only approved reversing alarms on all quarry-based **and** hired earthmoving equipment, i.e. mid frequency alarms (“quackers”).
 - Use of noise enclosures around any generators and any other stationary noise sources (permanent and/or temporary).
 - Awareness of prevailing wind directions and their potential to increase noise emissions downwind (i.e. when < 3m/s).
 - Awareness of the noise enhancing effects of temperature inversions and the times of day and meteorological conditions under when they may occur.
- Blast management.
 - Blast management protocols.
- Air quality management.
 - Awareness of prevailing wind directions and their potential to increase air emissions downwind.
 - Awareness of approved air quality control measures.
- Water management.
 - Appropriate management and use of all hydrocarbons and chemicals.
 - The requirement to report all spills and other incidents with the potential to cause pollution to water.
 - Emphasis upon using sediment-laden water for dust suppression – preferably from within the extraction area sump.
- Traffic management.
 - The importance of only travelling on the approved route.
 - Awareness of hours for transport.
 - Awareness and familiarity with the Drivers Code of Conduct.
- Reporting of incidents.
- Awareness of operating hours.
- Awareness of community complaints protocols.

The Quarry Manager will be responsible for ensuring that Environmental Management training is included in the induction.

14. ROLES AND RESPONSIBILITIES

Table 6 presents the roles and responsibilities for the implementation of this EMS and accompanying Plans.

Table 6
Roles and Responsibilities

| Roles | Responsibility |
|--------------------|---|
| Quarry Manager | <ul style="list-style-type: none"> • Ensure adequate resources are available to enable implementation of this Strategy and all Environmental Management Plans and Programs. • Ensure all documentation is reviewed, as required. • Ensure employees are competent through training and awareness programs. • Dispute Resolution. • Corrective and Preventative Action as outlined in Section 8 • Implementation of all environmental controls outlined in the supporting Management Plans. • Ensure limits on areas of disturbance are understood and operations are undertaken in accordance with instructions. |
| Compliance Manager | <p>Account for the overall environmental performance of the Quarry, including the following.</p> <ul style="list-style-type: none"> • Key performance outcomes of this Strategy and supporting Management Plans • Evaluation of Compliance as outlined in Section 7 • Corrective and Preventative Action in consultation with the Quarry Manager • Complaints handling and response as outlined in Section 9. • Incident reporting as outlined in Section 10. • Coordinate Environmental Monitoring as outlined in the supporting Management Plans • Publishing of environmental performance information as per Section 11. • Review of this Strategy and supporting Management Plans as outlined in Section 12. • Consultation Strategies. • Inspecting rehabilitation progress. • Conduct Site Induction for all employees and contractors, including environmental component. |
| All personnel | <ul style="list-style-type: none"> • Ensure compliance with this EMS and supporting Management Plans. • Ensure training and awareness induction has been undertaken. |

15. EMERGENCY RESPONSE

Table 7 summarises the procedures that will be implemented in the event of an emergency within the Quarry. It is noted that emergency preparedness will be managed through standard Quarry planning, design and operational standards, including the Pollution Incident Response Management Plan, Emergency Response Procedure and Evacuation Procedure. Investigation and reporting in relation to the emergency, where relevant or necessary, will be managed through the incident reporting and review process identified in Section 10.

The Quarry Manager will be responsible for all emergency preparation, response and investigation-related activities.

Table 7
Emergency Response Procedures

| Emergency | Response – Immediate | Response – recovery stage |
|---|---|---|
| Fire-related Emergency | | |
| Mobile equipment fire | <ul style="list-style-type: none"> Isolate fuel supply, if safe to do so. Fight fire (if safe to do so). Evacuate and account for all personnel. Notify Emergency Services | <ul style="list-style-type: none"> Restrict access to equipment to allow investigation. Ensure any hydrocarbon or other leaks managed. |
| Bushfire – initiation on site | <ul style="list-style-type: none"> Use on-site water cart and other equipment to extinguish or isolate fire (if safe to do so) Evacuate and account for all personnel. Notify Emergency Services. | <ul style="list-style-type: none"> Monitor burnt area for re-ignition under guidance of the Rural Fire Service. |
| Bushfire – encroachment from off site | <ul style="list-style-type: none"> Use mobile plant to create/upgrade fire break (if required and safe to do so). Advise personnel and prepare to evacuate if required. Provide assistance to Emergency Services if requested. | <ul style="list-style-type: none"> Monitor burnt area for re-ignition under guidance of the Rural Fire Service. |
| Medical Emergency | | |
| Life-threatening medical emergency | <ul style="list-style-type: none"> Administer first aid, if safe to do. Contact Emergency Services. | <ul style="list-style-type: none"> Notify and assist patient's family. Provide counselling for co-workers (if required). |
| Non-life threatening medical emergency | <ul style="list-style-type: none"> Administer first aid. | <ul style="list-style-type: none"> Ensure medical advice is sought by person. |
| Ground Stability/Collapse Emergency | | |
| Failure of quarry highwall / unplanned collapse of quarry floor | <ul style="list-style-type: none"> Evacuate relevant section of the Extraction Area. | <ul style="list-style-type: none"> Maintain a suitable exclusion zone until advised otherwise by a suitably qualified specialist. |
| Chemical Spill Emergency | | |
| Major Hydrocarbon Spill | <ul style="list-style-type: none"> Deploy spill control equipment to contain and isolate the spill. Control the source of the spill (i.e. close valves) if practicable and safe to do so. | <ul style="list-style-type: none"> Clean up spill material and dispose of appropriately. Implement decontamination/clean up procedures. |

16. STAKEHOLDER AND COMMUNITY CONSULTATION

16.1 STAKEHOLDER CONSULTATION

PBM will undertake consultation with all relevant stakeholders to allow for consideration of all reasonable views and timely feedback to any issues that are raised. The approach to be taken would be constructive to ensure that the required environmental management of the Quarry meets with expectations described in the *Environmental Assessment to Support a Modification*. All PBM personnel will be responsible for ensuring that any issues raised are dealt with through the correct pathways as detailed in Section 10.

Relevant stakeholders include, but are not limited to the following.

- Department of Planning, Industry and Environment (DPIE)
- Environment Protection Authority (EPA)
- DPI Water
- MidCoast Council (previously Greater Taree City Council)
- Community Consultative Committee
- Local community

Communication, consultation and information dissemination strategies with the above stakeholders will include the following.

- Annual meetings of the Community Consultative Committee.
- Individual meetings on request with surrounding landholders and interested community groups.
- Placement of all relevant environmental performance information and other relevant documents on PBM's website.

The extent of communications, etc. will reflect the interest of the respective stakeholders in the Quarry's operations.

In preparation of Stage 2, the primary vehicle for landholder consultation was through an Open Day held at the quarry on 29 August 2015. The purpose of this Open Day was to openly discuss the Stage 2 Modification with our surrounding neighbours and to provide them with the opportunity to ask any questions or air any concerns they may have. Over 30 neighbours attended the Open Day, which included morning tea and a tour of the quarry and its facilities, to discuss the effect of the proposed modification.

PBM will continue to consult with surrounding landowners, throughout the life of the Quarry. In the event any exceedance of any criteria is identified, PBM will notify potentially affected landowners in accordance with *DA Condition 4(1)*.

16.2 COMMUNITY CONSULTATIVE COMMITTEE

The CCC has been historically operated by MidCoast Council (previously Great Lakes Council) since its inception stemming from the 1998 consent.

In early 2020, the Department ceased this arrangement and appointed an independent Chairperson from the Department's Pool of Independent Chairpersons.

In accordance with DA 283/97 *Condition 5(6)* PBM will continue to operate with a CCC in accordance with the Community Consultative Committee Guideline: State Significant Projects (January 2019).

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Appendices

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- Appendix 2 Actions Required to Implement all
Conditions of Development Consent

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Appendix 1

Development Consent

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Notice of Modification

Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I modify the development consent referred to in Schedule 1, as set out in Schedule 2.



Oliver Holm
Executive Director
Resource Assessments & Compliance

Sydney

1 / 4 / 2016

SCHEDULE 1

The development consent (DA 283/97) for the Possum Brush Quarry, granted by the Minister for Urban Affairs and Planning on 25 May 1998.

SCHEDULE 2

1. Delete Schedule 2 and Figures 1 to 3, and insert the following:

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DEFINITIONS

| | |
|----------------------------------|---|
| Aboriginal object | Any item that provides evidence of the use of an area by Aboriginal people, as defined under the <i>National Parks and Wildlife Act 1974</i> |
| AHD | Australian Height Datum |
| Annual review | The review required by condition 9 of Schedule 5 |
| Applicant | Pacific Blue Metal Pty Ltd or any other person or persons who rely on this consent to carry out the development that is subject to this consent |
| Asphalt activities | As approved under DA 1127/2005 |
| BCA | Building Code of Australia |
| CCC | Community Consultative Committee |
| Condition of consent | Conditions contained in Schedule 2 to 5 inclusive |
| Council | Greater Taree City Council |
| Day | The period from 7 am to 6 pm, Monday to Saturday, and 8 am to 6 pm Sunday and Public Holidays |
| Department | Department of Planning and Environment |
| DRE | Division of Resources and Energy, within the NSW Department of Industry |
| Development | The development as described in the documents listed in condition 2 of Schedule 2 |
| DPI Water | Department of Primary Industries Water |
| EIS | Development Application 283/97 lodged with Greater Taree City Council on 12 September 1997, and accompanying Environmental Impact Statement prepared by ERM Mitchell McCotter, dated September 1997 |
| EA (Mod 1) | Modification Application MOD 1 52-7-2002, dated 18 July 2002 |
| EA (Mod 2) | Modification Application MOD 2 105-8-2006, dated 15 August 2006 |
| EA (Mod 3) | Modification Application DA 283/97 MOD 3 and accompanying Environmental Assessment titled <i>Environmental Assessment for An Additional Minor Area of Extraction at the Possum Brush Quarry</i> , prepared by R W Corkery and Co Pty Limited, dated November 2012 |
| EA (Mod 4) | Modification Application DA 283/97 MOD 4 and accompanying Environmental Assessment titled <i>Environmental Assessment for the Stage 2 Operations and the Modification of Development Consent DA 283/97 at the Possum Brush Quarry, via Nabitac</i> , dated November 2015, and the Response to Submissions titled <i>Response to Submissions for the Stage 2 Operations and the Modification of Development Consent DA 283/97 at the Possum Brush Quarry, via Nabitac</i> , dated February 2016. |
| EPA | Environment Protection Authority |
| EP&A Act | <i>Environmental Planning and Assessment Act 1979</i> |
| EP&A Regulation | <i>Environmental Planning and Assessment Regulation 2000</i> |
| EPL | Environment Protection Licence issued under the POEO Act |
| Evening | The period from 6 pm to 10 pm |
| Extractive material | Includes saleable material extracted from the development, but excludes tailings and other wastes |
| Feasible | Feasible relates to engineering considerations and what is practical to build or carry out |
| GPS | Global Positioning System |
| Incident | A set of circumstances that: <ul style="list-style-type: none"> causes, or threatens to cause, material harm to the environment; and/or breaches or exceeds the limits or performance measures/criteria in this consent |
| INP | <i>NSW Industrial Noise Policy</i> (NSW EPA, 2000) |
| Land | As defined in the EP&A Act, except where the term is used in the noise and air quality conditions in Schedules 3 and 4 of this consent, where it is defined as the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this consent |
| Material harm to the environment | Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial |
| Minister | Minister for Planning, or delegate |
| Mitigation | Activities associated with reducing the impacts of the development prior to or during those impacts occurring |
| Night | The period from 10 pm to 7 am, Monday to Saturday, and 10 pm to 8 |

| | |
|-------------------------------|--|
| am Sunday and Public Holidays | |
| OEH | Office of Environment and Heritage |
| POEO Act | <i>Protection of the Environment Operations Act 1997</i> |
| Public infrastructure | Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, etc. |
| Quarrying operations | The extraction, processing and transportation of extractive materials on the site and the associated removal of vegetation, topsoil and overburden. |
| Quarry products | Includes extractive material, aggregates, road pavement products, asphalt products, recycled products and all other saleable products despatched from the site |
| Reasonable | Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements |
| Recycling activities | As approved under DA 769/2009 |
| Rehabilitation | The restoration of land disturbed by the development to a good condition, ensuring it is safe, stable, non-polluting environment and appropriately vegetated. |
| RMS | Roads and Maritime Services |
| Secretary | Secretary of the Department, or nominee |
| Site | Includes Lot 109 DP 753195, Lot 3 DP 701903 and Lot 66 DP 608957 |

SCHEDULE 2
ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. In addition to meeting the specific performance criteria established under this consent, the Applicant shall 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.

TERMS OF CONSENT

2. The Applicant shall carry out the development generally in accordance with the EIS, EA (Mod 1), EA (Mod 2), EA (Mod 3) and EA (Mod 4).
3. The Applicant shall carry out the development in accordance with the Development Layout Plans and the conditions of this consent.

Note: The Development Layout Plan for the development is shown in Appendix 1.

4. If there is any inconsistency between the documents identified in condition 2, the more recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.
5. The Applicant shall comply with any reasonable 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 commissioned by the Department regarding compliance with this consent; and
 - (c) the implementation of any actions or measures contained in these documents.

LIMITS ON CONSENT

Quarrying Operations

6. The Applicant may carry out quarrying operations on the site until 31 March 2046.

Note: Under this consent, the Applicant is required to rehabilitate the site and perform 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 satisfactorily.

7. The Applicant shall not extract extractive materials below a level of 45 metres AHD.
8. The Applicant shall not extract more than 16.2 million tonnes of extractive material from the site under this consent.
9. The Applicant shall not transport more than 500,000 tonnes of quarry products from the site in any calendar year.

Note: Extractive material provided to Council free of charge for roads works on Possum Brush Road in accordance with condition 19 of Schedule 2 shall be excluded from the limit specified above.

Quarry Product Transport

10. The Applicant shall ensure that:
 - (a) no more than 36 truck movements occur per hour; and
 - (b) no more than 420 truck movements occur per day.

Note: Truck movements mean heavy vehicle one-way trips, either entering or leaving the site, including trucks associated with the asphalt and recycling activities.

HOURS OF OPERATION

11. The Applicant shall comply with the operating hours in Table 1.

Table 1: Operating Hours

| Activity | Operating Hours |
|--------------------------------------|--|
| Extraction and processing operations | 6:30 am to 6 pm Monday to Friday 7 am to 3 pm Saturday |
| Maintenance operations | 6 am to 9 pm Monday to Friday 6 am to 9 pm Saturday |
| Loading and dispatch of laden trucks | 6:30 am to 6 pm Monday to Friday 7 am to 3 pm Saturday |
| Blasting | 9 am and 3 pm Monday to Friday. No blasting is allowed on Saturdays, Sundays or public holidays, or at any other time without the written approval of the Secretary. |

The following activities may be carried out on the site outside the hours specified in Table 1:

- (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.

In such circumstances, the Applicant shall notify the Secretary and affected residents prior to undertaking the activities, or as soon as is practical thereafter. The Applicant shall keep a record of all such events and report on the same in the Annual Review (see condition 9 of Schedule 5).

STRUCTURAL ADEQUACY

12. The Applicant shall 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:

- 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.

DEMOLITION

13. The Applicant shall ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601-2001: The Demolition of Structures*, or its latest version.

PROTECTION OF PUBLIC INFRASTRUCTURE

14. The Applicant shall:
 - (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

Note: This condition does not apply to damage to roads caused as a result of general road usage.

OPERATION OF PLANT AND EQUIPMENT

15. The Applicant shall ensure that all the plant and equipment used at the site is maintained and operated in a proper and efficient manner.

IDENTIFICATION OF APPROVED LIMITS OF EXTRACTION

16. Prior to 30 September 2016, unless otherwise agreed by the Secretary, the Applicant shall:
 - (a) engage a registered surveyor to mark out the boundaries of the approved limits of extraction within the development area (see Appendix 1); and
 - (b) submit a survey plan of these boundaries with applicable GPS coordinates to the Secretary.
17. While quarrying operations are being carried out, the Applicant shall ensure that these boundaries are clearly marked at all times in a manner that allows operating staff and inspecting officers to clearly identify the approved limits of extraction.

PRODUCTION DATA

18. The Applicant shall:
 - (a) provide annual quarry production data to DRE using the standard form for that purpose; and

- (b) include a copy of this data in the Annual Review (see condition 9 of Schedule 5).

CONTRIBUTIONS TO COUNCIL

19. The Applicant shall provide extractive material to Council free of charge for ongoing maintenance of Possum Brush Road between the quarry entrance and the Pacific Highway.
20. The Applicant shall pay to Council a monthly contribution for the maintenance of Possum Brush Road between the quarry entrance and the Pacific Highway. The rate of the contribution for all quarry products transported from the site is:
 - (a) 7.5 cents per tonne for five years from 25 May 2008;
 - (b) 10 cents per tonne for the next five years from 25 May 2013; and
 - (c) further increases indexed annually to changes in the Consumer Price Index (Road & Bridge Construction) (NSW Index) from 25 May 2018 and thereafter.

SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS

NOISE

Noise Impact Assessment Criteria

- The Applicant shall ensure that the noise generated by the development does not exceed the criteria in Table 2 at any residence on privately-owned land.

Table 2: Noise criteria dB(A)

| Receiver | Day/Evening | Night | |
|----------------------------|---------------------------|---------------------------|---------------|
| | $L_{Aeq}(15 \text{ min})$ | $L_{Aeq}(15 \text{ min})$ | $L_{A1(max)}$ |
| R1 – 5 St Peters Close | 39 | 39 | 45 |
| R2 – 175 Possum Brush Road | 38 | 38 | 45 |
| R3 – 55 Possum Brush Road | 37 | 37 | 45 |
| All other residences | 35 | 35 | 45 |

Note: Receiver locations are shown in Appendix 2.

Noise generated by the development is to be measured in accordance with the relevant requirements of the *NSW Industrial Noise Policy* (as may be updated from time-to-time). Appendix 3 sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.

However, these criteria do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.

Operating Conditions

- The Applicant shall:
 - implement best practice management to minimise the operational and road transportation noise of the development;
 - minimise the noise impacts of the development during meteorological conditions when the noise criteria in this consent do not apply (see Appendix 3);
 - carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent; and
 - 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.

Noise Management Plan

- The Applicant shall prepare a Noise Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:
 - be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary;
 - describe the measures that would be implemented to ensure:
 - compliance with the noise criteria in this consent;
 - best practice management is being employed; and
 - the noise impacts of the development are minimised during meteorological conditions under which the noise criteria in this consent do not apply (see Appendix 3);
 - describe the proposed noise management system; and
 - include a monitoring program that will be put in place to measure noise from the development against the noise criteria in Table 2, and which evaluates and reports on the effectiveness of the noise management system on site; and

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

BLASTING

Blasting Impact Assessment Criteria

4. The Applicant shall ensure that blasting on site does not cause any exceedance of the criteria in Table 3.

Table 3: Blasting criteria

| Location | Airblast overpressure (dB(Lin Peak)) | Ground vibration (mm/s) | Allowable exceedance |
|--|---|----------------------------|---|
| Any residence on privately owned land | 120 | 10 | 0% |
| | 115 | 5 | 5% of the total number of blasts over a period of 12 months |

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.

Blasting Frequency

5. The Applicant may carry out a maximum of 2 blasts per calendar month, 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.

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.

Operating Conditions

6. During blasting operations, the Applicant shall:
- implement best management practice to:
 - 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;
 - operate a suitable system to enable the local community to get up-to-date information on the proposed blasting schedule on site; and
 - carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent, to the satisfaction of the Secretary.
7. Upon written request of the owner of any existing dwelling house located within 1.25 kilometres of the development, the Applicant shall arrange at its own costs, for the inspection by a technically qualified person agreed to by both parties, to record the material condition of any existing dwelling house. The Applicant shall supply a copy of any inspection report, certified by the person who undertook the inspection, to the relevant property owner within fourteen days of receipt of the report.

Should the inspection report find that structural damage to the dwelling house has occurred as a result of blasting at the quarry, the owner of that dwelling house may request the Applicant to carry out works to remedy or mitigate that damage. Such works shall be carried out at the Applicant's expense and shall be agreed to by the owner of the dwelling house.

In the event of a dispute between the Applicant and the owner of an existing dwelling house arising from the requirements of this condition, the Applicant shall refer the matter for the consideration and decision of the Secretary.

Blast Management Plan

8. The Applicant shall prepare a Blast Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:
- be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary;
 - describe the measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this consent;
 - include a monitoring program for evaluating and reporting on compliance with the blasting criteria in this consent;

- (d) include community notification procedures for the blasting schedule; and
- (e) include a protocol for investigating and responding to complaints.

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

AIR QUALITY

Air Quality Impact Assessment Criteria

9. The Applicant shall 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 listed in Tables 4 at any residence on privately-owned land.

Table 4: Air quality criteria

| Pollutant | Averaging Period | ^d Criterion | |
|--|------------------|-----------------------------|-------------------------------|
| Particulate matter < 10 µm (PM ₁₀) | Annual | a,d 30 µg/m ³ | |
| Particulate matter < 10 µm (PM ₁₀) | 24 hour | b 50 µg/m ³ | |
| Total suspended particulates (TSP) | Annual | a,d 90 µg/m ³ | |
| ^c Deposited dust | Annual | b 2 g/m ² /month | a,d 4 g/m ² /month |

Notes for Table 4:

- a. Cumulative impact (ie increase in concentrations due to the development plus background concentrations due to all other sources).
- b. Incremental impact (ie incremental increase in concentrations due to the development on its own, 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 Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.
- d. Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, or any other activity agreed to by the Secretary.

Operating Conditions

10. The Applicant shall:
 - (a) implement best practice management to minimise the dust emissions of the development;
 - (b) carry out periodic air quality monitoring to determine whether the development is complying with the relevant conditions of this consent;
 - (c) 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;
 - (d) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note d under Table 4); and
 - (e) minimise the area of surface disturbance and maximise progressive rehabilitation of the site, to the satisfaction of the Secretary.

Quarry-owned Land

11. The Applicant shall 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 4 at any occupied residence on quarry-owned land unless:
 - (a) the tenant has been notified of any health risks associated with such exceedances in accordance with 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.

Air Quality Management Plan

12. The Applicant shall prepare an Air Quality Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:
 - (a) be submitted to the Secretary for approval by within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary;
 - (b) describe the measures that would be implemented to ensure:
 - 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;
- (c) describe the proposed air quality management system; and
- (d) include an air quality monitoring program that:
 - 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 shall implement the management plan as approved from time to time by the Secretary.

Meteorological Monitoring

13. For the life of the development, the Applicant shall 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.

Greenhouse Gas Emissions

14. The Applicant shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site.

SOIL AND WATER

Water Supply

15. The Applicant shall ensure it has sufficient water for all stages of the development, and if necessary, adjust the scale of quarrying operations to match the available water supply.

Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.

Water Discharges

16. The Applicant shall comply with the discharge limits in any EPL, or with section 120 of the POEO Act.

Groundwater

17. In the event that groundwater in excess of negligible quantities is intersected during quarrying operations, the Applicant shall undertake a hydrogeological investigation, in consultation with DPI Water, to the satisfaction of the Secretary. The investigation must report on groundwater sources, levels, yield and quality; identify any risks to groundwater users or groundwater dependent ecosystems and propose recommended management measures.

The Applicant must implement reasonable and feasible management measures to the satisfaction of the Secretary.

Water Management Plan

18. The Applicant shall prepare a Water Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:
- (a) be prepared in consultation with the EPA and DPI Water;
 - (b) be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary;
 - (c) include a Site Water Balance that includes details of:
 - sources and security of water supply;
 - water uses, losses and management on site;
 - any off-site water transfers; and
 - reporting procedures; and
 - (d) include a Surface Water Management Plan that includes:
 - detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development;
 - a detailed description of the surface water management system on site, including the:
 - clean water diversion system;
 - erosion and sediment controls;

- stormwater runoff controls;
- dirty water management system; and
- water storages; and
- a program to monitor and report on:
 - any surface water discharges;
 - the effectiveness of the water management system; and
 - surface water flows and quality in local watercourses; and
- measures that would be implemented to minimise water use on site;
- identification of all reasonable and feasible measures to improve the quality of surface water within and around the site;

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

LANDSCAPE AND REHABILITATION

Rehabilitation Objectives

19. The Applicant shall rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must be in accordance with the objectives in Table 5.

Table 5: Rehabilitation objectives

| Feature | Objective |
|----------------------------|---|
| Site (as a whole) | <ul style="list-style-type: none"> • Safe, stable and non-polluting. • Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and designed to minimise the visual impacts of the development when viewed from surrounding land. • Restored with native, endemic vegetation |
| Vegetated land | <ul style="list-style-type: none"> • Conserved and enhanced with native, endemic vegetation. • Containing self-sustaining ecosystems. |
| Surface Infrastructure | <ul style="list-style-type: none"> • Decommissioned and removed, unless the Secretary agrees otherwise. |
| Quarry Benches & Pit Floor | <ul style="list-style-type: none"> • Landscaped and vegetated using native trees and understorey species. |
| Final Void | <ul style="list-style-type: none"> • Minimise the height and slope of batters. • Minimise the drainage catchment. |
| Community | <ul style="list-style-type: none"> • Ensure public safety. • Minimise the adverse socio-economic effect of quarry closure. |

Progressive Rehabilitation

20. The Applicant shall rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim stabilisation measures must be implemented where reasonable and feasible to control dust emissions in disturbed areas that are not active and which are not ready for final rehabilitation.

Note: It is accepted that parts of the site that are progressively rehabilitated may be subject to disturbance in the future.

Landscape and Rehabilitation Management Plan

21. The Applicant shall prepare a Landscape and Rehabilitation Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:
- (a) be prepared in consultation with OEH and Council;
 - (b) be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary;
 - (c) provide details of the conceptual final landform and associated land uses for the site;
 - (d) describe the short, medium and long-term measures that would be implemented to ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent;
 - (e) include a program to progressively improve the structure and floristic composition of the established wildlife corridor which includes:
 - maintaining a fence around the wildlife corridor to exclude grazing stock;

- maintaining wildlife warning signs and speed limits on internal roads; and
- making suitable arrangements to protect in perpetuity the wildlife corridor; and
- (f) include a program to monitor Rudder's Box within the Applicant's property;
- (g) include a detailed description of the measures that would be implemented to:
 - maximise the salvage of environmental resources within the approved disturbance area for beneficial reuse;
 - protect vegetation and fauna habitat outside the approved extraction area;
 - minimise tree or native vegetation removal or destruction;
 - use pre-existing or local plant species for revegetation;
 - minimise the impacts on native fauna and flora, including Brush-tailed Phascogale and Rudder's Box;
 - landscape the site to minimise visual and lighting impacts;
 - control weeds and feral pests;
 - control erosion;
 - control access; and
 - bushfire management; and
- (h) include a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria;
- (i) identify the potential risks to the successful rehabilitation of the site, and include a description of the contingency measures that would be implemented to mitigate these risks; and
- (j) include details of who would be responsible for monitoring, reviewing, and implementing the plan.

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

Note: For the purposes of this consent, suitable arrangements to protect the wildlife corridor in perpetuity may include the use of Public Positive Covenants in combination with Restrictions on Use of Land on the land title/s of the wildlife corridor. Other arrangements such as the use of Biobanking Agreements or transfer of lands to the national parks estate would also be considered for their suitability.

Rehabilitation and Conservation Bond

22. Within 6 months of the approval of the Landscape and Rehabilitation Management Plan, the Applicant shall lodge a Rehabilitation and Conservation Bond with the Department to ensure that the management of biodiversity and the rehabilitation of the site are implemented in accordance with the performance and completion criteria set out in the Landscape and Rehabilitation Management Plan. The sum of the bond shall be determined by:
- (a) calculating the cost of rehabilitating the site taking into account the likely surface disturbance over the next 3 years of quarrying operations; and
 - (b) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs, to the satisfaction of the Secretary.

Note: If the rehabilitation of the site is completed to the satisfaction of the Secretary, then the Secretary will release the bond. If the rehabilitation of the site is not completed to the satisfaction of the Secretary, then the Secretary will call in all or part of the bond, and arrange for the completion of the relevant works.

23. Within 3 months of each Independent Environmental Audit (see condition 10 of Schedule 5), the Applicant shall review, and if necessary revise, the sum of the Rehabilitation and Conservation Bond to the satisfaction of the Secretary. This review must consider the:
- (a) effects of inflation;
 - (b) likely cost of rehabilitating 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 rehabilitation of the site to date.

ABORIGINAL CULTURAL HERITAGE

24. If any item or object of Aboriginal heritage significance is identified on site, the Applicant shall ensure that:
- (a) all work in the immediate vicinity of the suspected Aboriginal item or object ceases immediately;
 - (b) a 10 m buffer area around the suspected item or object is cordoned off with high visibility flagging tape, or the like; and
 - (c) OEH is contacted immediately.

Work in the vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

TRANSPORT

Transport Routes

25. No trucks associated with the development are to travel on Bullocky Way, Tritton Road or the section of Possum Brush Road to the west of the intersection with the quarry access road and other minor roads off this section of road unless delivering products to a property fronting onto these roads or providing materials for the maintenance of the roads themselves, without the written agreement of the Secretary.

Pacific Highway Intersection

26. The Applicant shall ensure that appropriate advance warning truck signage is installed or replaced on the northbound and southbound lanes of the Pacific Highway, to the satisfaction of the RMS.

Operating Conditions

27. The Applicant shall ensure that:
- (a) all company owned trucks associated with the quarry have appropriate signage, so they can be easily identified by road users;
 - (b) all laden trucks entering or exiting the site have their loads covered;
 - (c) all laden trucks exiting the site are cleaned of materials that may fall on the road, before leaving the site; and
 - (d) road maintenance requirements, including the removal of any obstructing roadside vegetation, are reported to Council for Possum Brush Road and to RMS for the Pacific Highway.

Transport Management Plan

28. The Applicant shall prepare a Transport Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:
- (a) be prepared in consultation with RMS and Council;
 - (b) be submitted to the Secretary for approval by within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary;
 - (c) include a Drivers' Code of Conduct that details the safe and quiet driving practices that must be used by drivers transporting products to and from the quarry, particularly having regard to early morning truck arrivals, school bus routes and the location of residential properties; and
 - (d) describe the measures that would be put in place to ensure compliance with the Drivers' Code of Conduct.

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

Monitoring of Product Transport

29. The Applicant shall keep accurate records of:
- (a) the amount of quarry products transported from the site (calendar month and year);
 - (b) the number of truck movements entering and leaving the site (hour, day, calendar month and year); and
 - (c) include these records in the Annual Review (see condition 9 of Schedule 5).

Note: Records must include material provided to Council, referred to in condition 19 of Schedule 2.

VISUAL IMPACTS

30. The Applicant shall:
- (a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development; and
 - (b) take all practical measures to shield views of quarrying operations from users of public roads and privately-owned residences, to the satisfaction of the Secretary.

WASTE

31. The Applicant shall:
- (a) implement all reasonable and feasible measures to minimise the waste generated by the development;
 - (b) ensure that the waste generated by the development is appropriately stored, handled and disposed of; and

- (c) monitor and report on effectiveness of the waste management and minimisation in the Annual Review (see condition 9 of Schedule 5), to the satisfaction of the Secretary.

ODOUR

- 32. The Applicant shall not cause or permit the emission of offensive odour beyond the boundaries of the site.

LIQUID STORAGE

- 33. The Applicant shall ensure that all liquid tanks and similar storage facilities (other than for water) are protected by appropriate bunding, which must exceed 110% of the stored volume of the liquid.

DANGEROUS GOODS

- 34. The Applicant shall 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*.

BUSHFIRE

- 35. The Applicant shall:
 - (a) ensure that the development is suitably equipped to respond to any fires on site; and
 - (b) assist the Rural Fire Service, emergency services and National Parks and Wildlife Service as much as possible if there is a fire in the surrounding area.

SCHEDULE 4
ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

1. As soon as practicable after obtaining monitoring results showing:
 - (a) an exceedance of any relevant criteria in Schedule 3, the Applicant shall 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 shall 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).

INDEPENDENT REVIEW

2. 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.
3. If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision the Applicant shall:
 - (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:
 - 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.

SCHEDULE 5
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. The Applicant shall prepare and implement an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:
 - (a) be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary;
 - (b) provide the strategic framework for the 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:
 - 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; and
 - respond to emergencies; and
 - (f) include:
 - copies of any strategies, plans and programs approved under the conditions of this development consent; and
 - a clear plan depicting all the monitoring required to be carried out under the conditions of this consent.

Management Plan Requirements

2. The Applicant shall ensure that the Management Plans required under this consent are prepared in accordance with any relevant guidelines, and include:
 - (a) detailed baseline data;
 - (b) a description of:
 - 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;
 - (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
 - (d) a program to monitor and report on the:
 - impacts and environmental performance of the development; and
 - effectiveness of any management measures (see (c) above);
 - (e) a contingency plan to manage any unpredicted impacts and their consequences;
 - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (g) a protocol for managing and reporting any:
 - incidents;
 - complaints;
 - non-compliances with statutory requirements; and
 - exceedances of the impact assessment criteria and/or performance criteria; and
 - (h) a protocol for periodic review of the plan.

Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.

Updating & Staging Submission of Strategies, Plans or Programs

3. To ensure the strategies, plans or programs under this consent are updated on a regular basis, and that they incorporate any appropriate mitigation measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval. 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 revise any strategy, plan or program approved under this consent without consulting with all the parties nominated under the applicable conditions of consent.

Notes:

- While any strategy, plan or program may be submitted on a progressive basis, the Applicant will need to ensure that the existing operations on site 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 to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.

Revision of Strategies, Plans & Programs

4. Within 3 months of the submission of an:
- (a) Annual Review under condition 9 below;
 - (b) incident report under condition 7 below;
 - (c) audit report under condition 10 below; and
 - (d) any modifications to this consent,
- the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent, to the satisfaction of the Secretary.

Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.

Adaptive Management

5. The Applicant shall 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 shall, at the earliest opportunity:

- (a) take all reasonable and feasible measures to ensure that the exceedance ceases and does not recur;
 - (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and
 - (c) implement remediation measures as directed by the Secretary,
- to the satisfaction of the Secretary.

COMMUNITY CONSULTATIVE COMMITTEE

6. The Applicant shall operate a Community Consultative Committee (CCC) for the development, to the satisfaction of the Secretary. This CCC must be operated in general accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007, or its latest versions)

Notes:

- The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent.
- In accordance with the guideline, the committee should be comprised of an independent chair and appropriate representation from the Applicant, Council, and the local community.

REPORTING

Incident Reporting

7. The Applicant shall notify, at the earliest opportunity, the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the development, the Applicant shall notify the Secretary and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

Regular Reporting

8. The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.

ANNUAL REVIEW

9. By the end of March each year, or other timing as may be agreed by the Secretary, the Applicant shall review the environmental performance of the development to the satisfaction of the Secretary. This review must:
- (a) describe the development (including rehabilitation and road maintenance) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against:
 - the relevant statutory requirements, limits or performance measures/criteria;
 - requirements of any plan or program required under this consent;
 - the monitoring results of previous years; and
 - the relevant predictions in the documents listed in condition 2 of Schedule 2;
 - (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
 - (d) identify any trends in the monitoring data over the life of the development;
 - (e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
 - (f) describe what measures will be implemented over the current calendar year to improve the environmental performance of the development.

The Applicant shall ensure that copies of the Annual Review are submitted to Council and are available to the Community Consultative Committee (see condition 6 of Schedule 5) and any interested person upon request.

INDEPENDENT ENVIRONMENTAL AUDIT

10. By 30 September 2016, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:
- (a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
 - (b) include consultation with the relevant agencies;
 - (c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL and/or Water License (including any assessment, plan or program required under these approvals);
 - (d) review the adequacy of any approved strategy, plan or program required under these approvals; and
 - (e) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.

Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.

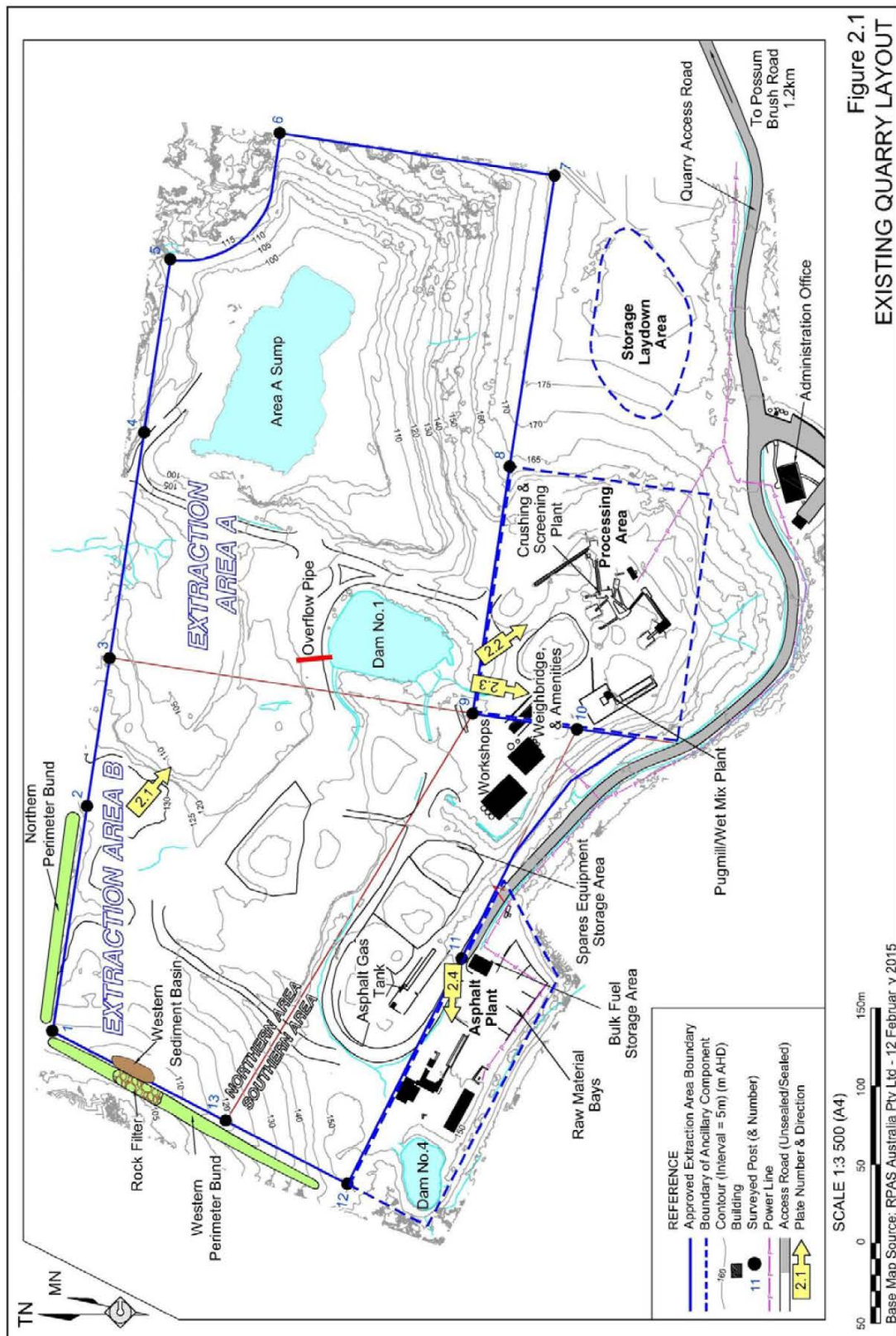
11. Within 6 weeks of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.

ACCESS TO INFORMATION

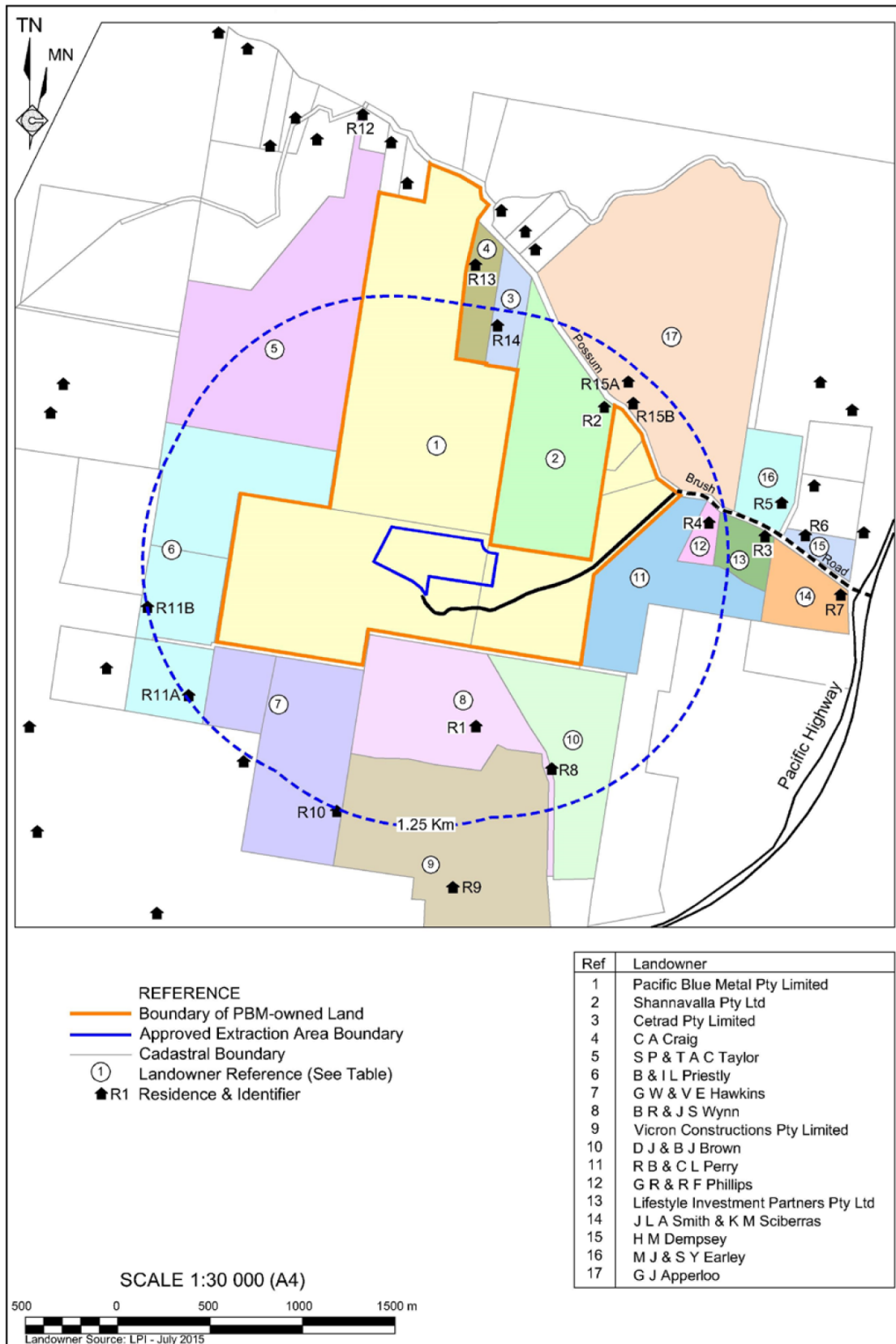
12. By 31 December 2016, unless otherwise agreed by the Secretary, the Applicant shall:
- (a) make the following information publicly available on its website:
 - the documents listed in condition 2 of Schedule 2;
 - current statutory approvals for the development;
 - approved strategies, plans or programs;
 - a summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;
 - a complaints register, which is to be updated on a quarterly basis;
 - the Annual Reviews (over the last 5 years);

- 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.

APPENDIX 1: DEVELOPMENT LAYOUT



APPENDIX 2: NOISE RECEIVER LOCATIONS



APPENDIX 3: NOISE COMPLIANCE ASSESSMENT

Applicable Meteorological Conditions

1. The noise criteria in Table 2 apply under all meteorological conditions except the following:
 - (a) monitoring locations for the collection of representative noise data;
 - (b) wind speeds greater than 3 metres/second at 10 metres above ground level; or
 - (c) stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
 - (d) stability category G temperature inversion conditions.

Determination of Meteorological Conditions

2. Except for wind speed at microphone height, the data to be used for determining meteorological conditions shall be that recorded by the meteorological station required under condition 33 of Schedule 3.

Compliance Monitoring

3. Attended monitoring is to be used to evaluate compliance with the relevant conditions of this consent.
4. Unless otherwise directed by the Secretary, attended quarterly monitoring is to be used to evaluate compliance with the relevant conditions of this consent.

Note: The Secretary may direct that the frequency of attended monitoring increase or decrease at any time during the life of the development.

5. Unless otherwise agreed with the Secretary, this monitoring is to be carried out in accordance with the relevant requirements for reviewing performance set out in the *NSW Industrial Noise Policy* (as amended from time to time), in particular the requirements relating to:
 - (a) monitoring locations for the collection of representative noise data;
 - (b) meteorological conditions during which collection of noise data is not appropriate;
 - (c) equipment used to collect noise data, and conformity with Australian Standards relevant to such equipment; and
 - (d) modifications to noise data collected, including for the exclusion of extraneous noise and/or penalties for modifying factors apart from adjustments for duration.

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Appendix 2

Actions Required to Implement all Conditions of Development Consent

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Table A2-1
Possum Brush Quarry – DA 283/97 Conditions
Actions Required to Implement Date-related Conditions

| Schedule/ Condition | Condition Requirement | Action Required / Taken | Documentation | Responsibility |
|---|--|---|--|-----------------------|
| Documentation to be submitted prior to 1 July 2016 | | | | |
| 3(3) | Noise Management Plan | Prepare Noise Management Plan, submit to DPE within 3 months of the date of DA approval. Noise Management Plan submitted 1 August 2016 (extension granted on 30 June 2016) | Noise Management Plan | QSE Manager |
| 3(8) | Blast Management Plan | Prepare Blast Management Plan, submit to DPE within 3 months of the date of DA approval. Blast Management Plan submitted 1 August 2016 (extension granted on 30 June 2016) | Blast Management Plan | QSE Manager |
| 3(12) | Air Quality Management Plan | Prepare Air Quality Management Plan, submit to DPE within 3 months of the date of DA approval. Air Quality Management Plan submitted 1 August 2016 (extension granted on 30 June 2016) | Air Quality Management Plan | QSE Manager |
| 3(18) | Water Management Plan | Prepare Water Management Plan, submit to DPE within 3 months of the date of DA approval. Water Management Plan submitted 1 August 2016 (extension granted on 30 June 2016) | Water Management Plan | QSE Manager |
| 3(21) | Landscape and Rehabilitation Management Plan | Prepare Landscape and Rehabilitation Management Plan, submit to DPE within 3 months of the date of DA approval. Landscape & Rehabilitation Management Plan submitted 1 August 2016 (extension granted on 30 June 2016) | Landscape and Rehabilitation Management Plan | QSE Manager |
| 3(28) | Transport Management Plan | Prepare Transport Management Plan, submit to DPE within 3 months of the date of DA approval. Transport Management Plan submitted 1 August 2016 (extension granted on 30 June 2016) | Transport Management Plan | QSE Manager |
| 5(1) | Environmental Management | Prepare Environmental Management Strategy, | Environmental Management | QSE Manager |

| Schedule/ Condition | Condition Requirement | Action Required / Taken | Documentation | Responsibility |
|---|-----------------------------------|---|---------------------------------|-----------------------|
| | Strategy | submit to DPE within 3 months of the date of DA approval. Environmental Management Strategy submitted 1 August 2016 (extension granted on 30 June 2016) | Strategy | |
| Documentation to be submitted prior to 30 September 2016 | | | | |
| 2(16) | Mark out extraction area boundary | a) Engage a surveyor to mark out approved limit of extraction b) Submit survey plan Survey Plan submitted to DPE 12 September 2016. | Survey Plan | General Manager |
| 5(10) | Independent Environmental Audit | Commission Independent Environmental Audit by 30 September 2016 and then every 3 years. Initial Independent Environmental Audit commissioned (12 September 2016), completed (10 November 2016) and submitted to DPE (13 April 2017). | Independent Environmental Audit | General Manager |

Table A2-1
Possum Brush Quarry – DA 283/97 Actions Required to Implement Date-related Conditions

| Schedule/ Condition | Condition Requirement | Action Required | Documentation | Responsibility |
|---|--|--|----------------|-----------------|
| Documentation to be submitted within 6 months of Landscape and Rehabilitation Management Plan Approval | | | | |
| 3(22) | Rehabilitation and Conservation Bond | a) Calculate Rehabilitation and Conservation Bond and lodge with DPE b) Employ quantity surveyor or other expert to verify calculated costs. Completed 31 May 2019. | Bond Lodgement | General Manager |
| Documentation to be publicly available by 31 December 2016 | | | | |
| 5(12) | Information to be made publicly available on website | Make publicly available on website the following information: <ul style="list-style-type: none"> the documents listed in Schedule 2 Condition 2; current statutory approvals for the development; approved strategies, plans or programs; a summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent; a complaints register, which is to be updated on a six (6) monthly basis; the Annual Reviews (over the last 5 years); any independent environmental audit, and the Applicant's response to the recommendations in any audit; and any other matter required by the Secretary; and keep this information up to date. Website live 28 September 2017 (extension granted by DPE) | Website | QSE Manager |
| Documentation to be prepared within 3 months of each Independent Environmental Audit | | | | |
| 3(23) | Rehabilitation and Conservation Bond review | Review, and if necessary revise, the sum of the Rehabilitation and Conservation Bond. The review must consider: <ul style="list-style-type: none"> effects of inflation likely cost of rehabilitating the site performance of implementation of the rehabilitation of the site to date. First bond review following the next IEA due September 2022. | Bond Review | General Manager |

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