



South Coast Concrete Crushing and Recycling

Nowra Brickworks Quarry
Independent Environmental Audit

July 2013

Executive summary

GHD Pty Limited (GHD) was commissioned by South Coast Concrete Crushing and Recycling Quarries (SCCCR) to conduct an independent environmental audit of the compliance of the Nowra Brickwork Quarry's operational activities. The Minister for Planning approved the continuation and expansion of extractive operations at the quarry pursuant to section 75J of the *Environmental Planning and Assessment Act 1979* on 1 December 2009 (the Project Approval).

The Nowra Brickworks Quarry (the quarry) is located in South Nowra, approximately five kilometres south of the central business district, next to the Princes Highway. SCCCR have operated the quarry since 2002, extracting weathered and unweathered shale material and importing quarry products and other construction materials to produce general and specialised quarry products.

Condition 5 of Schedule 5 of the Project Approval requires an Independent Environmental Audit to be undertaken within three years of the date of the commencement of the project and every three years thereafter. This represents the first independent environmental audit for the site and this report presents the audit findings for the 2013 independent environmental audit.

At the time of the audit, a number of positive measures were observed which demonstrated compliance with many of the requirements of the Project Approval DA 07/0123 and the Environmental Protection Licence (EPL) 11765.

An Environmental Management Strategy (EMS) (GHD 2010) has been prepared for the site which includes the programs and plans developed in accordance with the Project Approval and provides guidance on the management and monitoring tasks as well as frequency for these to be undertaken on site. While the EMS was in place at the site, the EMS had not been fully implemented to date.

It was noted however that the EMS monitoring and management requirements have not been fully implemented and this makes it difficult to assess the overall adequacy of the EMS and the effectiveness of the management procedures on site.

Environmental monitoring for blasting and air quality was being undertaken for the site, however the results were not being analysed or interpreted to determine the effectiveness of the controls implemented on site. Other management measures that should be implemented relate to regular fortnightly inspections and maintenance of the site.

This report is subject to, and must be read in conjunction with, the limitations set out in section 1.4 and the assumptions and qualifications contained throughout the Report.

Table of contents

1.	Introduction	4
1.1	Introduction	4
1.2	Scope of the Audit	5
1.3	Audit team members	6
1.4	Limitations	6
2.	Methodology	8
2.1	Task One: Consultation with the Department of Planning and Infrastructure.....	8
2.2	Task Two: Start-up meeting.....	8
2.3	Task Three: Meeting with Shoalhaven City Council.....	8
2.4	Task Four: Correspondence with NSW Office of Environment and Heritage.....	9
2.5	Task Five: Review of documentation and audit criteria development.....	9
2.6	Task Six: Site visit	9
2.7	Task Seven: Documentation of findings	9
3.	Key Findings	11
3.1	Summary.....	11
3.2	Compliance with Project Approval DA 07/0123	14
3.3	Compliance with EPL 11765.....	18
3.4	Perimeter earthen bunds	20
3.5	Site inspection observations	26
4.	Recommended Actions	29
4.1	Corrective Actions	29
4.2	Opportunities for Improvement	31

Table index

Table 1-1	Audit team members	6
Table 3-1	Status of key monitoring and management practices on site	12
Table 3-2	Compliance with Project Approval DA 07/0123	14
Table 3-3	Partial and Non-Compliance Conditions under Project Approval 07/0123.....	14
Table 3-4	Compliance with EPL 11765.....	18
Table 3-5	Partial and Non-Compliance Conditions under EPL 11765.....	18
Table 3-6	Summary of requirements for earthen bunds	21
Table 3-7	Site observations.....	26
Table 4-1	Corrective Actions	29
Table 4-2	Opportunities for Improvement.....	31

Appendices

Appendix A Correspondence received

Appendix B Documentation Reviewed

Appendix C Compliance with Project Approval DA 07/0123 and EPL 11765

1. Introduction

1.1 Introduction

GHD Pty Limited (GHD) was commissioned by South Coast Concrete Crushing and Recycling Quarries (SCCCR) to conduct an independent environmental audit of the compliance of the Nowra Brickwork Quarry's operational activities. The Minister for Planning approved the continuation and expansion of extractive operations at the quarry pursuant to section 75J of the *Environmental Planning and Assessment Act 1979* on 1 December 2009 (the Project Approval).

Condition 5 of Schedule 5 of the Approval requires an Independent Environmental Audit to be undertaken within three years of the date of the commencement of the project and every three years thereafter. This represents the first independent environmental audit for the site and this report presents the audit findings for the 2013 independent environmental audit.

1.1.1 Project background

The Nowra Brickworks Quarry (the quarry) is located in South Nowra, approximately five kilometres south of the central business district, next to the Princes Highway. SCCCR have operated the quarry since 2002, carrying out the following operations:

- Extraction of weathered and unweathered shale material.
- Importation of construction, concrete and waste bitumen material for crushing and recycling.
- Importation of quarry products from other quarries for blending operations.
- Crushing, screening and blending of extracted, recycling and blending materials to produce general and specialised quarry products.
- Stockpiling, loading and despatching quarry products.
- Progressive rehabilitation of areas no longer required for extraction-related purposes.

The Project is the continuation and expansion of the extractive operations at the quarry and includes the following operations and works (Corkery and City Plan Services 2009):

- i. Continued operation of the quarry and its expansion to the south;
- ii. Realignment and sealing of the section of the site access road from the site entrance from the Princes Highway for a distance of 150 metres;
- iii. Construction of a wheel-wash facility, dual weighbridge and office and a sealed visitor carpark;
- iv. Extract more than 364,000 tonnes per year of clay/shale (using drill and blast methods), structural clay and associated materials (in total) from the site using an excavator for direct sale to customers or stockpiling for later sale without processing;
- v. Importation and stockpiling of up to approximately 50,000 tonnes per year of recycling materials;
- vi. Importation and stockpiling of up to approximately 125,000 tonnes per year of blending materials;
- vii. Processing and blending of extracted, recycling and blending material to produce general and specialised products using a mobile processing plant;
- viii. Stockpiling of quarry products;

- ix. Loading, sale and despatch of an average of approximately 300,000 tonnes per year, to a maximum of approximately 500,000 tonnes per year, of quarry products using road registered heavy vehicles;
- x. Importation and placement of up to 200,000 tonnes per year of Virgin Excavated Natural Material (VENM). A proportion of this material may be processed and blended with other materials to produce saleable products. The remainder will be placed within completed sections of the extraction area to establish a final landform that mimics the pre-extraction landform within the Project site; and
- xi. Progressive rehabilitation of areas no longer required for extraction or VENM placement-related activities.

SCCCR is currently operating its Nowra Brickworks Quarry operation in accordance with the following NSW approvals:

- Project Approval DA 07/0123.
- Environment Protection Licence (EPL) 11765.

The Project Approval DA 07/0123 allows for:

- Quarrying operations on the site until December 2039.
- Extraction of not more than 364,000 tonnes per year of clay/shale, structural clay and associated materials (in total) from the site.
- Importing no more than 50,000 tonnes per year of recycling materials to the site.
- Importing no more than 125,000 tonnes per year of blending materials to the site.
- Importing no more than 200,000 tonnes per year of VENM to the site.
- Despatching no more than 500,000 tonnes per year of quarry products from the site.
- Office and workshop support facilities.

1.2 Scope of the Audit

The Minister for Planning approved the continuation and expansion of extractive operations at the quarry pursuant to section 75J of the *Environmental Planning and Assessment Act 1979* on 1 December 2009 (the Project Approval). Condition 5 of Schedule 5 requires an Independent Environmental Audit to be undertaken within three years of the date of the commencement of the project and every three years thereafter.

Condition 5 of Schedule 5 constitutes the audit scope, which states:

“Within 3 years of the date of this approval, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:

- a. be conducted by a suitably qualified, experienced, and independent person(s) whose appointment has been approved by the Director-General;*
- b. assess the environmental performance of the project, and its effects on the surrounding environment;*
- c. assess whether the project is complying with the relevant standards, performance measures and statutory requirements;*
- d. review the adequacy of any strategy/plan/program required under this approval; and, if necessary; and*

- e. *recommend measures or actions to improve the environmental performance of the project, and/or any strategy/plan/program required under this approval.*

The independent audit took the following form:

- Consultation with the Department of Planning and Infrastructure.
- A start-up meeting.
- Meeting with Shoalhaven City Council.
- Correspondence with NSW Office of Environment and Heritage.
- Review of key documentation;
- Preparation of the audit criteria and an audit template.
- Site visit to the Nowra Brickworks Quarry.
- Preparation of a draft audit report for SCCCRR to review
- Finalisation and submission of the audit report to SCCCRR.

1.3 Audit team members

The Lead Auditor and Support Auditor from GHD undertook the audit. Personnel involved in the audit are identified in Table 1-1

Table 1-1 Audit team members

Audit team members	Organisation	Role
Maurice Pignatelli	GHD	Technical review / Lead Auditor
Lucy Bourne	GHD	Lead Auditor
Carlie McClung	GHD	Support Auditor
John Green	SCCCR Quarries	Owner/Operator
Budd Green	SCCCR Quarries	Manager

1.4 Limitations

This report:

- has been prepared by GHD for SCCCRR.
- may only be used and relied upon by SCCCRR.
- must not be used by or relied upon by any person other than SCCCRR.
- may only be used for the purpose of this Environmental Compliance Audit (and must not be used for any other purpose).

All results, conclusions and recommendations presented should be reviewed by a competent person, with experience in environmental management, before being used for any other purpose.

GHD accepts no liability for use of, interpretation of or reliance upon this report by any person or body other than SCCCRR. Third parties must make their own independent inquiries.

This report should not be altered amended or abbreviated, issued in part or issued incomplete without prior checking and approval by GHD. GHD accepts no liability that may arise from the alteration, amendment, abbreviation or part-issue or incomplete issue of this report. To the maximum extent permitted by law, all implied warranties and conditions in relation to the services provided by GHD and this report are expressly excluded.

Site conditions may change after the date of this report. GHD shall bear no liability in relation to: (i) any change to site conditions after the date of this report; and/or (ii) any failure to update this report to account for any such change.

This report does not provide a complete assessment of the environmental status of the Site, and it is limited to the scope and limitations defined herein. The accuracy and completeness of the findings of this audit are based on and limited by the site inspections, documents presented for review and interviews with SCCCR personnel.

Should information become available regarding conditions at the Site, GHD reserves the right to review the report in the context of the additional information.

2. Methodology

2.1 Task One: Consultation with the Department of Planning and Infrastructure

The NSW Department of Planning and Infrastructure (The Department) requested the Auditor contact them prior to commencing the audit of the Nowra Brickworks Quarry. The Lead Auditor spoke to Kane Winwood (Team Lead, Mining Projects) to discuss the audit scope. The Department also requested that contact be made with Shoalhaven City Council (Council) and the NSW Environment Protection Authority to also understand their expectations.

Particular issues that the Department wanted the audit to consider were:

- Bunds/earth stockpiles along the boundary of the site. There have been some concerns raised about the height of the bunds.
- Blasting and vibration – there are a number of properties near the site, interested in the blasting results and monitoring that is in place.
- Public availability of information – is all the necessary information being made publically available (Schedule 5). Would like to see whether the documentation meets the requirements.
- Potential issues of water quality in the adjacent creek and groundwater infiltration – how is that being monitoring.
- See how the site is generally looking.

2.2 Task Two: Start-up meeting

GHD held a start-up meeting with SCCCR's Manager and Operator to discuss the Departments expectations, the audit methodology, identify relevant personnel involved in the audit, key operational activities and systems occurring on site, documentation for review and to schedule a date for the site inspection.

SCCCR requested that they attend all meetings with Council.

2.3 Task Three: Meeting with Shoalhaven City Council

At the request of the Department, consultation with the Shoalhaven City Council (Council) was undertaken during a meeting held on 30 January 2013. The meeting was attended by SCCCR's Manager, Budd Green, Operator, John Green, SCCCR Solicitor from Access Law Group, Tom Ellicott, Shoalhaven City Council's Senior Development Planner, Andrew Lissendon and GHD Lead Auditor, Lucy Bourne.

The Council wanted the following considered during the audit:

- General compliance with the Project Approval with particular focus on a number of conditions tagged in this report with an asterisk*.
- Bunding along the Princes Highway:
 - Revegetation works along the earthen bunding.
 - Environmental Impact Statement states that within 10 days the bunds will be revegetated.
 - Walls starting to erode from recent rain

- Visual impact. Council stated that the vegetation buffer has now been removed by the current Princes Highway upgrade works being undertaken by NSW Roads and Maritime Services (RMS) and so complaints have been made as the bunds are more visible.
- Tracking material onto the Princes Highway.

2.4 Task Four: Correspondence with NSW Office of Environment and Heritage

At the request of the Department, consultation with the NSW Office of Environment and Heritage (OEH) was undertaken. Responses to the consultation letter dated 22 January 2013 were received from the Conservation and Regulation Division and also from the Environmental Protection Authority (EPA) and have been incorporated into the findings. Copies of the letters received are attached as Appendix A.

2.5 Task Five: Review of documentation and audit criteria development

Prior to the site visit relevant documentation provided by SCCCR was reviewed to assist in audit preparation and the development of the audit criteria. A list of documentation reviewed is included as Appendix B.

2.6 Task Six: Site visit

The site visit was conducted over one day on 12 March 2013 at the Nowra Brickworks Quarry. The interviews and observations conducted as part of the audit were guided by the audit criteria which addressed the requirements of the Approval, the EPL and the implementation of the Environmental Management Strategy (EMS).

The assessment of activities included:

- Observations of the site including storage and work areas.
- Document review and sighting of a selected cross section of data and information systems.
- Interviews with appropriate personnel as identified in Section 1.3.

GHD conducted a close-out meeting to provide feedback and a brief overview of the key (preliminary) audit findings.

2.7 Task Seven: Documentation of findings

This report presents the findings of the Independent Environmental Audit. This report summarises the compliance with the Approval, the EPL and EMS.

The findings are summarised in Section 3. The findings are supported by an appendices containing:

- A – Correspondence Received
- B - Documentation Reviewed
- C – Compliance Tables C1 and C2 detailing GHD's findings of compliance against the Approval and EPL.

The following categories have been used to assess compliance with the Approval

- Compliant
- Partially compliant
- Non-compliant
- Not determined
- Not applicable

3. Key Findings

3.1 Summary

The first independent environmental audit conducted for the site was undertaken by GHD auditors in March 2013 who are suitably qualified, experienced, independent and approved by the Department to complete the audit.

The objectives of this audit were to:

- assess the environmental performance of the project, and its effects on the surrounding environment.
- assess whether the project is complying with the relevant standards, performance measures and statutory requirements.
- review the adequacy of any strategy/plan/program required under this approval.
- if necessary recommend measures or actions to improve the environmental performance of the project, and/or any strategy/plan/program required under this approval.

3.1.1 Environmental performance and compliance

The outcomes of the environmental audit are summarised in the following sections:

- Section 3.2 provides a summary of compliance with the Project Approval DA 07/0123. Table C1 in Appendix C provides a compliance table detailing GHD's audit findings of compliance against the Approval.
- Section 3.3 provides a summary of compliance with the EPL 11765. Table C2 in Appendix C provides a compliance table detailing GHD's audit findings of compliance against the EPL.
- Section 3.4 provides a summary of the requirements for the earthen bunds.
- Section 3.5 identifies measures observed during the site inspection requiring management and provides photographic evidence to support the audit.

An Environmental Management Strategy (EMS) (GHD 2010) had been prepared for the site which included the programs and plans developed in accordance with the Project Approval and provides guidance on the management and monitoring tasks as well as frequency for these to be undertaken on site. The EMS had not been fully implemented to date.

At the time of the audit, a number of positive measures were observed which demonstrated compliance with many of the requirements of the Project Approval and the EPL. Dust was observed to be managed effectively, and plant and machinery are maintained in a good condition. Noise was not observed as an issue for the site on the day of the inspection, despite the noise monitoring program not being implemented.

Environmental monitoring for blasting and air quality was being undertaken for the site, however the results were not being analysed or interpreted to determine the effectiveness of the controls implemented on site. Other management measures that should be implemented relate to regular fortnightly inspections and maintenance of the site.

3.1.2 Adequacy of any Strategies/Plans and Approvals

On the basis of the site inspection and the review of available records, no material environmental issues were identified. A small number of complaints have been made to Shoalhaven City Council relating to material tracked on to the Princes Highway and the height of the perimeter bunds, however the site has reportedly not directly received any complaints.

A number of measures were observed which require management to achieve compliance with the requirements of the Project Approval and the Licence. In particular, the management of stockpiles and surface water were identified as a key area for improvement.

It is noted however that the EMS monitoring and management requirements have not been fully implemented and this makes it difficult to assess the overall adequacy of the EMS and the effectiveness of the management procedures on site. Implementation of the EMS is required to improve the overall environmental management and performance on site.

Table 3-2 provides a summary of the key monitoring and management practices on site and areas that require attention.

Table 3-1 Status of key monitoring and management practices on site

Area	Environmental aspect	Reference	Implemented / Requirements
Monitoring	Blasting Overpressure and ground vibration	Blast Management Plan (Appendix D of EMS)	Yes
			Blasting needs to be conducted at all locations
			Data requires analysis and interpretation to identify any exceedences
Monitoring	Noise	Noise Monitoring Plan (Appendix D of EMS)	No, program requires to be implemented
			Data will require analysis and interpretation to identify any exceedences and any additional mitigation measures that may be required
Monitoring	Air	Air Quality Management Plan (Appendix I of EMS)	Yes
			Air quality monitoring needs to be conducted at all locations
			Data requires analysis and interpretation, particularly annual averages, to identify any exceedences
Monitoring	Heritage	Heritage management procedures (Section 14.9 of EMS)	Not required yet

Area	Environmental aspect	Reference	Implemented / Requirements
Monitoring	Water	Soil and Water management and monitoring (Section 12 and 14 of EMS)	Partially (see below) Data will require analysis and interpretation to identify any exceedences
	Surface water	Surface Water and Groundwater Monitoring and Response Plan (May 2010) (Appendix F, EMS)	No, program needs to be implemented
	Ground water		Partially, program needs to recommence
Monitoring	Landscape and Biodiversity	Landscape and Biodiversity Management Plan (Appendix H of EMS)	Partially (see below) Data will require analysis and interpretation
	Weed Management		Yes, annual weed inspection conducted, continue program
	Rehabilitation		No, program needs to be implemented
	Biodiversity Offsets		No, program needs to be implemented
Management	Erosion and Sediment Control Internal auditing program with regular inspections at least fortnightly by quarry manager	Soil and Water Management and monitoring (Section 12 and 14 of EMS)	No Auditing / inspection program to be created and implemented on site
Reporting	Annual Environmental Management Reports	Condition 5.4 of Approval	Annual report has been prepared each year but the format and content of the AEMR requires updating to meet the requirements, including review and analysis of monitoring results and other data to identify exceedances, trends and issues.

3.1.3 Recommendations and improvements

Recommended actions and opportunities for improvement are summarised in Section 4 of this report.

The outcomes of this audit identified 30 recommended corrective actions, 24 under the Project Approval DA 07/0123 and nine under the EPL 11765.

Four opportunities for improvement were identified, three under the Project Approval DA 07/0123 and one associated with the requirements of the earthen bunds.

3.2 Compliance with Project Approval DA 07/0123

Table 3-2 presents a summary of compliance with conditions from the Project Approval DA 07/0123. Table C1 in Appendix C provides a compliance table detailing GHD's audit findings of compliance against the Approval.

Table 3-2 Compliance with Project Approval DA 07/0123

Compliance	Approval 07/0123
Compliant	19
Partially compliant	19
Non-compliant	5
Not determined	9
Not applicable	15
Total assessed sub-clauses	67

Table 3-2 presents a summary of the partial and non-compliance conditions from the Approval. Refer to Table C1 in Appendix C for a detailed assessment of compliance with the Approval.

The conditions that were highlighted by SCC as a particular area of interest have been marked with an asterisk*.

Table 3-3 Partial and Non-Compliance Conditions under Project Approval 07/0123

Condition	Compliance	Area	Comment
2.1	1. Partial	Obligation to minimise harm to the environment	<i>Implementation of all reasonable and feasible measures</i> - The site monitoring programs had not all been implemented in accordance with the EMS.
2.2	2. Partial	Terms of approval	<i>Carrying out the Project generally in accordance with the conditions of this approval</i> – refer to comment for Condition 2.1
2.4	3. Partial	Terms of approval	<i>Comply with any reasonable requirements of the Director-General</i> – The Department requested a newsletter to be prepared and circulated to surrounding landowners and this had not been completed.
2.6*	1. Non-compliance	Terms of approval	<i>Surrender of all existing development consent for the site</i> – existing development consents for the site have not been surrendered to Council. Council provided a copy of the pro-forma for voluntary

Condition	Compliance	Area	Comment
			surrender of development consent.
2.10	2. Non-compliance	Structural adequacy	<i>BCA compliance</i> – BCA compliance had not been provided for the new weighbridge office, toilets or new weighbridge.
3.3	4. Partial	Noise	<i>Continuous improvement</i> – The noise monitoring program had not been implemented. No baseline data were available for analysis to determine whether additional mitigation measures were required on site.
3.4*	5. Partial	Noise	<i>Monitoring</i> – Program had been prepared but had not been implemented.
3.14	6. Partial	Air Quality	<i>Continuous improvement</i> – Monitoring had generally been undertaken. Data had not been summarised or interpreted to identify any exceedances or to determine whether additional mitigation measures were required on site.
3.16*	7. Partial	Air Quality	<i>Air Quality Monitoring</i> - Monitoring had not been conducted at all the required locations.
3.19*	8. Partial	Water Management	<i>Water Management Plan</i> – Plan had been prepared but only partially implemented.
3.26*	9. Partial	Rehabilitation and Landscape Management	<i>Landscape and Biodiversity Management Plan</i> – Plan had been prepared but only partially implemented.
3.30*	10. Partial	Heritage	<i>Aboriginal cultural heritage management plan</i> – Monitoring procedures included in EMS. Procedures not prepared in consultation with or approved by OEH.

Condition	Compliance	Area	Comment
3.33	11. Partial	Traffic and Transport	<i>Developers Monetary Contribution</i> – paid lump sum invoice from RMS in 2012 towards Princes Highway upgrade. Evidence not provided for contribution in 2010.
3.34*	12. Partial	Traffic and Transport	<i>Developers Monetary Contribution</i> – refer to Condition 3.33
3.35	13. Partial	Traffic and Transport	<i>Upgrade of site access</i> – Upgrade to the site had not been completed due to a delay in the completion of the Princes Highway upgrade.
3.36	14. Partial	Traffic and Transport	<i>Road Haulage</i> – Trucks were observed to be clean of materials and covered. Difficult to determine whether material tracked onto road from site or RMS road works. New weighbridge and truck wheel wash constructed not but in use due to delay in upgrade of access to site.
3.38	15. Partial	Emergency and Hazardous management	<i>Public Safety</i> – Security fence and bund wall surrounds majority of site. Small break found in bund wall had potential to allow public access to the site.
5.1*	16. Partial	Environmental Management, Monitoring , Auditing and Reporting	<i>Environmental Management Strategy</i> – EMS had been prepared but only partially implemented.
5.2	17. Partial	Environmental Management, Monitoring , Auditing and Reporting	<i>Incident reporting</i> – SCCCCR verbally reported an incident relating to dust issues with Prince Highway upgrade to OEH but did not notify the Department.
5.3	3. Non-compliance	Environmental Management, Monitoring , Auditing and Reporting	<i>Incident reporting</i> – SCCCCR verbally reported an incident relating to dust issues but did not prepare a written report or issue the report to the Department and the relevant agencies.

Condition	Compliance	Area	Comment
5.4*	17. Partial	Environmental Management, Monitoring , Auditing and Reporting	<i>Annual Reporting</i> – The AEMRs had been prepared for the site but the current format and content do not meet the requirements of this condition. The AEMRs had also not been submitted to the relevant agencies.
5.8*	4. Non-compliance	Environmental Management, Monitoring , Auditing and Reporting	<i>Community Consultative Committee</i> – A CCC had not been established due to lack of response. The Department requested a newsletter to be prepared and circulated to surrounding landowners and this had not been completed.
5.9*	18. Partial	Environmental Management, Monitoring , Auditing and Reporting	<i>Access to Information</i> – A copy of all relevant environmental documents were not publicly available on the SCCCR website.
5.10	5. Non-compliance	Environmental Management, Monitoring , Auditing and Reporting	<i>Access to Information</i> – A summary of the environmental monitoring results were not available on the SCCCR website

* marks conditions of particular interest to SCC

3.3 Compliance with EPL 11765

Table 3-3 presents a summary of compliance with conditions from the Environmental Protection Licence (EPL) 11765. Table C2 in Appendix C provides a compliance table detailing GHD's audit findings of compliance against the EPL.

Table 3-4 Compliance with EPL 11765

Compliance	EPL 11765
Compliant	16
Partially compliant	9
Non-compliant	9
Not determined	7
Not applicable	12
Total assessed conditions	53

Table 3-4 presents a summary of the partial and non-compliance conditions from the Approval. Refer to Appendix C for a detailed assessment of compliance with the EPL.

Table 3-5 Partial and Non-Compliance Conditions under EPL 11765

Condition	Compliance	Area	Comment
A4.1	1. Partial	Administrative Conditions	<i>Information supplied to the EPA</i> – works and activities must be carried out in accordance with the proposal. Not all monitoring programs have been implemented in accordance with the Environmental Management Strategy (EMS).
M1.1	2. Partial	Monitoring and recording details	<i>Monitoring records</i> – refer to M1.2
M1.2	3. Partial	Monitoring and recording details	<i>Monitoring records</i> - The records sighted were in accordance with this condition, however not all monitoring was undertaken as required.
M2.1	4. Partial	Monitoring and recording details	<i>Requirement to monitor concentration of pollutants discharged</i> - Monitoring had not been conducted at all the required locations.

Condition	Compliance	Area	Comment
M4.1	1. Non-compliance	Monitoring and recording details	<i>Recording of pollution complaints</i> – Site does not have a formal complaints register.
M4.2	2. Non-compliance	Monitoring and recording details	<i>Recording of pollution complaints</i> – Site does not have a formal complaints record sheet
M4.3	3. Non-compliance	Monitoring and recording details	<i>Recording of pollution complaints</i> – refer to M4.1 and M4.2
M4.4	4. Non-compliance	Monitoring and recording details	<i>Recording of pollution complaints</i> – refer to M4.1 and M4.2
M5.1	5. Non-compliance	Monitoring and recording details	<i>Telephone complaints line</i> – A complaints telephone line has not been operated for the purpose of receiving complaints.
M5.2	6. Non-compliance	Monitoring and recording details	<i>Telephone complaints line</i> – The SCCCR website does not identify a telephone number if a member of the public wants to make a complaint.
M7.1	5. Partial	Monitoring and recording details	<i>Blasting monitoring</i> – Not all blasts were monitored at the four nominated locations. Two blasts were monitored at a reduced number of locations.
M7.2	6. Partial	Monitoring and recording details	<i>Blasting monitoring</i> – refer to M7.1
R1.2	7. Non-compliance	Reporting Conditions	<i>Period covered by Annual Return</i> – No annual return had been submitted for the 2011/12 period.
R1.5	8. Non-compliance	Reporting Conditions	<i>Deadline for Annual Return</i> – The annual return had been submitted late for the 2010/11 period. No annual return had been submitted for the 2011/12 period.
R1.7	9. Non-compliance	Reporting Conditions	<i>Licensee must retain a copy of the Annual Return</i> – A copy of the annual returns for 2009/10 and 2010/11 were not available for review.
R4.2	7. Partial	Reporting Conditions	<i>Reporting of any licence blasting exceedances</i> - As part of this audit, potential exceedances were identified of the annual allowable exceedance criteria as the monitoring results were not being interpreted and considered over a 12 month period.

3.4 Perimeter earthen bunds

In consultation with the Department and Shoalhaven City Council, both raised the condition and status of the earthen bunds as an issue they wanted the audit to consider.

Development Approval 07/1322 was issued by Shoalhaven City Council on 24 May 2007 for the provision of earthen bunds around the perimeter of ML 6322. This Development Approval was not available for review as it was superseded by the Project Approval 07_0123 granted 1 December 2009. At the meeting with Council on 30 January 2013 it was found that Development Approval 07/1322 had not been formally surrendered. Following the meeting Council provided a copy of the pro-forma for voluntary surrender of development consent.

The following Table 3-6 provides a summary of the historical requirements found relating to the establishment and maintenance of the earthen bunds and discussion on compliance with the requirements. The latest requirements for the bunds are contained in the Landscape and Biodiversity Management Plan (Gaia Research 2010), also included in Table 3-6 below.

The perimeter earthen bunds appeared to be about five metres high and have been established and maintained, except for a small break on the southern boundary. The bunds have been established around the trees along the eastern, southern and western boundaries. Parts of the bund are stabilised with vegetation (southern boundary) and mulch, and there is some erosion evident in areas.

It was noted during the audit site inspection that except for a small break in the bund along the southern boundary, there were no areas where the earthen material had been removed from around the root zones of trees.

In 2009 Shoalhaven City Council made a submission following the exhibition of the environmental assessment, as follows:

.....The work under the Consent has not been completed for final inspection. This practice will cause the trees to be structurally compromised by either the compaction or smothering of the root zone and the potential for collar rot around the trunk up to the height of the soil effectively ringbarking the trees.

It is recommended that the perimeter bunds be reconstructed where necessary to protect the existing trees that will remain undisturbed as operations progress, and to comply with the current consent.....

The establishment and management of the earthen bunds has not been in full compliance with the requirements that have been stated for the development.

The visual impacts of the project are reduced by the presence of the earth bunds around the perimeter of the site. However, in the meeting with Shoalhaven City Council on 30 January 2013, it was reported complaints have been received by Council regarding the removal of the vegetation buffer along the eastern boundary of the site due to the recent Princes Highway upgrade making the earth bunds more visible.

The trees did not appear to be experiencing dieback, however these trees should be assessed by an Arborist to determine their health, assess the impact the bund is having on the trees and make recommendations for the future management of the bund.

Table 3-6 Summary of requirements for earthen bunds

Source /Reference	Requirements	Relevance / Compliance
2009 Annual Environmental Monitoring Report made reference to DA07/1322	Conditions relating to the approved work and on-going management of the proposed development relating to the rehabilitation works include:	Although not formally surrendered to date, DA 07/1322 was superseded by the Project Approval 07_0123.
DA07/1322 - Shoalhaven City Council granted development consent for the bunds (DA07/1322) in December 2006.	1. The earthen bunds are to be rehabilitated and maintained as per the recommendations and Rehabilitation Plan and Schedule in the Flora Assessment Lot 464 DP 1058778, Princes Highway, South Nowra (Gaia Research 2007).	The Rehabilitation Plan was not available for review.
	2. All earthen material is to be removed from around the root zones of the two hollow-bearing spotted gums <i>Corymbia maculata</i> and one large grey ironbark <i>Eucalyptus paniculata</i> as identified within the existing bund wall in the Flora Assessment Lot 464 DP 1058778, Princes Highway, South Nowra (Gaia Research 2007) and approved plans within one (1) month of the determination date of this development consent (ie 24 June 2007).	It was noted during the audit site inspection that except for a small break in the bund along the southern boundary, there were no areas where the earthen material had been removed from around the root zones of trees.
	3. Prior to the commencement of Stage 1 (site preparation) works, details are to be provided to Shoalhaven City Council of the suitably qualified person experienced in environmental restoration/bushland regeneration that will be undertaken or supervising the required works as detailed in the rehabilitation Plan Schedule (ie stages 1 to 3).	Following the meeting with Shoalhaven City Council on 30 January 2013, Council raised the condition and status of the earthen bunds as an issue they wanted the audit to consider. It was not indicated that Council had been provided with this information.
	4. All stage 1 (site preparation) actions of the Rehabilitation Plan Schedule in the Flora Assessment Lot 464 DP 1058778, Princes Highway, South Nowra (Gaia Research 2007) shall be completed within three (3) months of this development consent (24 August 2007).	The Rehabilitation Plan was not available for review.

Source /Reference	Requirements	Relevance / Compliance
Environmental Assessment prepared by R.W Corkery & Co Pty Limited and City Plan Services (February 2009)	The perimeter bunds around the Project Site were required to have a rehabilitation plan as a requirement of the Shoalhaven City Council development consent (DA07/1322).	The Rehabilitation Plan was prepared in 2007 by Gaia Research.
DA07/1322	<p>The Ecology Assessment prepared by Gaia Research in 2009 stated that the actions to date against the Rehabilitation Plan (prepared by Gaia Research in 2007) include the following:</p> <ul style="list-style-type: none"> • Removal of earthen material from the root zones of two hollow-bearing Spotted Gum trees and one Grey Ironbark tree. • Spot spraying of weeds with Glyphosate. • Revegetation of the bunds with endemic species of ground cover and shrubs (direct planting and broadcasting of endemic seed). • Compilation of regular reports to Shoalhaven City Council as per the schedule of works detailed in the rehabilitation plan. 	<p>It was noted during the audit site inspection that except for a small break in the bund along the southern boundary, there were no areas where the earthen material had been removed from around the root zones of trees.</p> <p>The annual weed inspection has occurred and results provided in the AEMR (2011).</p> <p>The bunds have been covered with mulch; no evidence of revegetation of the bunds with endemic species of ground cover and shrubs was sighted.</p> <p>Following the meeting with Shoalhaven City Council on 30 January 2013, Council raised the condition and status of the earthen bunds as an issue they wanted the audit to consider. It was not indicated that Council had been provided with regular reports.</p>

Source /Reference	Requirements	Relevance / Compliance
<p><i>Response to Government Agency & Public Submissions for the Continuation and Expansion of Extractive Operations at the Nowra Brickworks Quarry, South Nowra</i></p> <p>City Plan Services dated August 2009.</p> <p>Following the exhibition of the environmental assessment, submissions were received from the both government agencies and the public.</p>	<p>A submission was received from Shoalhaven City Council relating to the earthen bunds as follows:</p> <ul style="list-style-type: none"> • The proposal includes the importation of virgin excavated natural material (VENM) to be stored on site as part of the rehabilitation process. It is recommended that appropriate conditions be imposed to ensure that none of the imported material contains acid sulphate soils. • The stockpiling of soils around the perimeter of ML6322 area as part of the development has occurred around existing trees and up the trunk of a lot of these trees. Council issued Consent (DA07/1322) for this bunding with soil on 24 May 2008. <p>The work under the Consent has not been completed for final inspection. This practice will cause the trees to be structurally compromised by either the compaction or smothering of the root zone and the potential for collar rot around the trunk up to the height of the soil effectively ringbarking the trees.</p> <p>It is recommended that the perimeter bunds be reconstructed where necessary to protect the existing trees that will remain undisturbed as operations progress, and to comply with the current consent.</p>	<p>The following was provided in response:</p> <p>As Council correctly note, Development Consent (ref DA07/1322) was granted by Shoalhaven City Council for the existing bunds around the perimeter of the Project Site in 2007. As part of this approval, a number of conditions were attached to ensure that there was to be no contamination within the bunds. It is our understanding that the conditions of consent have now been fully satisfied. It is therefore not considered necessary to reconstruct the bunds.</p>

Source /Reference	Requirements	Relevance / Compliance
Environmental Management Strategy (GHD 2010) Landscape and Biodiversity Management Plan prepared by Gaia Research (February 2010)	The LBMP states the earthen bunds surrounding the Project Site will be modified so that earth is not piled against the trunks of several mature trees.	It was noted during the audit site inspection that except for a small break in the bund along the southern boundary, there were no areas where the earthen material had been removed from around the root zones of trees. <i><u>Opportunity for Improvement 1: The trees did not appear to be experiencing dieback, however these trees should be assessed by an Arborist to determine their health, assess the impact the bund is having on the trees and make recommendations for the future management of the bund.</u></i>
Environmental Management Strategy (GHD 2010) Landscape and Biodiversity Management Plan prepared by Gaia Research (February 2010)	The existing perimeter bund along the eastern, southern and western boundaries of the Project Site would be retained and enhanced.	The perimeter earthen bunds appeared to be about five metres high and have been established and maintained, except for a small break on the southern boundary. The bunds have been established around the trees along the boundaries. Parts of the bund are stabilised with vegetation, while there is some erosion evident in other areas.
Environmental Management Strategy (GHD 2010) Landscape and Biodiversity Management Plan prepared by Gaia Research (February 2010)	The existing line of mature trees adjacent to the eastern Project Site boundary will be retained and enhanced, where appropriate. Additional planting of tubestock may be undertaken to augment natural revegetation. Soil from bunding shall not be placed against the trunks of trees.	It was noted during the audit site inspection that soil from bunding is placed against the trunks of trees.

Source /Reference	Requirements	Relevance / Compliance
<p>Mining Operations Plan for the Nowra Brickworks Quarry (MOP)</p> <p>Period 1 September 2010 to 31 August 2017</p>	<p>The MOP states that site bunds and stockpiles will be managed to avoid impacts on surrounding areas through seeding with native pioneering species such as acacia and grasses.</p>	<p>There was no evidence of the site bunds and stockpiles being seeded with native species and grasses.</p>

3.5 Site inspection observations

During the site inspection, a number of measures were observed which require management to achieve compliance with the requirements of the Project Approval and the Licence. In particular, the management of stockpiles and surface water were identified as a key area for improvement.

Additionally, one of the concerns raised by Shoalhaven City Council was in regards to tracking material from the quarry onto the Princes Highway. During the audit site inspection, trucks were observed to be clean of materials and covered when leaving the site. It was noted at the time of the inspection, that the Roads and Maritime Services (RMS) were carrying out upgrade works to the Princes Highway and while there was some tracked material observed on the Highway it was difficult to determine who was responsible for this material.

The new weighbridge and truck wheel wash have been constructed to manage tracked material onto the Princes Highway but are not currently being used. Further, SCCCR stated they will not be used until the upgrade to the site access is complete. The upgrade has not commenced due to the delay in the completion of the RMS Princes Highway upgrade. For further details refer to relevant Conditions 3.35 and 3.36 of Table C1 in Appendix C.

Table 3-7 provides examples of some of the observations made around the site.

Table 3-7 Site observations



Plate number	Site observation	Photo
1	Sediment fences not maintained.	
2	Incorrect installation of sediment fences and soil stockpiles.	







Plate number	Site observation	Photo
3	Erosion of earthen bunds (south-eastern boundary).	
4	Earthen bunds estimated to be about five metres high (photo of eastern boundary).	
5	Earthen bunds estimated to be about five metres high and around the base of a number of trees along the boundary (eastern boundary).	

Plate number	Site observation	Photo
6	Natural drainage area that flows into Nowra Creek. Evidence of sediment in dry channel from upper catchment from high rainfall and sediment fences not maintained.	
7	Constructed water facility pond in background. Overflow from pond shown to be flowing to the west towards the site boundary. Overflow is not retained on site and flows through drainage depression through to a vegetated grassed area off site.	 

4. Recommended Actions

4.1 Corrective Actions

- Corrective actions identified during the audit are summarised in Table 4-1

Table 4-1 Corrective Actions

No.	Clause	Corrective Action
CA-1	CoA 2.4 and 5.8	<i>Circulate a newsletter to surrounding landowners and forward a copy to the Department.</i>
CA-2	CoA 2.6	<i>Surrender existing development consents to Council.</i>
CA-3	CoA 2.10	<i>Provide evidence of BCA compliance of all new buildings and structures to meet the requirements of this condition of approval.</i>
CA-4	CoA 3.1 and 3.4 EPL L6.1	<i>Undertake noise monitoring in compliance with this requirement to determine whether the noise levels generated by the Project exceed the operational noise impact assessment criteria.</i>
CA-5	CoA 3.3	<i>Implement the noise monitoring program including interpretation and analysis of results to determine whether additional noise mitigation measures are required.</i>
CA-6	CoA 3.5 and 3.6 EPL L6.2	<i>Summarise and interpret the blast monitoring results to detect exceedances against the impact assessment criteria.</i>
CA-7	CoA 3.5 and 3.6 EPL L6.2	<i>Ensure that blast monitoring is undertaken at the required locations.</i>
CA-8	CoA 3.9	<i>Provide evidence that blasting is not undertaken within 200 metres of any privately-owned land or that other arrangements have been made and approved by the Director-General.</i>
CA-9	CoA 3.14	<i>Provide interpretation and analysis of dust monitoring results to determine the effectiveness of the controls implemented on site and whether additional dust mitigation measures are required.</i>
CA-10	CoA 3.15	<i>Summarise and analyse the dust monitoring results to detect exceedances against the impact assessment criteria.</i>
CA-11	CoA 3.16	<i>Ensure that air quality monitoring is undertaken as required.</i>
CA-12	CoA 3.18	<i>Supply Shoalhaven City Council and the OEH with details of the on-site sewage system to determine its adequacy.</i>
CA-13	CoA 3.19	<i>Implement soil and water management on site, including regular fortnightly inspections, management and maintenance of stockpiles and water quality monitoring as well as review and analysis of any results.</i>

No.	Clause	Corrective Action
CA-14	CoA 3.19	<i>Ensure that overflow from the water storage facility pond, constructed near the northern section of the site, flows back into the quarry pit and not off-site.</i>
CA-15	CoA 3.26	<i>Implement the Landscape and Biodiversity Management Plan (LBMP) as required.</i>
CA-16	CoA 3.30	<i>Consult with OEH regarding the Aboriginal heritage management procedures included in the EMS for the site and submit to OEH for comment.</i>
CA-17	CoA 3.33 and 3.34	<i>Provide evidence of payment for 2010 developers' contribution.</i>
CA-18	CoA 3.38	<i>Secure the site by rectifying the break in the bund wall along the southern boundary.</i>
CA-19	CoA 5.1	<i>Fully implement the Environmental Management Strategy (EMS) as required.</i>
CA-20	CoA 5.4	<i>Update the format and content of the Annual Environmental Monitoring Report (AEMR) to meet the requirements, including review and analysis of monitoring results and other data to identify exceedances, trends and issues.</i>
CA-21	CoA 5.4	<i>Submit the AEMR to relevant agencies (including Shoalhaven City Council).</i>
CA-22	CoA 5.9	<i>Make a copy of the relevant documents publicly available on the website.</i>
CA-23	CoA 5.10	<i>Make a summary of the monitoring results available on the website and update these at least every 6 months.</i>
CA-24	EPL M4.1	<i>Create a complaints register for the site.</i>
CA-25	EPL M4.2	<i>Create a complaints record including the details in compliance with this condition.</i>
CA-26	EPL M5.1	<i>Identify a telephone line as a complaints line in accordance with this requirement.</i>
CA-27	EPL M5.2	<i>Notify the public of the complaints line telephone number in accordance with this requirement.</i>
CA-28	EPL R1.1 and R1.5	<i>Supply Annual Returns for each reporting period to the EPA in accordance with this condition.</i>
CA-29	EPL R4.2	<i>All of the blasting results should be summarised and compared against the licence blasting limits to identify any exceedances. Any exceedances should then be reported to the EPA by SCCCR as soon as practicable.</i>

4.2 Opportunities for Improvement

Opportunities for improvement identified during the audit are summarised in Table 4-2

Table 4-2 Opportunities for Improvement

No.	Clause	Opportunities for Improvement
OI-1	Landscape and Biodiversity Management Plan prepared by Gaia Research (February 2010) EMS (GHD 2010)	<p>Requirements for earthen bunds</p> <p>The perimeter earthen bunds appeared to be about five metres high and have been established and maintained, except for a small break on the southern boundary. The bunds have been established around the trees along the boundaries.</p> <p><i>These trees should be assessed by an Arborist to determine their health and the impact the bund is having on the trees.</i></p>
OI-2	CoA 3.25	<p>Biodiversity Offset Strategy</p> <p>There is no evidence to suggest that the Biodiversity Offset Strategy has been reviewed to identify a replacement for the proposed Southern Biodiversity Offset Area.</p> <p><i>Review the Biodiversity Offset Strategy, in consultation with the OEH and the Director-General, to seek to identify a replacement for the Southern Biodiversity Offset Area in accordance with this Condition.</i></p>
OI-3	CoA 3.37	<p>Use of recycled used 208L oil drums</p> <p>It was observed during the site audit inspection that the site is recycling used 208L oil drums to store scrap metals for recycling. It was also noted that cut recycled drums ready for use were being stored upside down on the bare ground. The storage of these drums is appropriate to prevent build-up of rain water within the drums. However, a small amount of oil residue was observed on the ground underneath.</p> <p><i>It is recommended that adequate controls such as complete draining of drums and bunding of the storage area are provided to minimise any oil residue draining onto the bare ground and potential contamination of the soil.</i></p>
OI-4	CoA 3.40	<p>Annual production data</p> <p>There is some production data provided in the AEMRs, however it was not determined whether this is consistent with the annual production data provided to DII using the standard form.</p> <p><i>Verify and state in the AEMR that the data is consistent with the format submitted to DII.</i></p>
OI-5	CoA 5.3	<p>Reporting of an exceedance/ incident</p> <p>SCCCR verbally reported dust issues to OEH relating to the current Princes Highway upgrade, recording higher levels of PM10 and TSP results. However, SCCCR did not contact the Department. The Department was not notified and the verbal</p>

report to OEH was not followed up with a written report.

Following the notification of an exceedance/incident, provide the Department and other relevant agencies with a written report in accordance with this condition.

Appendices

Appendix A Correspondence received



Office of
Environment
& Heritage

Your reference: 23/14739
70163
Our reference: DOC 13-6131
Contact: Martin Henery 0262297062

Maurice Pignatelli
Manager – Environmental Management and Audit
GHD Pty Ltd
Level 7, 16 Marcus Clarke Street, Canberra ACT 2601
PO Box 1877 Canberra ACT 2601

Dear Mr Pignatelli,

Re: Independent environmental audit of SCCR Quarry. Request for comment.

Thank you for your letter dated 22 January 2013, addressed to Diane Garrood, Regional Manager for Parks & Wildlife Group at Nowra, requesting comment from Office of Environment and Heritage (OEH) on a number of auditable obligations under the Project Approval and Environment Protection Licence 11765.

OEH wishes to advise GHD that although a number of relevant conditions of the Project Approval make reference to OEH, we have no jurisdiction to audit compliance on consent conditions included by the Department of Planning (DoP) in the project approval, unless those conditions stipulate that the proponent provide OEH with further information, or contact us to receive further input on matters in regard to biodiversity or Aboriginal cultural heritage.

Since the Part 3A approval process for this project began, the Department of Environment and Climate Change (DECC) has been restructured and OEH is only required to comment on matters of relevance to biodiversity or Aboriginal cultural heritage. Monitoring of compliance with environmental consent conditions, however, is the function of the compliance unit of DoP and OEH does generally not have a role in that process unless required in the project approval, or unless OEH is invited by DoP to participate.

Please refer to Attachment One for details in relation to OEH's knowledge of compliance with conditions for this project.

Yours sincerely,

M Sheahan 21.2.2013

MARK SHEAHAN
Manager Landscape and Aboriginal Heritage Protection
Conservation and Regulation Division
OFFICE OF ENVIRONMENT AND HERITAGE

Enclosure:
Attachment One - Office of Environment and Heritage Comments on the conditions of approval for SCCR, Nowra

ATTACHMENT 1

OEH comments on relevant post consent conditions for South Coast Concrete Crushing and Recycling, Nowra

Biodiversity – Condition 25

Condition No.	Requirement	OEH Comment
25a	(a) review its proposed Biodiversity Offset Strategy (see Table 8), in consultation with DECCW and the Director-General, to seek to identify a replacement for the proposed Southern Biodiversity Offset Area that: <ul style="list-style-type: none">• is located in the vicinity;• is not affected by identified future public infrastructure proposals; and• has equivalent (or better) biodiversity values;	OEH has no record of receiving or being consulted about the replacement for the proposed Southern Biodiversity Offset Area after project approval. There is email correspondence between Shoalhaven Council, Department of Planning (DoP), the Environment Protection Authority and OEH indicating that SCCCR did submit a Landscape and Biodiversity Management Plan to the DoP and that the DoP were reviewing the plan.
25b	(b) implement the Biodiversity Offset Strategy (as amended under (a) above, if applicable); (See above. OEH has no role in monitoring implementation of the offset strategy as it is a matter for the compliance unit of the DoP. The role of OEH in the process was during development of the project plan and was advisory only.
25c	c) ensure that adequate resources are dedicated towards the implementation of the strategy;	See above. (Point 25a)
25d	(d) provide appropriate long term security for the offset areas; and	See above. (Point 25a)
25e	(e) provide a timetable for the implementation of the offset strategy prior to the clearing of any forested area of the site, or as otherwise agreed by the Director-General, to the satisfaction of the Director-General.	See above. (Point 25a)



22 FEB 2013

Our reference: DOC13/2186
Contact: Stefan Press, (02) 6229 7002

Ms Lucy Bourne
Audit Coordinator
GHD Pty Ltd
GPO Box 1877
CANBERRA ACT 2601

20 February 2013

Dear Ms Bourne

RE: South Coast Concrete Crushing and Recycling Pty Limited – Independent Environmental Audit

I refer to your letter dated 22 January 2013 to the Office of Environment and Heritage (OEH) concerning GHD's engagement by South Coast Concrete Crushing and Recycling Pty Limited (SCCCR) to undertake an independent environmental audit of its facility located at the Princes Highway, Nowra ("the premises").

The OEH has referred your correspondence to the Environment Protection Authority (EPA) as it responsible for the administration of Environment Protection Licence No. 11765 ("the EPL") which has been issued to SCCCR in relation to the premises.

To assist you with the audit, the EPA advises that matters pertaining to the EPL, including compliance can be viewed through the EPA's online Public Register of Licences. The Public Register can be accessed via: <http://www.environment.nsw.gov.au/prpoeoapp/> and searching using the above Licence number.

I trust that this information is of assistance.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'J. Thompson', written over a light blue circular stamp.

JULIAN THOMPSON
Unit Head – South East Region
Environment Protection Authority

Aboriginal Cultural Heritage (Condition 30)

Condition No.	Requirement	OEH Comment
30a	The Proponent shall prepare and implement an Aboriginal Cultural Heritage Management Plan to the satisfaction of the Director-General. This plan must: (a) be prepared in consultation with DECCW and local Aboriginal communities:	OEH has no record of receiving or being consulted about the Aboriginal Cultural Heritage Management Plan. As a Director General condition on approval, DoP should have received the plan and provided it to OEH for comment, but OEH has no record of receiving it.
30b	(b) be submitted to the Director-General for approval prior to 30 June 2010; and	See above
30c	(c) include a description of the measures that would be implemented if any new Aboriginal objects or skeletal remains are discovered during the project.	See above

Appendix B Documentation Reviewed

- Email: D Cram (Department of NSW Trade & Investment) to J Green (SCCCR Quarries), 23 January 2013, *Mine Safety Officer / Inspection*
- 19 dilapidation surveys completed dated between 25 March to 29 April 2010
- List of properties and addresses surrounding site
- Air Quality Management Plan (June 2010) (Appendix I, EMS)
- Laboratory results and summary tables for particulate monitoring for Total Soluble Matter, TSP and PM10
- EPA licence summary webpage for Licence No. 11765 (accessed 9 April 2013 <http://www.environment.nsw.gov.au/prpoeoapp/>) – Annual Return for 2010/11
- SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)
- Air Quality Management Plan (June 2010) (Appendix I, EMS)
- EPL 11765
- Communication with Council and OEH
- Surface Water and Groundwater Monitoring and Response Plan (May 2010) (Appendix F, EMS)
- Erosion and Sediment Control Plan (February 2010) (Appendix E, EMS)
- Site Water Balance (March 2010) (Appendix G, EMS)
- Letter to Department from CPS on behalf of SCCCR dated 28 June 2010
- Annual Environmental Management Report 2011 Appendix D
- Ground water monitoring results - Peizo laboratory results September 2010, December 2010, March 2011 and June 2011.
- Site Water Balance (March 2010) (Appendix G, EMS)
- Surface Water and Groundwater Monitoring and Response Plan (May 2010) (Appendix F, EMS)
- Erosion and Sediment Control Plan (February 2010) (Appendix E, EMS)
- Erosion and Sediment Control Plan (February 2010) (Appendix E, EMS)
- Landscape and Biodiversity Management Plan (February 2010) (Appendix H)
- Communication with Shoalhaven City Council
- Company website
- Weighbridge calibration invoices
- SCCCR Quarries website <http://www.scccrquarries.com.au/>
- Letter C Outtersides (City Plan Services) on behalf of SCCCR, to K Winwood (the Department), 28 June 2010, *Nowra Brickworks Quarry Property Address: Lot 464 Princes Highway, South Nowra Approval No.: 07_0123*
- Letter C Outtersides (City Plan Services) on behalf of SCCCR, to H Rich (the Department), 24 February 2010, *Nowra Brickworks Quarry Property Address: Lot 464 Princes Highway, South Nowra Approval No.: 07_0123*

- Letter D Kitto (the Department) to C Outtersides (City Plan Services) on behalf of SCCCR, 25 March 2010, *Nowra Brickworks Quarry Project Community Consultative Committee*
- Letter M Sheahan (OEH) to M Pignatelli (GHD), 21 February 2013, *Independent environmental audit of SCCCR Quarry. Request for comment.*
- Letter J Thompson (EPA) to L Bourne (GHD), 20 February 2013, *South Coast Crushing and Recycling Pty Limited – Independent Environmental Audit.*
- Receipt from Regional Publishers regarding the advertisement in the South Coast Register dated 20 October 2010
- Letter C Outtersides (City Plan Services) on behalf of SCCCR, to K Winwood (the Department), 9 December 2010, *Nowra Brickworks Quarry Property Address: Lot 464 Princes Highway, South Nowra Approval No.: 07_0123*
- Pers. Comm Excavator operator during audit site inspection 12 March 2013
- SCCCR Quarries. *Annual Environmental Management Report 2009*
- SCCCR Quarries. *Annual Environmental Management Report 2010*
- SCCCR Quarries. *Annual Environmental Management Report 2011*
- GHD 2011. *Mining Operations Plan for the Nowra Brickworks Quarry for the period 1 September 2010 to 31 August 2017*
- Weighbridge calibration invoices
- Plant Cheiftain 2100x Plant 722 (40 mL screen) and Plant 723 (20 mL screen) Plant Maintenance Records
- GHD June 2010. SCCCR Quarries Nowra Brickwork Quarry Environmental Management Strategy
- Heggies June 2010. *Nowra Brickworks Quarry, South Nowra Noise Monitoring Program/ Blast Management Plan* (Appendix D, EMS)
- Instantel. *SCCCR Quarries Airblast overpressure and ground vibration monitoring results North Brickworks 10 May 2010*
- Instantel. *SCCCR Quarries Airblast overpressure and ground vibration monitoring results North Brickworks 2 August 2010*
- Instantel. *SCCCR Quarries Airblast overpressure and ground vibration monitoring results North Brickworks 2 September 2010*
- Instantel. *SCCCR Quarries Airblast overpressure and ground vibration monitoring results North Brickworks 18 October 2010*
- Instantel. *SCCCR Quarries Airblast overpressure and ground vibration monitoring results Commercial Premises 25 March 2010*
- Instantel. *SCCCR Quarries Airblast overpressure and ground vibration monitoring results Commercial Premises 10 May 2010*
- Instantel. *SCCCR Quarries Airblast overpressure and ground vibration monitoring results Commercial Premises 2 August 2010*
- Instantel. *SCCCR Quarries Airblast overpressure and ground vibration monitoring results Commercial Premises 2 September 2010*

- Instantel. SCCCC Quarries Airblast overpressure and ground vibration monitoring results Commercial Premises 18 October 2010
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- Instantel. SCCCC Quarries Airblast overpressure and ground vibration monitoring results North Brickworks 30 July 2012
- Instantel. SCCCC Quarries Airblast overpressure and ground vibration monitoring results North Brickworks 16 November 2012

- Instantel. SCCCC Quarries Airblast overpressure and ground vibration monitoring results Commercial Premises 12 March 2012
- Instantel. SCCCC Quarries Airblast overpressure and ground vibration monitoring results Commercial Premises 15 June 2012
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- Instantel. SCCCC Quarries Airblast overpressure and ground vibration monitoring results Gaol 15 June 2012
- Instantel. SCCCC Quarries Airblast overpressure and ground vibration monitoring results Gaol 18 July 2012
- Instantel. SCCCC Quarries Airblast overpressure and ground vibration monitoring results Gaol 30 July 2012
- Instantel. SCCCC Quarries Airblast overpressure and ground vibration monitoring results Gaol 16 November 2012
- RMS Payment Receipts for developers' contribution towards the WAD (left turn lane and median at South Nowra) No. 0234455078 dated 23/10/12 for \$60,000 and 0234499600 dated 24/10/2012 for \$60,000
- Tax Invoice, 11 October 2012, RMS Tax Invoice 2099524 for developers' contribution towards the WAD (left turn lane and median at South Nowra)

Appendix C Compliance with Project Approval DA 07/0123 and EPL 11765



Appendix C

Table C1 – Compliance with Project Approval 07_0123

Number	Condition	Compliance	Evidence	Audit Outcomes
Schedule 2 – Administrative Conditions				
Obligation to Minimise Harm to the Environment				
Sch 2.1	The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the project.	Partial		Refer to table C1 (this table) audit outcomes for conditions relating to this approval - not all monitoring programs have been implemented in accordance with the Environmental Management Strategy (EMS).
Terms of Approval				
Sch 2.2	<p>The Proponent shall carry out the project generally in accordance with the:</p> <ul style="list-style-type: none"> (a) EA; (b) Statement of Commitments; and (c) Conditions of this approval. <p><i>Notes:</i></p> <ul style="list-style-type: none"> • <i>The general layout of the project is shown in Appendix 1; and</i> • <i>The Statement of Commitments is reproduced in Appendix 2.</i> 	Partial		Refer to table C1 (this table) audit outcomes for conditions relating to this approval - not all monitoring programs have been implemented in accordance with the Environmental Management Strategy (EMS).
Sch 2.3	If there is any inconsistency between the above documents, the latter document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	Yes	S58 Licence variation application 3 March 2010 and notice of approval dated 11 August 2010.	<p>Inconsistencies were identified in approved hours of operation and blasting between the DA and EPL. A licence variation was approved in 2010 and inconsistencies have now been removed.</p> <p>No other inconsistencies have been identified.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 2.4	<p>The Proponent shall comply with any reasonable requirements of the Director-General arising from the Department's assessment of:</p> <p>(a) any reports, plans, programs, strategies or correspondence that are submitted in accordance with the conditions of this approval; and</p> <p>(b) the implementation of any actions or measures contained in these reports, plans, programs, strategies or correspondence.</p>	Partial	<p>Letter to Department from City Plan Services (CPS) on behalf of SCCCR dated 24 February 2010</p> <p>Letter from Department to CPS dated 25 March 2010</p> <p>Receipt from Regional Publishers regarding the advertisement in the South Coast Register dated 20 October 2010</p> <p>Letter to Department from CPS on behalf of SCCCR dated 9 December 2010</p>	<p>In response to a letter from CPS (on behalf of SCCCR) on 24 February 2010 regarding the lack of responses received from the newspaper advertisement concerning the community consultative committee (CCC) the Department (dated 25 March 2010) advised:</p> <p><i>"A further advertisement calling for expressions of interest should be placed in the South Coast Register by the end of August 2010."</i></p> <p><i>In the meantime, please circulate a newsletter to surrounding landowners, to advise of the company's progress in implementing the project approval, and the difficulty in finding representatives for the CCC. The newsletter should also include an invitation to submit an expression of interest for CCC membership.</i></p> <p><i>Please forward a copy of the above newsletter when distributed, and advise the Department of the progress of CCC membership applications by 30 September 2010."</i></p> <p>As a result, SCCCR placed an additional advertisement in the South Coast Register on 22 October 2010, however, no evidence of a newsletter being distributed was provided.</p> <p><u>Corrective Action 1: Circulate a newsletter to surrounding landowners and forward a copy to the Department.</u></p>
Sch 2.5	<p>The Proponent shall prepare revisions of any strategies, plans or programs required under this approval if directed to do so by the Director-General. Such revisions shall be prepared to the satisfaction of, and within a timeframe approved by, the Director-General.</p>	N/A		<p>It was not established during the audit that the Department has issued directions for the revision of any strategies, plans or programs.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 2.6*	By 30 June 2010, the Proponent shall surrender all existing development consents for the site to the relevant consent authority, to the satisfaction of the Director-General.	No	Meeting with Shoalhaven City Council on 30 January 2013	Meeting with Council ascertained that existing development consents for the site had not been surrendered to Council. In particular, Council referenced DA 02/3807, DA 03/3623, DA 05/2201, DA 07/1230, DA 07/1321 and DA 07/1322. Following the meeting Council provided a copy of the pro-forma for voluntary surrender of development consent. <u>Corrective Action 2: Surrender existing development consents to Council.</u>
Limits on Approval				
Sch 2.7	The Proponent may undertake quarrying operations on the site until 31 December 2039. <i>Note: Under this approval, the Proponent is required to rehabilitate the site to the satisfaction of the Director-General. Consequently, this approval will continue to apply in all other respects other than the right to conduct quarrying operations until the site has been rehabilitated to a satisfactory standard.</i>	N/A		This condition has not been triggered.
Sch 2.8	The Proponent shall not: (a) extract more than 364,000 tonnes per year of clay/shale, structural clay and associated materials (in total) from the site; (b) import more than 50,000 tonnes per year of recycling materials to the site; (c) import more than 125,000 tonnes per year of blending materials to the site; (d) import more than 200,000 tonnes per year of VENM to the site; or (e) despatch more than 500,000 tonnes per year of quarry products from the site.	Yes	Volume tracking documentation Email dated 23 January 2013, response from Dave Cram Mine Safety Officer / Inspection from Department of NSW Trade & Investment Weighbridge calibration invoices	A spreadsheet tracking the volumes of different incoming and outgoing streams was sighted and it was confirmed that the Division of Resources and Energy (part of NSW Trade & Investment) conducts regular audits of the extraction and import of materials at the quarry. Weighbridge is calibrated and tested. Problems identified are corrected as part of the work order. The last calibration was completed by AWS on 27 July 2012.

Number	Condition	Compliance	Evidence	Audit Outcomes
Management Plans / Monitoring Programs				
Sch 2.9	With the approval of the Director-General, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.	N/A		This condition has not been triggered.
Structural Adequacy				
Sch 2.10	<p>The Proponent 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.</p> <p>Notes:</p> <ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the project. 	No		<p>BCA compliance was not provided for the new weighbridge office, toilets or new weighbridge.</p> <p><u>Corrective Action 3: Provide evidence of BCA compliance of all new buildings and structures to meet the requirements of this condition of approval.</u></p>
Demolition				
Sch 2.11	The Proponent shall ensure that all demolition work is carried out in accordance with <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> , or its latest version.	N/A		It was established during the audit that demolition has not been carried out on site; hence this condition has not been triggered.

Number	Condition	Compliance	Evidence	Audit Outcomes
Operation of Plant and Equipment				
Sch 2.12	<p>The Proponent shall ensure that all plant and equipment used on site is:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	Yes	<p>Plant Cheiftain 2100x Plant 722 (40 mL screen) and Plant 723 (20 mL screen) Plant Maintenance Records</p> <p>Email dated 23 January 2013, response from Dave Cram Mine Safety Officer / Inspection from Department of NSW Trade & Investment</p>	<p>All plant and machinery on site appeared to be in good working order. The site has a maintenance record book for each piece of plant for scheduled services and required maintenance. Pre-start checks are also carried out daily. Evidence of operator tickets or training was not sighted.</p> <p>Plant maintenance records were cited for two Plant (for example Cheiftain 2100x) used in the quarry. The records appeared well maintained and scheduled services were completed as per hours of operation.</p> <p>Plant and equipment are regularly checked by a representative from the Division of Resources and Energy. In particular, a positive email was received by SCCCR in response to photographic evidence provided depicting their quick action regarding a safety issue associated with plant raised by the Department.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes																				
Schedule 3 – Specific Environmental Conditions																								
Noise																								
Noise Impact Assessment Criteria																								
Sch 3.1	<p>The Proponent shall ensure that the noise generated by the project does not exceed the noise impact assessment criteria in Table 1:</p> <p>Table 1: Operational noise impact assessment criteria dB(A)</p> <table><tr><th>Location and Locality</th><th>Day</th><th>Evening</th><th>Night</th></tr><tr><td>1. 80 Links Road</td><td>39</td><td>35</td><td>35</td></tr><tr><td>2. 371 Old Southern Road</td><td>45</td><td>35</td><td>35</td></tr><tr><td>3. 243 Princes Highway</td><td>49</td><td>38</td><td>38</td></tr><tr><td>4. South Coast Correctional Facility</td><td>51</td><td>37</td><td>37</td></tr></table> <p>Notes:</p> <ul style="list-style-type: none">To interpret the locations in Table 1, see Appendix 3.Location 3 in Appendix 3 is project related.Noise generated by the project is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy.The noise limits do not apply if the Proponent has an agreement with the landowner to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.	Location and Locality	Day	Evening	Night	1. 80 Links Road	39	35	35	2. 371 Old Southern Road	45	35	35	3. 243 Princes Highway	49	38	38	4. South Coast Correctional Facility	51	37	37	Not determined	<p>SCCCR Quarries Nowra Brickwork Quarry Environmental Management Strategy (EMS) (June 2010)</p> <p>Noise Monitoring Program (June 2010) (Appendix D, EMS)</p> <p>Audit site inspection 12 March 2013</p>	<p>No noise monitoring has occurred since the start of operations for this approval and therefore it is unknown if the noise levels generated by the Project exceed the operational noise impact assessment criteria.</p> <p>The EMS does include the operational noise criteria and describes the noise monitoring requirements for the site in Section 14.4. It also includes a Noise Monitoring Program in Appendix D.</p> <p>No noise complaints have been received to date. It is noted during the audit site inspection that the noise generated by the active quarry operations was not audible at the site office or at the southern site boundary near Dust Deposition Gauge No. 4 located near the Goodsell Residence.</p> <p><u>Corrective Action 4: Undertake noise monitoring in compliance with this requirement to determine whether the noise levels generated by the Project exceed the operational noise impact assessment criteria.</u></p>
Location and Locality	Day	Evening	Night																					
1. 80 Links Road	39	35	35																					
2. 371 Old Southern Road	45	35	35																					
3. 243 Princes Highway	49	38	38																					
4. South Coast Correctional Facility	51	37	37																					

Number	Condition	Compliance	Evidence	Audit Outcomes										
Operating Hours														
Sch 3.2	<p>The Proponent shall comply with the operating hours in Table 2</p> <p>Table 2: Operating hours</p> <table><tr><th>Activity</th><th>Day</th><th>Time</th></tr><tr><td rowspan="3">Quarrying Operations</td><td>Monday – Friday</td><td>7.00 am – 6.00 pm</td></tr><tr><td>Saturday</td><td>7.00 am – 4.00 pm</td></tr><tr><td>Sunday and Public Holidays</td><td>None</td></tr></table> <p>Notes:</p> <ul style="list-style-type: none">Maintenance activities may be conducted outside weekday hours in Table 3 provided that the activities are not audible at any privately-owned residence, or until 6 pm on Saturdays.Up to three unladen trucks are permitted to arrive at the site between 6.00 am to 7.00 am on Monday to Saturday; and up to three unladen trucks are permitted to return to the site between 6.00 pm to 8.00 pm on Monday to Friday and between 4.00 pm to 6.00 pm on Saturday.This condition does not apply to delivery of material if that delivery is required by police or other authorities for safety reasons, and/or the operation or personnel or equipment are endangered. In such circumstances, notification is to be provided to DECCW and the affected residents as soon as possible, or within a reasonable period in the case of emergency.	Activity	Day	Time	Quarrying Operations	Monday – Friday	7.00 am – 6.00 pm	Saturday	7.00 am – 4.00 pm	Sunday and Public Holidays	None	Yes	<p>SCCCR Quarries Nowra Brickwork Quarry Environmental Management Strategy (EMS) (June 2010)</p> <p>Noise Monitoring Program (June 2010) (Appendix D, EMS)</p> <p>Pers. Comm Excavator operator during audit site inspection 12 March 2013</p>	<p>Performance Targets are included in Sections 14.6.2 and 14.6.3 of the EMS for noise and air quality which state the standard operating hours of the quarry. These hours stated are consistent with this condition of approval. The standard operating hours of the quarry are also included in Section 2.3 of the Noise Monitoring Program and Blast Management Plan in Appendix D of the EMS.</p> <p>No complaints have been received to date regarding the operating hours of the quarry.</p> <p>An interview with an employee also confirmed compliance with this requirement.</p>
Activity	Day	Time												
Quarrying Operations	Monday – Friday	7.00 am – 6.00 pm												
	Saturday	7.00 am – 4.00 pm												
	Sunday and Public Holidays	None												

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Continuous Improvement</i>				
Sch 3.3	<p>The Proponent shall:</p> <ul style="list-style-type: none"> (a) implement all reasonable and feasible noise mitigation measures; . (b) investigate ways to reduce the noise generated by the project; and (c) report on these investigations and the implementation and effectiveness of these measures in the AEMR, <p>to the satisfaction of the Director-General.</p>	Partial	<p>Annual Environmental Management Reports 2009-2011</p> <p>Audit site inspection 12 March 2013</p>	<p>The AEMRs (2009-2011) states that few specific noise controls are considered necessary due to the surrounding land uses and the noise generated from the Princes Highway.</p> <p>The AEMRs provide environmental controls to manage noise on site. The audit site inspection confirmed that these environmental controls are in place and are being used to manage noise on site.</p> <p>Implementation of the noise monitoring program would provide a basis to assess whether additional noise mitigation measures are required on site. No additional noise mitigation measures have been investigated and/or implemented.</p> <p>It is noted during the audit site inspection that the noise generated by the active quarry operations was not audible at the site office or at the southern site boundary near Dust Deposition Gauge No. 4 located near the Goodsell Residence.</p> <p><u>Corrective Action 5: Implement the noise monitoring program including interpretation and analysis of results to determine whether additional noise mitigation measures are required.</u></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Monitoring</i>				
Sch 3.4*	<p>The Proponent shall prepare and implement a Noise Monitoring Program for the project to the satisfaction of the Director-General. The Program must:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with DECCW and be submitted to the Director-General for approval within 6 months of the date of this approval; (b) include annual attended noise monitoring; (c) include details of how the noise performance of the project would be monitored; and (d) include a noise monitoring protocol for evaluating compliance with the noise criteria in this approval. 	Partial	<p>SCCCR Quarries Nowra Brickwork Quarry Environmental Management Strategy (EMS) (June 2010)</p> <p>Noise Monitoring Program (Appendix D, EMS)</p> <p>Letter to Department from CPS on behalf of SCCCR dated 28 June 2010</p>	<p>A Noise Monitoring Program has been prepared and is included in the EMS as Appendix D. The program is consistent with the requirements of this condition.</p> <p>The letter from CPS (June 2010) to the Department states that the Noise Monitoring Program and Blast Management Plan were prepared in consultation with DECCW as required.</p> <p>The EMS including the Noise Monitoring Program and Blast Management Plan was submitted to the Department by CPS on behalf of SCCCR on 28 June 2010. Department approval for the Program has not been received.</p> <p>Implementation</p> <p>The noise monitoring program has not been implemented.</p> <p>Refer to Corrective Action 4.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes											
Blasting and Vibration															
Airblast Overpressure Limits															
Sch 3.5	<p>The Proponent shall ensure that the airblast overpressure level from blasting at the project does not exceed the criteria in Table 3.</p> <p>Table 3: Airblast overpressure impact assessment criteria</p> <table><tr><th>Receiver</th><th>Airblast overpressure level (dB(Lin Peak))</th><th>Allowable Exceedance</th></tr><tr><td rowspan="2">Residential and South Coast Correctional Facility</td><td>115</td><td>5% total number of blasts in any 12 month period</td></tr><tr><td>120</td><td>0%</td></tr><tr><td>Commercial</td><td>125</td><td>0%</td></tr></table>	Receiver	Airblast overpressure level (dB(Lin Peak))	Allowable Exceedance	Residential and South Coast Correctional Facility	115	5% total number of blasts in any 12 month period	120	0%	Commercial	125	0%	Not determined	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Blast Management Plan (June 2010) (Appendix D, EMS)</p> <p>Annual Environmental Management Reports 2009-2011</p> <p>Annual Environmental Management Report, 2010, Appendix C</p> <p>Review of Airblast overpressure monitoring results 2010-2012</p>	<p>The EMS describes the drilling and blasting requirements for the site in Section 7. Section 14.3 provides details of the required blast monitoring including relevant criteria and references a blast design record sheet provided in Appendix K which should be completed for each blast event. The EMS also includes the Blast Management Plan as Appendix D.</p> <p>Blasting Results</p> <p>Airblast overpressure monitoring results were provided for 12 blasting events – six blasts in 2010, one blast in 2011 and five blasts in 2012.</p> <p>All blasts were monitored at the four nominated locations except for:</p> <ul style="list-style-type: none">January 15, 2010, when monitoring was only undertaken at East Wall of the Correctional Facility. This blast occurred prior to the completion of the Blast Management Plan (completed in June 2010).
Receiver	Airblast overpressure level (dB(Lin Peak))	Allowable Exceedance													
Residential and South Coast Correctional Facility	115	5% total number of blasts in any 12 month period													
	120	0%													
Commercial	125	0%													

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 3.5				<p>This blast and associated monitoring was reportedly undertaken to inform the preparation of the Blast Management Plan.</p> <ul style="list-style-type: none"> November 16, 2012 (no monitoring results provided for the Goodsell Residence). This was reportedly due to a receiver malfunction. <p>Not all blasts were monitored at the required receivers and therefore it is not determined whether there were any exceedances above the impact assessment criteria in Table 3 during these two blasts at the missing locations.</p> <p>Exceedances</p> <p>No exceedances were reported in the 2009, 2010 or 2011 AEMRs. However, the results of the blasting have not been interpreted or analysed and therefore exceedances above the allowable exceedance of 5% total number of blasts in any 12 month period have not been determined.</p> <p>The 2010 AEMR (Appendix C) identified no exceedances above the maximum allowable levels. However, based on a review of the blasting results it was two instances were identified where the overpressure measured above 115 dB(L) at the East Wall of the Correctional Facility – 118.7 dB(L) on 15 January 2010 and 119.0 dB(L) on 25 March 2010. As stated above, these results were reportedly used to inform the preparation of the Blast Management Plan (completed in June 2010).</p> <p>However, based on the six blasts in 2010, only one blast above the criteria would be greater than the allowable exceedance of 5% total number of blasts in</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
				<p>any 12 month period. Therefore for 2010, based on the auditor's review airblast overpressure exceeded the criteria as two blasts were above 115dB at the East Wall of the Correctional Facility.</p> <p><u>Corrective Action 6:</u> Ensure that blast monitoring is undertaken at the required locations.</p> <p><u>Corrective Action 7:</u> Summarise and interpret the blast monitoring results to detect exceedances against the impact assessment criteria.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes											
Ground Vibration Impact Assessment Criteria															
Sch 3.6	<p>The Proponent shall ensure that the ground vibration level from blasting at the project does not exceed the levels in Table 4.</p> <p>Table 4: Ground vibration impact assessment criteria</p> <table><tr><th>Receiver</th><th>Peak particle velocity (mm/s)</th><th>Allowable Exceedance</th></tr><tr><td rowspan="2">Residential and South Coast Correctional Facility</td><td>5</td><td>5% total number of blasts in any 12 month period</td></tr><tr><td>10</td><td>0%</td></tr><tr><td>Commercial</td><td>25</td><td>0%</td></tr></table>	Receiver	Peak particle velocity (mm/s)	Allowable Exceedance	Residential and South Coast Correctional Facility	5	5% total number of blasts in any 12 month period	10	0%	Commercial	25	0%	Not determined	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Blast Management Plan (June 2010) (Appendix D, EMS)</p> <p>Annual Environmental Management Reports 2009-2011</p> <p>Annual Environmental Management Report, 2010, Appendix C</p> <p>Review of ground vibration monitoring results 2010-2012</p>	<p>Refer to Condition 3.5 in Table C1 (this table) for details of the EMS and drilling and blasting requirements for the site.</p> <p>Blast Results</p> <p>Vibration monitoring results were provided for twelve blasting events – six blasts in 2010, one blast in 2011 and five blasts in 2012.</p> <p>All blasts were monitored at the four nominated locations except for</p> <ul style="list-style-type: none">January 15, 2010, when monitoring was only undertaken at East Wall of the Correctional Facility. This blast occurred prior to the completion of the Blast Management Plan (completed in June 2010). This blast and associated monitoring was reportedly undertaken to inform the preparation of the Blast Management Plan.November 16, 2012 (no monitoring results provided for the Goodsell Residence). This was reportedly due to a receiver malfunction. <p>Not all blasts were monitored at the required receivers and therefore it is not determined whether there were any exceedances above the impact assessment criteria in Table 4 during these two blasts at the missing locations.</p>
Receiver	Peak particle velocity (mm/s)	Allowable Exceedance													
Residential and South Coast Correctional Facility	5	5% total number of blasts in any 12 month period													
	10	0%													
Commercial	25	0%													

Number	Condition	Compliance	Evidence	Audit Outcomes
				<p>Exceedances</p> <p>No exceedances have been reported in the 2009, 2010 and 2011 AEMRs. However, the results of the blasting have not been interpreted or analysed and therefore exceedances above the allowable exceedance of 5% total number of blasts in any 12 month period have not been determined.</p> <p>A review of the blasting results presented in the 2010 AEMR was undertaken by one of the auditor's and confirmed there were no exceedances above the maximum allowable levels.</p> <p><i>Refer to Corrective Actions 6 and 7.</i></p>
<i>Blasting Hours and Frequency</i>				
Sch 3.7	The Proponent shall carry out blasting on site only between 9 am and 3 pm Monday to Friday. No blasting is allowed on weekends and Public Holidays.	Yes	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Annual Environmental Management Report, 2011, Appendix C</p> <p>Blasting results provided for 2010, 2011 and 2012</p>	<p>The EMS describes the drilling and blasting requirements for the site in Section 7. Section 7.2.3 incorporates general restrictions including blasting hours consistent with this condition.</p> <p>A review of the blast results was undertaken by one of the auditor's and confirmed that all blasts have occurred from 2010-2012 within the approved hours.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 3.8	<p>The Proponent shall not carry out more than one blast per week on site.</p> <p><i>Note: In the case of a documented misfire, the Proponent may carry out a second blast in the relevant week.</i></p>	Yes	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Blasting results provided for 2010, 2011 and 2012</p>	<p>The EMS describes the drilling and blasting requirements including requirements consistent with this condition.</p> <p>A review of the blast results was undertaken by one of the auditor's and confirmed from 2010-2012, the quarry operations did not conduct more than one blast per week as required.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Operating Conditions</i>				
Sch 3.9	The Proponent shall not undertake blasting within 200 metres of any privately-owned land, unless suitable arrangements have been made with the landowner and any tenants to minimise the risk of flyrock-related impact to the property and to human safety to the satisfaction of the Director-General.	Not determined	SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010) Audit site inspection 12 March 2013	The EMS describes the drilling and blasting requirements for the site in Section 7. Section 7.2.2 incorporates preparatory activities for blasting which includes the requirements consistent with this condition. <i>Corrective Action 8: Provide evidence that blasting is not undertaken within 200 metres of any privately-owned land or that other arrangements have been made and approved by the Director-General.</i>

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Property Inspections</i>				
Sch 3.10*	Prior to 30 June 2010, the Proponent shall advise all landowners within 500 m of proposed blasting activities, and any other landowner nominated by the Director-General, that they are entitled to a property inspection to establish the baseline condition of the property.	Yes	<p>Letter to Department dated 24 February 2010.</p> <p>19 dilapidation surveys completed dated between 25 March to 29 April 2010</p> <p>List of properties and addresses surrounding site</p>	<p>A letter was sent out to nearby residences, correction facility and commercial premises surrounding the site. A door knock was also conducted for those residences directly adjacent to the site. Consultation included landholders within 500 metres. No landowners nominated by the Department were identified.</p> <p>The notification to the landowners was undertaken prior to 30 June 2010. Dilapidation surveys were completed at properties interested during the period from 25 March to 29 April 2010.</p> <p>Property surveys were completed for those who responded. It was noted that a number of adjacent residences within the 500 metre boundary did not request a dilapidation survey.</p> <p>19 dilapidation surveys were completed. These surveys were completed by Safe House Property Consultants in accordance with AS4349.0-2007 and by licenced providers certified for visual pre-purchase inspections.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 3.11	<p>If the Proponent receives a written request for a property inspection from any such landowner, the</p> <p>Proponent shall:</p> <p>(a) commission a suitably qualified person, whose appointment has been approved by the Director- General, to inspect and report on the condition of any building or structure on the land, and recommend measures to mitigate any potential blasting impacts; and</p> <p>(b) give the landowner a copy of this property inspection report.</p> <p><i>Note: It is preferable for the property inspection to be carried out prior to the commencement of blasting activities on the site, and the Proponent should facilitate this occurring wherever possible.</i></p>	N/A		No written requests for property inspections were identified, hence the condition was not triggered.
Property Investigations				
Sch 3.12*	<p>If any landowner within 500 m of proposed blasting activities, or any other landowner nominated by the Director-General, claims that his/her property, including vibration-sensitive infrastructure such as water supply or underground irrigation mains, has been damaged as a result of blasting at the project, the Proponent shall within 3 months of receiving this request:</p> <p>(a) commission a suitably qualified person whose appointment has been approved by the Director- General to investigate the claim and prepare a property investigation report; and</p> <p>(b) give the landowner a copy of the report.</p> <p>If this independent investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent shall repair the damage to the satisfaction of the Director-General.</p> <p>If the Proponent or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Director-General for resolution.</p>	N/A		No damaged infrastructure complaints have been received; hence the clause was not triggered.

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Management</i>				
Sch 3.13	<p>Prior to 30 June 2010, the Proponent shall prepare and implement a detailed Blast Management Plan for the project to the satisfaction of the Director-General. The Plan must</p> <p>(a) be prepared in consultation with DECCW;</p> <p>(b) substantiate blast design to ensure compliance with blast criteria;</p> <p>(c) include protocols for communicating with all neighbouring landholders regarding scheduled blasts;</p> <p>(d) include details of how and at what locations blasting performance would be monitored; and</p> <p>(e) include a blast monitoring protocol for evaluating compliance with the blast criteria in this approval.</p>	Yes	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Blast Management Plan (June 2010) (Appendix D, EMS)</p> <p>Annual Environmental Management Report, 2011 Appendix D</p> <p>Letter to Department from CPS submitting the EMS on behalf of SCCCR dated 28 June 2010</p>	<p>The EMS includes a Blast Management Plan (Appendix D) which was prepared to meet the requirements of this condition. The EMS also describes the drilling and blasting requirements for the site in Section 7. Section 14.3 provides details of required blast monitoring including relevant criteria and levels and references a blast design record sheet provided in Appendix K which should be completed for each blast.</p> <p>The submission letter (CPS 2010) states that the Noise Monitoring Program and Blast Management Plan was prepared in consultation with DECCW as required by this Condition.</p> <p>The EMS including the Noise Monitoring Program and Blast Management Plan, which was submitted to the Department by City Plan Services on behalf of SCCCR on 28 June 2010. Department approval for the Plan has not been received.</p> <p>Implementation</p> <p>The Blast Monitoring Program has been implemented. Refer also to Conditions 3.5 and 3.6 in Table C1 (this table) for details on the results of the program.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Air Quality				
<i>Continuous Improvement</i>				
Sch 3.14	<p>The Proponent shall:</p> <ul style="list-style-type: none"> (a) implement all reasonable and feasible dust mitigation measures; (b) investigate ways to reduce the dust generated by the project; and (c) report on these investigations and the implementation and effectiveness of these measures in the AEMR, <p>to the satisfaction of the Director-General.</p>	Partial	<p>Annual Environmental Management Reports 2009-2011</p> <p>Audit site inspection 12 March 2013</p>	<p>The AEMRs (2009 to 2011) provide environmental controls to manage dust on site. Dust is mitigated on site through the use of sprinklers on the crusher plant and conveyors as well as use of the water cart to suppress dust on roads.</p> <p>The audit site inspection confirmed that these environmental controls are in place and are being used to manage dust on site. However, the AEMRs do not analyse or provide a discussion on the interpretation of the dust monitoring results and therefore the effectiveness of these measures are unknown.</p> <p>A wheel wash has been constructed on site but is not in use.</p> <p><u>Corrective Action 9: Provide interpretation and analysis of dust monitoring results to determine the effectiveness of the controls implemented on site and whether additional dust mitigation measures are required.</u></p>

Number	Condition	Compliance	Evidence	Audit Outcomes																							
Impact Assessment Criteria																											
Sch 3.15	<p>The Proponent shall ensure that dust emissions generated by the project do not cause additional exceedances of the criteria listed in Tables 5 to 7 at any residence on privately owned land, or on more than 25 per cent of any privately-owned land.</p> <p>Table 5: Long term impact assessment criteria for particulate matter</p> <table><tr><th>Pollutant</th><th>Averaging Period</th><th>Criterion</th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>90 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td>30 µg/m³</td></tr></table> <p>Table 6: Short term impact assessment criteria for particulate matter</p> <table><tr><th>Pollutant</th><th>Averaging Period</th><th>Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>24 Hour</td><td>50 µg/m³</td></tr></table> <p>Table 7: Long term impact assessment criteria for deposited dust</p> <table><tr><th>Pollutant</th><th>Averaging Period</th><th>Maximum increase in deposited dust level</th><th>Maximum total deposited dust level</th></tr><tr><td>Deposited dust</td><td>Annual</td><td>2 g/m²/month</td><td>4 g/m²/month</td></tr></table>	Pollutant	Averaging Period	Criterion	Total suspended particulate (TSP) matter	Annual	90 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³	Pollutant	Averaging Period	Criterion	Particulate matter < 10 µm (PM ₁₀)	24 Hour	50 µg/m ³	Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level	Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month	Not determined	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Air Quality Management Plan (June 2010) (Appendix I, EMS)</p> <p>Laboratory results and summary tables for particulate monitoring for Total Soluble Matter, TSP and PM10</p> <p>EPA licence summary webpage for Licence No. 11765 (accessed 9 April 2013 http://www.environment.nsw.gov.au/prpoeoapp/) – Annual Return for 2010/11</p>	<p>Section 14.6 of the EMS provides details of required air quality monitoring including relevant criteria and levels. The EMS also includes an Air Quality Management Plan as Appendix I.</p> <p>Particulate Monitoring</p> <p>The deposited dust (DD), TSP and PM10 monitoring results were provided from 2010 to 2012. It was observed that there were a number of missing datasets during this period where results are not available. It was confirmed by the Annual Return for this period that monitoring was not undertaken and a non-compliance recorded by the EPA.</p> <p>For TSP and PM10 no data is available for October and November 2010 or from January to June 2012. For DD no data is available for January, September or December 2011 or from January to June 2012. Dust emissions were not monitored during these periods detailed above and therefore it is not determined whether there were any exceedances above the impact assessment criteria in Tables 5 and 6 during these periods.</p> <p>Exceedances</p> <p>The results in the summary tables provided do not compare with the criterion nor provide annual averages for the results.</p>
Pollutant	Averaging Period	Criterion																									
Total suspended particulate (TSP) matter	Annual	90 µg/m ³																									
Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³																									
Pollutant	Averaging Period	Criterion																									
Particulate matter < 10 µm (PM ₁₀)	24 Hour	50 µg/m ³																									
Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level																								
Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month																								

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 3.15	Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS/NZS 3580.10.1 2003: <i>Methods for Sampling and Analysis of Ambient Air Determination of Particulates Deposited Matter Gravimetric Method</i> .			<p>After a brief review of these results by one of the auditor's, there were four monitoring events where at least one of the DD results were identified over the maximum allowed 4 g/m²/month.</p> <p>No exceedences were identified above the maximum PM10 24 hour short term criteria. However, it is noted that there were no annual averages calculated for TSP or PM10 and therefore it is not determined whether there were any exceedences above the impact assessment criteria in Table 7.</p> <p><u>Corrective Action 10: Summarise and analyse the dust monitoring results to detect exceedences against the impact assessment criteria.</u></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Air Quality Monitoring</i>				
Sch 3.16*	<p>The Proponent shall prepare and implement an Air Quality Monitoring Program for the project to the satisfaction of the Director-General. This program must:</p> <p>(a) be prepared in consultation with DECCW, and be submitted to the Director-General for approval prior to 30 June 2010; and</p> <p>(b) include details of how the air quality performance of the project will be monitored, and include a protocol for evaluating compliance with the relevant air quality criteria in this approval.</p>	Partial	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Air Quality Management Plan (June 2010) (Appendix I, EMS)</p> <p>Letter to Department from CPS on behalf of SCCCR dated 28 June 2010</p> <p>EPA licence summary webpage for Licence No. 11765 (accessed 9 April 2013 http://www.environment.nsw.gov.au/prpoeoapp/)</p>	<p>Section 14.6 of the EMS provides details of required air quality monitoring including relevant criteria and an Air Quality Management Plan in Appendix I. Section 4 of the Air Quality Management Plan provides details of reporting and non-compliance consistent with the requirements of condition (b).</p> <p>The submission letter (CPS 2010) states that the Air Quality Management Plan was prepared in consultation with DECCW as required.</p> <p>The EMS including the Air Quality Management Plan was submitted to the Department by CPS on behalf of SCCCR on 28 June 2010. Department approval for this Program has not been received.</p> <p>Implementation</p> <p>Refer to Schedule 3.15 in Table C1 (this table) for details on implementation of the monitoring program.</p> <p>On review of the EPA licence summary page for Licence No. 11765, two non-compliances against licence condition M2 were identified during the 2010/11 return period. The reason for non-compliance was for failure to monitor TSP at monitoring point 5 and PM10 at monitoring point 6. The number of incidents identified in the annual return period was 33.</p> <p><u>Corrective Action 11: Ensure that air quality monitoring is undertaken as required.</u></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Water Management				
Discharge				
Sch 3.17	Except as may be expressly provided for by an EPL, the Proponent shall comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> during the carrying out of the project.	Yes	EPL 11765	No exceptions provided by the EPL. Refer also to Condition 3.19 in Table C1 (this table) below.
Sch 3.18	The Proponent shall manage on-site sewage to the satisfaction of the Council and DECCW. The facility must comply with the requirements of the <i>Environment and Health Protection Guidelines- On-site Sewage Management for Single Households (1998)</i> .	Not determined	Communication with Council and OEH	<p>Following the meeting with Shoalhaven City Council on 30 January 2013, Council advised the following via email:</p> <p><i>"it is noted that the Environmental Assessment prepared by RW Corkery & Co Pty Ltd and City Plan Services, dated February 2009 approved as part of Project Approval 07_123 the construction of a biocycle septic system to service the toilet facility as approved by Council under DA05/2201 (i.e. Section 2.8.3 – Non production Wastes, Section 2.13.1 –Services). The system as approved under DA05/2201 has had a Section 68 Approval (issued with the development consent) but has had no further inspections by Council.</i></p> <p><i>Please note that if the system that has currently been provided on site is different to that approved under DA05/2201 then no Section 68 approval exists.</i></p> <p><i>Having regard for the above, Council is not aware of any system being installed on the site and cannot advise that on-site sewage is being managed to the satisfaction of Shoalhaven City Council."</i></p> <p>OEH did not comment on this condition.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 3.18				<u>Corrective Action 12: Supply Shoalhaven City Council and the OEH with details of the on-site sewage system to determine its adequacy.</u>
<i>Water Management Plan</i>				
Sch 3.19*	<p>The Proponent shall prepare and implement a Soil and Water Management Plan for the project to the satisfaction of the Director-General. This plan must:</p> <p>(a) be prepared in consultation with DECCW and NOW, and be submitted to the Director-General for approval prior to 30 June 2010; and</p> <p>(b) include a:</p> <ul style="list-style-type: none"> • Site Water Balance; • Erosion and Sediment Control Plan; • Surface Water Monitoring Program; • Ground Water Monitoring Program; and • Surface and Groundwater Response Plan. 	Partial	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Surface Water and Groundwater Monitoring and Response Plan (May 2010) (Appendix F, EMS)</p> <p>Erosion and Sediment Control Plan (February 2010) (Appendix E, EMS)</p> <p>Site Water Balance (March 2010) (Appendix G, EMS)</p> <p>Letter to Department from CPS on behalf of SCCCR dated 28 June 2010</p>	<p>The EMS does not include a separate overarching Soil and Water Management Plan. However the EMS provides the framework and describes the soil and water management and use requirements for the site in Section 12 and relevant environmental monitoring sections for erosion and sediment control (14.7), surface water (14.10 to 14.11) and groundwater monitoring (14.12).</p> <p>The EMS includes a Surface Water and Groundwater Monitoring and Response Plan (Appendix F), Erosion and Sediment Control Plan (Appendix E) and a Site Balance Report (Appendix G) consistent with the requirements of condition (b).</p> <p>The submission letter (CPS 2010) states that the Soil and Water Management Plan was prepared in consultation with DECCW and NOW as required.</p> <p>The EMS including the Soil and Water Management Section and associated sub plans was submitted to the Department by CPS on behalf of SCCCR on 28 June 2010. Department approval for the Plan and Program has not been received.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 3.19*			<p>Annual Environmental Management Report 2011 Appendix D</p> <p>Ground water monitoring results - Peizo laboratory results September 2010, December 2010, March 2011 and June 2011.</p> <p>Site audit inspection 12 March 2013</p>	<p>Implementation</p> <p>Soil and water management and monitoring in accordance with the EMS has only been partially implemented on site. Specific details on implementation are provided below.</p> <p>Site Water Balance Report - The water storage facility pond (refer to Erosion and Sediment Control Plan sheet ESCP01) has been constructed in the northern section of the site near the maintenance shed. However, it is noted that during the site audit inspection it was observed that the overflow from this pond is to the west of the pond toward the site boundary. Currently any overflow is not retained on site and flows via a drainage depression through to a vegetated grassed area off site. However, this is not in accordance with the report which provides the commitment "that any overflow flows back into the quarry pit, not off-site." Photos have been collected at Nowra Creek after high rainfalls and provided in the AEMR (Appendix D). However, no evidence was provided that any health indicator observations were collected with the photos in accordance with Section 14.11.1 of the EMS.</p> <p>Erosion and Sediment Control - The ESCP requires that an internal auditing program is established with regular inspections at least fortnightly being conducted by the quarry manager. The monitoring requirements have been incorporated into Section 14.7 of the EMS which describes the procedures for erosion and sediment control monitoring during site operations. This requirement has not been implemented in accordance with the ESCP.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 3.19*				<p>Large soil stockpiles are located in the southern portion of the site near the western boundary. These stockpiles have not been installed in accordance with the ESCP, which requires installation in accordance with Standard Drawing 4-1 of the Blue Book, requiring stabilisation and construction of earth banks upslope to divert water around the stockpiles. Sediment fences have been installed downslope of the stockpiles; however they have not been installed within 1 to 2 metres of the stockpiles and are not being maintained. As a result, there was evidence of sediment loss from the stockpiles in the natural drainage catchment which flows into Nowra Creek during high rainfall.</p> <p>Surface Water - The surface water monitoring program has not been implemented.</p> <p>Groundwater - The groundwater monitoring program has been partially implemented. Monitoring occurred quarterly for the first year from September 2010 in accordance with the EMS. However, there is no evidence that the results have been reviewed and analysed to identify any exceedances, trends or issues</p> <p><u>Corrective Action 13: Implement soil and water management on site, including regular fortnightly inspections, management and maintenance of stockpiles and water quality monitoring as well as review and analysis of any results.</u></p> <p><u>Corrective Action 14: Ensure that overflow from the water storage facility pond, constructed near the northern section of the site, flows back into the quarry pit and not off-site.</u></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Site Water Balance</i>				
Sch 3.20	<p>The Site Water Balance must:</p> <p>(a) include details of:</p> <ul style="list-style-type: none"> sources and security of water supply; water make and use on site; water management on site; any off-site water transfers; and reporting procedures; and <p>(b) investigate and describe measures to minimise water use by the project.</p>	Yes	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Site Water Balance (March 2010) (Appendix G, EMS)</p> <p>Surface Water and Groundwater Monitoring and Response Plan (May 2010) (Appendix F, EMS)</p> <p>Erosion and Sediment Control Plan (February 2010) (Appendix E, EMS)</p>	<p>A Site Water Balance was prepared as part of the EMS (Appendix G). The report meets the majority of these items for this condition excluding reporting procedures but refers to the Surface Water and Groundwater Monitoring and Response Plan to manage this aspect.</p> <p>The report provides four commitments from the water balance modelling which includes construction and maintenance of a 50 ML storage pond on site with the provision made in the storage pond design so that any overflow runs back into the quarry pit and not off site.</p> <p>Refer also to Condition 3.19 in Table C1 (this table) above.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Erosion and Sediment Control</i>				
Sch 3.21	<p>The Erosion and Sediment Control Plan must:</p> <ul style="list-style-type: none"> (a) be consistent with the requirements of Managing Urban Stormwater: Soils and Construction, Volume 1, 411 Edition, 2004 (Landcom); (b) identify activities that could cause soil erosion and generate sediment; (c) describe measures to minimise soil erosion and the potential for the transport of sediment downstream in Nowra Creek; (d) describe the location, function, and capacity of erosion and sediment control structures; and (e) describe what measures would be implemented to maintain the structures over time. 	Yes	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Erosion and Sediment Control Plan (February 2010) (Appendix E, EMS)</p>	<p>An Erosion and Sediment Control Plan (ESCP) was prepared as part of the EMS (Appendix E) and is consistent with the requirements of this condition.</p>
<i>Surface Water Monitoring</i>				
Sch 3.22	<p>The Surface Water Monitoring Program must include:</p> <ul style="list-style-type: none"> (a) detailed baseline data on surface water flows and quality in Nowra Creek and any other waterbodies that could potentially be affected by the project (b) surface water and stream health impact assessment criteria; (c) a program to monitor the impact of the project on surface water flows in Nowra Creek, water quality and stream health, including monitoring for major cations and anions; and (d) reporting procedures for the results of the monitoring program. 	Yes	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Surface Water and Groundwater Monitoring and Response Plan (May 2010) (Appendix F, EMS)</p>	<p>A Surface Water and Groundwater Monitoring and Response Plan (SWGMRP) (Appendix F of EMS) was prepared to meet the requirements of this condition.</p> <p>Section 5.2 of the SWGMRP provides the results of baseline monitoring for surface waters within the project site and in Nowra Creek. Section 7.1 provides the details of the surface water monitoring program and a response plan to monitor surface water quality and stream health of Nowra Creek.</p> <p>Additionally, the EMS summarises the requirements for surface water monitoring for the site in Section 14.10 - surface water quality and Section 14.11 - Nowra Creek health monitoring.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Groundwater Monitoring</i>				
Sch 3.23	<p>The Ground Water Monitoring Program must include:</p> <ul style="list-style-type: none"> (a) detailed baseline data on ground water levels and quality, based on statistical analysis; (b) ground water impact assessment criteria, including trigger levels for investigating any potentially adverse ground water impacts; (c) a program to monitor ground water levels and quality; (d) a protocol for further ground water modelling to confirm the limits to excavation depth across the site would not adversely affect ground water availability for the environment or local users; and (e) a protocol for the investigation, notification and mitigation of identified exceedances of the ground water impact assessment criteria. 	Yes	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Surface Water and Groundwater Monitoring and Response Plan (May 2010) (Appendix F, EMS)</p>	<p>A Surface Water and Groundwater Monitoring and Response Plan (SWGMRP) (Appendix F of EMS) was prepared to meet the requirements of this condition.</p> <p>Section 5.2 of the SWGMRP provides the results of baseline monitoring for groundwater within the project site collected in 2007 including interpretation of these results. Section 7.2 provides the details of the groundwater monitoring program and a response plan to monitor groundwater quality on site.</p> <p>Additionally, the EMS summarises the requirements for groundwater monitoring for the site in Section 14.12.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Surface and Groundwater Response Plan</i>				
Sch 3.24	<p>The Surface and Groundwater Response Plan must describe the measures and/or procedures that would be implemented to:</p> <ul style="list-style-type: none"> (a) investigate, notify and mitigate any exceedances of the surface water, stream health and ground water impact assessment criteria, including an increase in salinity levels for Nowra Creek; and (b) mitigate and/or offset any adverse impacts on groundwater dependent ecosystems or riparian vegetation. 	Yes	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Surface Water and Groundwater Monitoring and Response Plan (May 2010) (Appendix F, EMS)</p>	<p>The SWGMRP provides two tables summarising the monitoring requirements and response plan for surface water and groundwater on site. Additionally, an assessment has been completed of potential surface and groundwater related impacts on Nowra Creek and groundwater related impacts for the Project. These impacts are summarised in Appendix A and B. No potential impacts were identified relating to groundwater dependent ecosystems or riparian vegetation.</p> <p>Implementation</p> <p>Implementation has not been required. However it is noted that the surface water monitoring program has not been implemented in accordance with the EMS. The groundwater monitoring has been partially implemented but results have not been analysed to identify any trends or issues.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes								
Rehabilitation and Landscape Management												
Biodiversity Offset Strategy												
Sch 3.25	<p>The Proponent shall:</p> <p>(a) review its proposed Biodiversity Offset Strategy (see Table 8), in consultation with DECCW and the Director-General, to seek to identify a replacement for the proposed Southern Biodiversity Offset Area that:</p> <ul style="list-style-type: none">• is located in the vicinity;• is not affected by identified future public infrastructure proposals; and• has equivalent (or better) biodiversity values; <p>(b) implement the Biodiversity Offset Strategy (as amended under (a) above, if applicable);</p> <p>(c) ensure that adequate resources are dedicated towards the implementation of the strategy;</p> <p>(d) provide appropriate long term security for the offset areas; and</p> <p>(e) provide a timetable for the implementation of the offset strategy prior to the clearing of any forested area of the site, or as otherwise agreed by the Director-General, to the satisfaction of the Director-General.</p> <p>Table 8: Biodiversity Offset Strategy</p> <table><tr><th>Offset Areas</th><th>Minimum Size</th></tr><tr><td>Northern Biodiversity Offset Area</td><td>21.5 hectares</td></tr><tr><td>Southern Biodiversity Offset Area</td><td>16.19 hectares</td></tr><tr><td>Total</td><td>37.69 hectares</td></tr></table>	Offset Areas	Minimum Size	Northern Biodiversity Offset Area	21.5 hectares	Southern Biodiversity Offset Area	16.19 hectares	Total	37.69 hectares	Not determined	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Landscape and Biodiversity Management Plan (February 2010) (Appendix H)</p> <p>Letter from OEH to GHD, 21 February 2013</p>	<p>The Biodiversity Offset Strategy found within the Landscape and Biodiversity Management Plan (Appendix H of the EMS) contains the Southern Biodiversity Offset Area as part of the offset package.</p> <p>There is no evidence to suggest that the Biodiversity Offset Strategy has been reviewed to identify a replacement for the proposed Southern Biodiversity Offset Area.</p> <p>SCCCR advised that no clearing had been undertaken and therefore the Southern Biodiversity Offset Area had not been identified, at this stage. Further, there is no time requirement for this condition to be satisfied.</p> <p>Observations on site however confirmed that, stockpiles have been placed on understorey vegetation which may be constituted as clearing and for that reason this requirement is assessed as “Not Determined” and should be satisfied as a priority.</p> <p><u>Opportunity for Improvement 2: Review the Biodiversity Offset Strategy, in consultation with the OEH and the Director-General, to seek to identify a replacement for the Southern Biodiversity Offset Area in accordance with this Condition and agree on a timeframe for this to be done.</u></p>
Offset Areas	Minimum Size											
Northern Biodiversity Offset Area	21.5 hectares											
Southern Biodiversity Offset Area	16.19 hectares											
Total	37.69 hectares											

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Landscape and Biodiversity Management Plan</i>				
Sch 3.26*	<p>The Proponent shall prepare and implement a Landscape and Biodiversity Management Plan for the project to the satisfaction of the Director-General. This plan must:</p> <p>(a) be prepared by suitably qualified person(s), approved by the Director-General;</p> <p>(b) be submitted to the Director-General for approval prior to the 30 June 2010; and</p> <p>(c) include a:</p> <ul style="list-style-type: none"> Rehabilitation and Biodiversity Offset Strategy Management Plan; and Long Term Management Strategy. <p><i>Note: The Department accepts that the initial Landscape and Biodiversity Management Plan may not include the detailed Long Term Management Strategy. However, a conceptual strategy must be included in the initial plan, along with a timetable for augmentation of the strategy with each subsequent review of the plan.</i></p>	Partial	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Landscape and Biodiversity Management Plan (February 2010) (Appendix H, EMS)</p> <p>Annual Environmental Management Report 2011, Appendix D.</p> <p>Letter to Department from CPS on behalf of SCCCR dated 28 June 2010</p>	<p>A Landscape and Biodiversity Management Plan (LBMP) was prepared as part of the EMS (Appendix H) to meet the requirements of condition (c). Section 2.6 provides a summary of potential risks and contingency plans for the long-term management of the biodiversity offset areas. However, the plan does not include a timetable for augmentation of the strategy with each subsequent review of the plan or a long term management strategy.</p> <p>The LBMP was prepared by Gaia Research but Department approval was not provided that this consultant was suitably qualified to prepare the plan and approved by the Department in accordance with clause (a) of this Condition.</p> <p>The submission letter (CPS 2010) states that the LBMP was prepared in consultation with NOW, DII and Shoalhaven Council as required by Schedule 3, Condition 28(a) of this approval.</p> <p>The EMS including the LBMP was submitted to the Department by City Plan Services on behalf of SCCCR on the 28 June 2010.</p> <p>This was submitted prior to 30 June 2010 consistent with the conditions of approval for submission of the EMS (Sch 5 Condition 1) and other relevant management plans prior to this date.</p> <p>Department approval for this Plan has not been received.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 3.26*				<p>Implementation</p> <p>Section 2.7 provides details for the persons responsible for monitoring, review and implementation of the plan. However, it is noted that this responsibility is given to a sub consultant not personnel from SCCCR.</p> <p>The LBMP has been partially implemented. The annual weed inspection has occurred and results provided in the AEMR (2011). Permanent photo reference /monitoring points have not been established for rehabilitation monitoring or biodiversity offset monitoring.</p> <p><u>Corrective Action 15: Implement the LBMP as required.</u></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 3.27	<p>The Rehabilitation and Biodiversity Offset Strategy Management Plan must include</p> <p>(a) the rehabilitation objectives for the site and offset areas:</p> <p>(b) a description of the measures that would be implemented to:</p> <ul style="list-style-type: none"> rehabilitate and stabilise the site; minimise the removal of mature trees; implement the Biodiversity Offset Strategy; and manage the remnant vegetation and habitat on the site and in the offset areas; <p>(c) detailed performance and completion criteria for the rehabilitation and stabilisation of the site;</p> <p>(d) a detailed description of how the performance of the rehabilitation of the quarry areas would be monitored over time to achieve the stated objectives:</p> <p>(e) a detailed description of what measures would be implemented to rehabilitate and manage the landscape of the site including the procedures to be implemented for:</p> <ul style="list-style-type: none"> progressively rehabilitating and stabilising areas disturbed by quarrying; 	Yes	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Landscape and Biodiversity Management Plan (Appendix H, EMS)</p>	Rehabilitation and Biodiversity Offset Management Plan provided in Section 2 of the LBMP includes the details for the items listed and has been prepared to meet the requirements of this Condition.

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 3.27	<ul style="list-style-type: none"> implementing revegetation and regeneration within the disturbance areas; protecting areas outside the disturbance areas, including the Biodiversity Offset Strategy areas; vegetation clearing protocols, including a protocol for clearing any trees containing hollows and the relocation of hollows from felled trees; managing impacts on fauna, in particular threatened species; controlling weeds and pests; controlling access; bushfire management; and reducing the visual impacts of the project; <p>(f) a description of the potential risks to successful rehabilitation and a description of the contingency measures that would be implemented to mitigate these risks; and</p> <p>(g) details of who is responsible for monitoring, reviewing, and implementing the plan.</p>			
Sch 3.28	<p>The Long Term Management Strategy must:</p> <ul style="list-style-type: none"> (a) define the objectives and criteria for quarry closure and post-extraction management; (b) be prepared in consultation with NOW, DII and Council; (c) investigate and/or describe options for the future use of the site; (d) describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the project: and (e) describe how the performance of these measures would be monitored over time. 	N/A		<p>A Long Term Management Strategy has not been prepared. However, it was established during the audit that project activities have not yet reached a stage which require this Condition to be implemented and therefore, this condition has not been triggered.</p> <p>Refer also to Schedule 3.26 in Table C1 (this table) above.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Rehabilitation</i>				
Sch 3.29	<p>Backfilling of the quarry void and water storage facility is restricted to the use of materials which are "Virgin Excavated Natural Materials" as defined in the <i>Protection of the Environment Operations Act 1997</i>, to the satisfaction of the Director-General. The Proponent must consult with the Council to identify the proposed alignment of the link road from Warra Warra Road to the Flinders Industrial Estate. Backfilling within the proposed alignment must use materials and a compaction standard suitable for the future construction of the link road, to the satisfaction of the Director-General.</p> <p><i>Note: the conceptual final landform is shown in Appendix 4.</i></p>	N/A		<p>The quarry has reached based level of the pit (ground zero) but backfilling of the quarry void and water storage facility has not yet commenced. Based on discussions with SCCR Quarries, VENM is stockpiled on site for use in the pit when backfilling is ready to commence.</p> <p>This condition has not been triggered.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Heritage				
<i>Aboriginal Cultural Heritage Management Plan</i>				
Sch 3.30*	<p>The Proponent shall prepare and implement an Aboriginal Cultural Heritage Management Plan to the satisfaction of the Director-General. This plan must:</p> <p>(a) be prepared in consultation with DECCW and local Aboriginal communities;</p> <p>(b) be submitted to the Director-General for approval prior to 30 June 2010; and</p> <p>(c) include a description of the measures that would be implemented if any new Aboriginal objects or skeletal remains are discovered during the project.</p>	Partial	<p>Letter from OEH to GHD, 21 February 2013</p> <p>Letter to Department from CPS on behalf of SCCCRC dated 28 June 2010</p> <p>SCCCRC Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Aboriginal Cultural Heritage Management Plan (March 2010) (Appendix J, EMS)</p> <p>Aboriginal Heritage Monitoring Area Maps (March 2010) (Appendix L, EMS)</p> <p>Email from DECCW to CPS, 23 April 2010</p>	<p>SCCCRC has not prepared an Aboriginal Cultural Heritage Management Plan however it has incorporated the requirements of the plan within the EMS. It is noted, that:</p> <ul style="list-style-type: none"> Appendix J of the EMS provides a review of the Aboriginal Heritage Assessment (prepared in 2007) undertaken in March 2010. It concluded that the information contained in the previous assessment was still applicable; A draft set of measures were presented to the Nowra Local Aboriginal Land Council and Dungarn Consultancy and both parties stated they were in agreement with the management recommendations; and The management recommendations have been incorporated into Section 14.9 of the EMS which describes the procedures for Aboriginal heritage monitoring during site operations. <p>In relation to consultation with DECCW:</p> <ul style="list-style-type: none"> SCCCRC presented a letter from CPS to the Department (2010) stating that the ACHMP was prepared in consultation with DECCW (now OEH) and local Aboriginal communities.

Number	Condition	Compliance	Evidence	Audit Outcomes
				<ul style="list-style-type: none"> • SCCCR presented an email record that DECCW acknowledged the provision of “draft copies of the various programs/ plans required in the Project Approval” (dated 23 April 2010). • However, correspondence from OEH to GHD (21 February 2013) stated that OEH has no record of receiving or being consulted about the Aboriginal Cultural Heritage Management Plan. • Hence, there was no clear documented evidence that the ACHMP was submitted to OEH. <p>In relation to submission of the plan to the Department:</p> <p>The EMS, including the measures to be implemented if new Aboriginal objects are discovered on site, was submitted to the Department by City Plan Services on behalf of SCCCR on 28 June 2010. Department approval for the Plan has not been received.</p> <p>Implementation</p> <p>No vegetation removal or soil stripping operations have occurred within the area marked as “area to be monitored” (refer to figure in Appendix L of the EMS). Therefore no Aboriginal heritage monitoring has occurred on site.</p> <p><i>Corrective Action 16: Consult with OEH regarding the Aboriginal heritage management procedures included in the EMS for the site and submit to OEH for comment.</i></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Visual				
<i>Visual Amenity</i>				
Sch 3.31	The Proponent shall minimise the visual impacts of the project to the satisfaction of the Director-General.	Yes	Communication with the Department and Shoalhaven City Council	<p>The visual impacts of the project are reduced by the presence of the earth bunds around the perimeter of the site. However, in the meeting with Shoalhaven City Council on 30 January 2013, it was reported complaints have been received by Council regarding the removal of the vegetation buffer along the eastern boundary of the site due to the recent Princes Highway upgrade making the earth bunds more visible.</p> <p>Refer also to Section 3.3 of the main audit report.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Waste Management				
<i>Waste Minimisation</i>				
Sch 3.32	The Proponent shall minimise the amount of waste generated by the project to the satisfaction of the Director-General.	Yes	Site audit inspection 12 March 2013	The quarry imports construction, concrete and waste bitumen material for crushing and recycling. The site generates timber, plastic, scrap steel, sewage and general rubbish. Stockpiles for the timber and scrap steel were visible on site and are recycled. The sewage is pumped out and collected for disposal off site. Plastic and general waste is disposed to landfill. The Department did not raise this condition as an issue.
Traffic and Transport				
Sch 3.33	The Proponent shall make a monetary contribution of \$174,000 to the RTA for the construction of the following elements of the proposed Princes Highway upgrade between Central Avenue and Warra Warra Road: <ul style="list-style-type: none"> the central median for a length of 60 m; and a left turn deceleration lane on the southbound approach to the quarry access road. 	Partial	Site audit inspection 12 March 2013 RMS Tax Invoice 2099524, Date of Issue 11/10/2012 Payment Receipt No. 0234455078 dated 23/10/12 for \$60,000 and 0234499600 dated 24/10/2012 for \$60,000	SCCCR noted during the audit site inspection that this contribution had been paid as required. A copy of the RMS issued invoice for developers' contribution towards the WAD (left turn lane and median at South Nowra) for \$120,000 was provided. Payment receipts were provided showing that this amount was paid by the due date of 25 October 2012. SCCCR noted during the audit site inspection that the developers' contribution for 2010 (remaining \$54,000) had been paid, however evidence was not provided. Refer also to Schedule 3.34 in Table C1 below. <u>Corrective Action 17: Provide evidence of payment for 2010 developers' contribution.</u>

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 3.34*	<p>The Proponent shall pay the monetary contribution required by condition 33 according to the following schedule:</p> <p>(a) \$54,000 paid prior to 30 June 2010; and</p> <p>(b) \$40,000 paid prior to 30 June in each of the years 2011, 2012 and 2013,</p> <p>unless the RTA commences the proposed upgrade prior to the completion of these payments, in which case any remainder of the contribution not yet paid is payable immediately.</p>	Partial	<p>Site audit inspection 12 March 2013</p> <p>Meeting with Shoalhaven City Council on 30 January 2013</p>	<p>SCCCR noted during the audit site inspection that these contributions have been paid as required.</p> <p>Council also stated that they are aware of the 2010 payment being made, however evidence was not provided.</p> <p>Due to the commencement of the proposed Princes Highway upgrade, SCCCR were issued an invoice by RMS in October 2012 for the remaining \$120, 000 representing contributions for 2011, 2012 and 2013 towards the WAD (left turn lane and median at South Nowra). Refer also to Schedule 3.33 in Table C1 above.</p> <p><u>Refer to Corrective Action 17.</u></p>
Sch 3.35	<p>The Proponent shall upgrade the access to the development and land shall be dedicated generally in accordance with the RTA's preliminary concept design (see Appendix 5) to ensure the access accommodates swept paths for B-doubles and the future Princes Highway alignment, prior to the completion of the proposed Princes Highway upgrade and to the satisfaction of the RTA.</p>	Partial	<p>Site Audit Inspection 12 March 2013</p>	<p>The upgrade of the access to the site has not commenced due to the delay in the completion of the RMS road upgrade of the Princes Highway.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Road Haulage</i>				
Sch 3.36*	<p>The Proponent shall ensure that:</p> <ul style="list-style-type: none"> (a) all loaded vehicles entering or leaving the site are covered; (b) all loaded vehicles leaving the site are cleaned of materials that may fall on the road, before they leave the site; and (c) a truck wheel wash facility is constructed on the site prior to 30 June 2010, to the satisfaction of the Director-General. 	Partial	Site Audit Inspection 12 March 2013	<p>During the audit site inspection, trucks were observed to be clean of materials and covered when leaving the site. At the time of the inspection, the Roads and Maritime Services were carrying out upgrade works to the Princes Highway and it was difficult to determine who was responsible for the material being tracked on to the road.</p> <p>The new weighbridge and truck wheel wash have been constructed but are not currently being used until the upgrade of the access to the site is completed (refer also to Conditions 2.10 and 3.36 of Table C1).</p> <p>Evidence was not provided that construction of the wheel wash was completed prior to 30 June 2010 or to the satisfaction of the Director-General.</p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Emergency and Hazardous Management				
<i>Dangerous Goods</i>				
Sch 3.37	The Proponent shall ensure that the storage, handling, and transport of fuels and dangerous goods are conducted in accordance with the relevant <i>Australian Standards</i> , particularly AS1940 and AS1596, and the <i>Dangerous Goods Code</i> .	Not determined	Site Audit Inspection 12 March 2013	<p>MSDS register is maintained on site.</p> <p>During the site audit inspection, it was observed that the site has a dedicated storage facility for small amounts of dangerous goods stored on site. This storage area was in the form of a container which is bunded and locked. It was not determined during the audit whether this facility meets the relevant <i>Australian Standards</i> (particularly AS1940 and AS1596) and the <i>Dangerous Goods Code</i>.</p> <p>It was observed during the site audit inspection that the site is recycling used 208L oil drums to store scrap metals for recycling. It was also noted that cut recycled drums ready for use were being stored upside down on the bare ground. The storage of these drums is appropriate to prevent build-up of rain water within the drums. However, a small amount of oil residue was observed on the ground underneath.</p> <p><u>Opportunity for Improvement 3: It is recommended that adequate controls such as complete draining of drums and bunding of storage area are provided to minimise any oil residue draining onto the bare ground and potential contamination of the soil.</u></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Safety</i>				
Sch 3.38	The Proponent shall secure the project to ensure public safety to the satisfaction of the Director-General.	Partial	Site audit inspection 12 March 2013	<p>A security fence surrounds the majority of the site and where fencing is not present; the bund wall acts as a barrier between the site and the public. However, it was noted during the inspection that there was a break in the bund wall at the southern end of the site where site access through to the Goodsell Residence and Sawmill was available allowing potential access to the public. However, no public access issues to the site were identified during the audit.</p> <p><i>Corrective Action 18: Secure the site by rectifying the break in the bund wall along the southern boundary.</i></p>
<i>Bushfire Management</i>				
Sch 3.39	<p>The Proponent shall:</p> <p>(a) ensure that the project is suitably equipped to respond to any fires on-site; and</p> <p>(b) assist the rural fire service and emergency services, if safe to do so, if there is a fire on-site.</p>	Yes	Site audit inspection 12 March 2013	<p>A water truck is stored on site as well as fire extinguishers on plant and equipment. There is also a water storage pond on site.</p> <p>It was established during the audit that that there has not been a fire on site and therefore clause (b) has not been triggered.</p>
<i>Production Data</i>				
Sch 3.40	<p>The Proponent shall:</p> <p>(a) provide annual production data to the DII using the standard form for that purpose; and</p> <p>(b) include a copy of this data in the AEMR.</p>	Not determined	Annual Environmental Management Reports 2009 to 2011.	<p>There is some production data provided in the AEMRs, however it was not determined whether this is consistent with the annual production data provided to DII using the standard form.</p> <p><i>Opportunity for Improvement 4: Verify and state in the AEMR that the data is in a consistent format to the form submitted to DII.</i></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Schedule 4 – Additional Procedures				
Notification of Landowners				
Sch 4.1	If the results of monitoring required in schedule 3 identify that impacts generated by the project are greater than the relevant impact assessment criteria, then the Proponent shall notify the Director-General and affected landowners and tenants, and provide quarterly monitoring results to each of these parties until the results show that the project is complying with the relevant criteria.	N/A		This condition has not been triggered.
Independent Review				
Sch 4.2	<p>If a landowner of privately-owned land considers that the project is exceeding any of the impact assessment criteria in schedule 3, then he/she may ask the Director-General in writing for an independent review of the impacts of the project on his/her land.</p> <p>If the Director-General is satisfied that an independent review is warranted, the Proponent shall within 3 months of the Director-General advising that an independent review is warranted:</p> <ul style="list-style-type: none"> (a) consult with the landowner to determine his/her concerns; (b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to conduct monitoring on the land, to determine whether the project is complying with the relevant criteria in schedule 3, and identify the source(s) and scale of any impact on the land, and the project's contribution to this impact; and (c) give the Director-General and landowner a copy of the independent review. 	N/A		This condition has not been triggered.

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 4.3	If the independent review determines that the project is complying with the relevant criteria in schedule 3, then the Proponent may discontinue the independent review with the approval of the Director-General.	N/A		This condition has not been triggered.
Sch 4.4	<p>If the independent review determines that the project is not complying with the relevant criteria in schedule 3, and that the project is primarily responsible for this non-compliance, then the Proponent shall:</p> <p>(a) implement all reasonable and feasible measures, in consultation with the landowner, to ensure that the project complies with the relevant criteria; and</p> <p>(b) conduct further monitoring to determine whether these measures ensure compliance; or</p> <p>(c) secure a written agreement with the landowner to allow exceedances of the relevant criteria in schedule 3,</p> <p>to the satisfaction of the Director-General.</p> <p>If the additional monitoring referred to above subsequently determines that the project is complying with the relevant criteria in schedule 3, or the Proponent and landowner enter into a negotiated agreement to allow these exceedances, then the Proponent may discontinue the independent review with the approval of the Director-General.</p>	N/A		This condition has not been triggered.
Sch 4.5	<p>If the landowner disputes the results of the independent review, either the Proponent or the landowner may refer the matter to the Director-General for resolution.</p> <p>If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (see Appendix 6).</p>	N/A		This condition has not been triggered.

Number	Condition	Compliance	Evidence	Audit Outcomes
Schedule 5 – Environmental Management, Monitoring, Auditing and Reporting				
Environmental Management Strategy				
Sch 5.1*	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must:</p> <ul style="list-style-type: none"> (a) be submitted to the Director-General for approval by 30 June 2010; (b) provide the strategic framework for environmental management of the project; (c) identify the statutory approvals that apply to the project; (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project; (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 project; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the course of the project; • respond to any non-compliance; and • respond to emergencies; and (f) include: <ul style="list-style-type: none"> • copies of the various strategies, plans and programs that are required under the conditions of this approval once they have been approved; and • a clear plan depicting all the monitoring currently being carried out within the project area. 	Partial	<p>SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010)</p> <p>Letter to Department from CPS on behalf of SCCCR dated 28 June 2010</p>	<p>An EMS was prepared for the site specifically to meet this condition of approval. The EMS describes the management procedures relevant to managing the projects impact on the environment. It incorporates matters required to be implemented and various strategies, plans and programs and reporting mechanisms required by Project approval.</p> <p>The submission letter (CPS, June 2010) states that the specialist Management Plans and monitoring programs were prepared in consultation with the relevant authorities as required by this approval.</p> <p>The EMS was submitted to the Department by CPS on behalf of SCCCR on the 28 June 2010. Department approval for the EMS has not been received.</p> <p>Implementation</p> <p>The EMS has only been partially implemented. The noise monitoring plan has not been implemented (refer to Condition 3.1). The surface water, groundwater and erosion and sediment monitoring has only been partially implemented (refer to Condition 3.19). The landscape and biodiversity monitoring has only been partially implemented (refer also to Condition 3.26).</p> <p><u>Corrective Action 19: Fully implement the EMS as required.</u></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Incident Reporting				
Sch 5.2	Within 24 hours of detecting an exceedance of the limits/performance criteria in this approval or the occurrence of an incident that causes (or may cause) material harm to the environment, the Proponent shall notify the Department and other relevant agencies of the exceedance/incident.	Partial	Dust monitoring results Audit site inspection 12 March 2013	SCCCR verbally reported dust issues to OEHL relating to the current Princes Highway upgrade, recording higher levels of PM10 and TSP results. However, SCCCR did not contact the Department.
Sch 5.3	<p>Within 6 days of notifying the Department and other relevant agencies of an exceedance/incident, the Proponent shall provide the Department and these agencies with a written report that must:</p> <ul style="list-style-type: none"> (a) describe the date, time, and nature of the exceedance/incident; (b) identify the cause (or likely cause) of the exceedance incident; (c) describe what action has been taken to date; and (d) describe the proposed measures to address the exceedance/incident. 	No	Audit site inspection 12 March 2013	<p>Refer to Condition 5.2 in Table 1 above. The Department was not notified and the verbal report to OEHL was not followed up with a written report.</p> <p><u>Opportunity for Improvement 5: Following the notification of an exceedance/incident, provide the Department and other relevant agencies with a written report in accordance with this condition.</u></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Annual Reporting				
Sch 5.4*	<p>Within 12 months of the date of this approval, and annually thereafter, the Proponent shall submit an AEMR to the Director-General and relevant agencies. This report must:</p> <ul style="list-style-type: none"> (a) identify the standards and performance measures that apply to the project; (b) describe the works carried out in the last 12 months, and the works that will be carried out in the next 12 months; (c) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years; (d) include a summary of the monitoring results for the project during the past year; (e) include an analysis of these monitoring results against the relevant: <ul style="list-style-type: none"> • impact assessment criteria/limits; • monitoring results from previous years; and • predictions in the EA; (f) identify any trends in the monitoring results over the life of the project; (g) identify any non-compliance during the previous year; and (h) describe what actions were, or are being, taken to ensure compliance. 	Partial	<p>Annual Environmental Management Reports 2009, 2010 and 2011</p> <p>Meeting with Shoalhaven City Council on 30 January 2013</p>	<p>Annual Environmental Management Reports have been prepared from 2009 to 2011. The first AEMR was prepared within 12 months of this date of this approval as required.</p> <p>The current format and content of the AEMRs do not meet the requirements of this condition. The content of the reports are comparatively consistent between the three years with slight variation in the details provided within the environmental management and performance section of the AEMRs.</p> <p>There is no evidence that the monitoring results have been reviewed and analysed to identify any exceedances, trends or issues. A summary of the monitoring results including a comparison against the relevant impact assessment criteria are not provided. No analysis of the data has been undertaken, only the raw data is provided in the Appendix of the AEMRs.</p> <p>The AEMRs have not been submitted to relevant agencies. At a meeting with Council on 30 January 2013, a copy of the AEMRs was requested.</p> <p><u>Corrective Action 20: Update the format and content of the AEMR to meet the requirements, including review and analysis of monitoring results and other data to identify exceedances, trends and issues.</u></p> <p><u>Corrective Action 21: Submit the AEMR to relevant agencies (including Shoalhaven City Council).</u></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Independent Environmental Audit				
Sch 5.5	<p>Within 3 years of the date of this approval, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:</p> <ul style="list-style-type: none"> (a) be conducted by a suitably qualified, experienced, and independent team of experts whose appointment has been approved by the Director-General; (b) assess the environmental performance of the project, and its effects on the surrounding environment; (c) assess whether the project is complying with the relevant standards, performance measures and statutory requirements; (d) review the adequacy of any strategy/plan/program required under this approval; and, if necessary, (e) recommend measures or actions to improve the environmental performance of the project, and/or any strategy/plan/program required under this approval. 	Yes		<i>This independent environmental audit is being undertaken as per this Condition.</i>

Number	Condition	Compliance	Evidence	Audit Outcomes
Sch 5.6	Within 1 month of completion of each Independent Environmental Audit, the Proponent shall submit a copy of the audit report to the Director-General and relevant agencies, with a response to any of the recommendations in the audit report.	N/A		This condition has not been triggered. Compliance with this clause will not be determined as part of this audit as it relates to post-audit activities.
Sch 5.7	<p>Within 3 months of submitting a copy of the audit report to the Director-General, the Proponent shall review and if necessary revise the:</p> <p>(a) strategies/plans/programs required under this approval; and</p> <p>(b) rehabilitation bond, to consider the:</p> <ul style="list-style-type: none"> • effects of inflation; • changes to the total area of disturbance; and • performance of the rehabilitation against the completion criteria of the Landscape and Biodiversity Management Plan, <p>to the satisfaction of the Director-General.</p>	N/A		This condition has not been triggered. Compliance with this clause will not be determined as part of this audit as it relates to post-audit activities.

Number	Condition	Compliance	Evidence	Audit Outcomes
Community Consultative Committee				
Sch 5.8*	Within 3 months of the commencement of quarrying operations, the Proponent shall establish a Community Consultative Committee (CCC) for the project to the satisfaction of the Director-General, in accordance with the Department's <i>Guideline for Establishing and Operating Community Consultative Committees for Mining Projects</i> .	No	<p>Letter to Department from CPS on behalf of SCCCR dated 24 February 2010</p> <p>Letter from Department to CPS dated 25 March 2010</p> <p>Receipt from Regional Publishers regarding the advertisement in the South Coast Register dated 20 October 2010</p> <p>Letter to Department from CPS on behalf of SCCCR dated 9 December 2010</p>	<p>A CCC has not been established due to a lack of responses to advertisements placed in the South Coast Register on 10 February, 19 February and 22 October 2010.</p> <p>The Department requested that a newsletter be circulated to surrounding landowners, to advise of the company's progress in implementing the project approval, and the difficulty in finding representatives for the CCC, including an invitation to submit an expression of interest for CCC membership. No evidence of a newsletter being distributed was provided.</p> <p>Refer also to Condition 2.4 in Table C1 (this table) above including <u>Corrective Action 1.</u></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
Access to Information				
Sch 5.9*	<p>Within 1 month of the approval of any strategies/plans/programs required under this approval (or any subsequent revision of these strategies/plans/programs), or the completion of the audits or AEMR required under this approval, the Proponent shall:</p> <p>(a) provide a copy of the relevant documents to the relevant agencies and to members of the general public upon request; and</p> <p>(b) ensure that a copy of the relevant documents is made publicly available on its website and at the site.</p>	Partial	<p>Communication with Shoalhaven City Council</p> <p>Company website</p>	<p>Copies of all relevant documents are not made publicly available on the SCCCR website. A copy of the 2011 AEMR can be found on the company website (http://www.scccrquarries.com.au/).</p> <p>In an email dated 30 January 2013, Council requested electronic copies of any strategies/plans/programs required under the approval.</p> <p>No evidence was provided that any request has been made by the general public.</p> <p><u>Corrective Action 22: Make a copy of the relevant documents publicly available on the website.</u></p>
Sch 5.10	<p>During the project, the Proponent shall:</p> <p>(a) make a summary of monitoring results required under this approval publicly available on its website; and</p> <p>(b) update these results on a regular basis (at least every 6 months).</p>	No	Company website	<p>A summary of monitoring results is not available on the company website.</p> <p><u>Corrective Action 23: Make a summary of the monitoring results available on the website and update these at least every 6 months.</u></p>

* marks conditions of particular interest to SCC

Table C2 – Environmental Protection Licence 11765

Number	Condition	Compliance	Evidence	Audit Outcomes												
Administrative conditions																
A1 What the licence authorises and regulates																
A1.2	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <table><tr><th colspan="2">Scheduled Activity</th></tr><tr><td colspan="2">Crushing, Grinding or Separating Works</td></tr><tr><td colspan="2">Extractive Industries</td></tr></table> <table><tr><th>Fee Based Activity</th><th>Scale</th></tr><tr><td>Land based extractive activity</td><td>>100 000-500 000 T obtained</td></tr><tr><td>Crushing, Grinding, or Separating Works</td><td>>100 000-500 000 T processed</td></tr></table>	Scheduled Activity		Crushing, Grinding or Separating Works		Extractive Industries		Fee Based Activity	Scale	Land based extractive activity	>100 000-500 000 T obtained	Crushing, Grinding, or Separating Works	>100 000-500 000 T processed	Yes	<p>Volume tracking documentation</p> <p>Email dated 23 January 2013, response from Dave Cram Mine Safety Officer / Inspection from Department of NSW Trade & Investment</p> <p>Weighbridge calibration invoices</p>	Refer to Condition 2.8 in Table C1 (Compliance with DA07_0123) above.
Scheduled Activity																
Crushing, Grinding or Separating Works																
Extractive Industries																
Fee Based Activity	Scale															
Land based extractive activity	>100 000-500 000 T obtained															
Crushing, Grinding, or Separating Works	>100 000-500 000 T processed															

Number	Condition	Compliance	Evidence	Audit Outcomes							
A2 Premises to which this licence applies											
A2.1	<div>The licence applies to the following premises:</div> <table><tr><td>Premise Details:</td></tr><tr><td>South Coast Concrete Crushing and Recycling</td></tr><tr><td>Princes Highway</td></tr><tr><td>Nowra NSW</td></tr><tr><td>2541</td></tr><tr><td>DP823204</td></tr><tr><td>Lot 464 DP 1058778</td></tr></table>	Premise Details:	South Coast Concrete Crushing and Recycling	Princes Highway	Nowra NSW	2541	DP823204	Lot 464 DP 1058778	N/A		This condition does not require assessment
Premise Details:											
South Coast Concrete Crushing and Recycling											
Princes Highway											
Nowra NSW											
2541											
DP823204											
Lot 464 DP 1058778											
A4 Information supplied to the EPA											
A4.1	<div>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.</div> <div>In this condition the reference to "the licence application" includes a reference to:</div> <div>(a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</div> <div>(b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</div>	Partial		Refer to Condition 2.2 in Table C1 (Compliance with DA07_0123) above.							

Number	Condition	Compliance	Evidence	Audit Outcomes		
Discharges to air and water and applications to land						
P1 Location of monitoring/discharge points and areas						
P1.2	The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.	N/A		Information condition only.		
P1.3	Air		Yes	SCCCR Quarries Nowra Brickwork Quarry EMS (June 2010) Air Quality Management Plan (June 2010) (Appendix I, EMS)	Refer to Condition 3.15 and 3.16 in Table C1 (Compliance with DA07_0123) above. Air monitoring locations and requirements are included in the Environmental Management Strategy (EMS) and Air Quality Management Plan.	
	EPA identification no.	Type of monitoring point				Description of location
	1	Dust Deposition Monitoring				Dust Deposition Gauge labelled ‘DDG1’ in Figure 1 “Proposed Monitoring Locations” in the document titled “Nowra Brickworks Quarry, South Nowra, Air Quality Management Plan” dated 22 June 2010
	2	Dust Deposition Monitoring				Dust Deposition Gauge labelled ‘DDG2’ in Figure 1 “Proposed Monitoring Locations” in the document titled “Nowra Brickworks Quarry, South Nowra, Air Quality Management Plan” dated 22 June 2010

Number	Condition			Compliance	Evidence	Audit Outcomes
P1.3	EPA identification no.	Type of monitoring point	Description of location			
	3	Dust Deposition Monitoring	Dust Deposition Gauge labelled 'DDG3' in Figure 1 "Proposed Monitoring Locations" in the document titled "Nowra Brickworks Quarry, South Nowra, Air Quality Management Plan" dated 22 June 2010			
	4	Dust Deposition Monitoring	Dust Deposition Gauge labelled 'DDG4' in Figure 1 "Proposed Monitoring Locations" in the document titled "Nowra Brickworks Quarry, South Nowra, Air Quality Management Plan" dated 22 June 2010			
	5	High Volume Air Sampler	High Volume Air Sampler labelled 'HVAS North' in Figure 1 "Proposed Monitoring Locations" in the document titled "Nowra Brickworks Quarry, South Nowra, Air Quality Management Plan" dated 22 June 2010			
	6	High Volume Air Sampler	High Volume Air Sampler labelled 'HVAS South' in Figure 1 "Proposed Monitoring Locations" in the document titled "Nowra Brickworks Quarry, South Nowra, Air Quality Management Plan" dated 22 June 2010			

Number	Condition	Compliance	Evidence	Audit Outcomes
Limit Conditions				
L1 Pollution of waters				
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> .	Yes		Refer to Condition 3.17 in Table C1 (Compliance with DA07_0123) above.
L5 Waste				
L5.1	The Licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.	Yes		Refer to Condition 3.32 in Table C1 (Compliance with DA07_0123) above.
L5.2	<p>The licensee is permitted to:</p> <ul style="list-style-type: none"> a) Extract no more than 364,000 tonnes per year of clay/shale, structural clay and associated materials (in total) from the site. b) Import no more than 50,000 tonnes per year of recycling material to the site. c) Import no more than 125,000 tonnes per year of blending material to the site. d) Import no more than 200,000 tonnes per year of VENM to the site. 	Yes		Refer to Condition 2.8 in Table C1 (Compliance with DA07_0123) above.

Number	Condition	Compliance	Evidence	Audit Outcomes																				
L6 Noise Limits																								
L6.1	<p>Noise generated at the premises must not exceed the noise impact assessment criteria in the below table</p> <table><tr><th>Location and Locality</th><th>Day LAeq (15 min)</th><th>Evening LAeq (15 min)</th><th>Night LAeq (15 min)</th></tr><tr><td>1. 80 Links Road</td><td>39</td><td>35</td><td>35</td></tr><tr><td>2. 371 Old Southern</td><td>45</td><td>35</td><td>35</td></tr><tr><td>3. 243 Princes Highway</td><td>49</td><td>38</td><td>38</td></tr><tr><td>4. South Coast Correctional Facility</td><td>51</td><td>37</td><td>37</td></tr></table> <p>Note: Noise generated by the project is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy.</p>	Location and Locality	Day LAeq (15 min)	Evening LAeq (15 min)	Night LAeq (15 min)	1. 80 Links Road	39	35	35	2. 371 Old Southern	45	35	35	3. 243 Princes Highway	49	38	38	4. South Coast Correctional Facility	51	37	37	Not determined		<p>Noise monitoring program has not been implemented. Therefore, it is unknown if the noise levels generated by the Project exceed the operational noise impact assessment criteria.</p> <p>Refer to Condition 3.1 in Table C1 (Compliance with DA07_0123) above.</p> <p><u>Refer to Corrective Action 4.</u></p>
Location and Locality	Day LAeq (15 min)	Evening LAeq (15 min)	Night LAeq (15 min)																					
1. 80 Links Road	39	35	35																					
2. 371 Old Southern	45	35	35																					
3. 243 Princes Highway	49	38	38																					
4. South Coast Correctional Facility	51	37	37																					
L6.2	<p>The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed the limits set out in the below table:</p> <table><tr><th>Receiver</th><th>Peak particle velocity (mm/s)</th><th>Allowable Exceedance</th></tr><tr><td rowspan="2">Residential and South Coast Correctional Facility</td><td>5</td><td>5% total number of blasts in any 12 month period</td></tr><tr><td>10</td><td>0%</td></tr><tr><td>Commercial</td><td>25</td><td>0%</td></tr></table>	Receiver	Peak particle velocity (mm/s)	Allowable Exceedance	Residential and South Coast Correctional Facility	5	5% total number of blasts in any 12 month period	10	0%	Commercial	25	0%	Not determined		<p>Not all blasts were monitored at the required receivers and therefore it is not determined whether there were any exceedances above limits during these two blasts at the missing locations.</p> <p>Refer to Condition 3.6 in Table C1 (Compliance with DA07_0123) above.</p> <p><u>Refer to Corrective Actions 6 and 7.</u></p>									
Receiver	Peak particle velocity (mm/s)	Allowable Exceedance																						
Residential and South Coast Correctional Facility	5	5% total number of blasts in any 12 month period																						
	10	0%																						
Commercial	25	0%																						

Number	Condition	Compliance	Evidence	Audit Outcomes											
L6.3	<div>The overpressure level from blasting operations carried out in or on the premises must not exceed the criteria outlined in the below table:</div> <table><tr><th>Receiver</th><th>Airblast overpressure level (dB(Lin Peak))</th><th>Allowable Exceedance</th></tr><tr><td rowspan="2">Residential and South Coast Correctional Facility</td><td>115</td><td>5% total number of blasts in any 12 month period</td></tr><tr><td>120</td><td>0%</td></tr><tr><td>Commercial</td><td>125</td><td>0%</td></tr></table>	Receiver	Airblast overpressure level (dB(Lin Peak))	Allowable Exceedance	Residential and South Coast Correctional Facility	115	5% total number of blasts in any 12 month period	120	0%	Commercial	125	0%	Not determined		<div>Monitoring undertaken but not summarised or interpreted to identify any exceedances or issues. Monitoring needs to be conducted at all the required locations.</div> <div>Refer to Condition 3.5 in Table C1 (Compliance with DA07_0123) above.</div>
Receiver	Airblast overpressure level (dB(Lin Peak))	Allowable Exceedance													
Residential and South Coast Correctional Facility	115	5% total number of blasts in any 12 month period													
	120	0%													
Commercial	125	0%													
L7 Hours of Operation															
L7.1	<div>Activities covered by this licence must only be carried out between the hours of 0700 and 1800 Monday to Friday, and 0700 and 1600 Saturday, and at no time on Sundays and Public Holidays.</div> <div>Notes;</div> <div>Maintenance activities may be conducted outside weekday hours provided the activities are not audible at any privately owned residence, or until 6pm on Saturdays,</div> <div>Up to three unladen trucks are permitted to arrive at the site between 6.00 am to 7.00 am on Monday to Saturday; and up to three unladen trucks are permitted to return to the site between 6.00 pm to 8.00 pm on Monday to Friday and between 4:00 pm to 6:00 pm on Saturday,</div> <div>This condition does not apply to the delivery of material if that delivery is required by police or other authorities for safety reasons, and/ or the operation of personnel or equipment are endangered. In such circumstances, notification is to be provided to DECCW and the affected residents as soon as possible, or within a reasonable period in the case of an emergency.</div>	Yes		<div>Refer to Condition 3.2 in Table C1 (Compliance with DA07_0123) above.</div>											

Number	Condition	Compliance	Evidence	Audit Outcomes
L7.2	Blasting in or on the premises must only be carried out between 0900 hours and 1500 hours, Monday to Friday. Blasting in or on the premises must not take place on Weekends or Public Holidays.	Yes		Refer to Condition 3.7 in Table C1 (Compliance with DA07_0123) above.
L7.3	The licensee must not carry out more than one blast per week at the premises.	Yes		Refer to Condition 3.8 in Table C1 (Compliance with DA07_0123) above.
Operating Conditions				
O1 Activities must be carried out in a competent manner				
O1.1	<p>Licensed activities must be carried out in a competent manner.</p> <p>This includes:</p> <p>(a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and</p> <p>(b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.</p>	Yes		Refer also to Condition 2.12 in Table C1 (Compliance with DA07_0123) above.
O2 Maintenance of plant and equipment				
O2.1	<p>All plant and equipment installed at the premises or used in connection with the licensed activity:</p> <p>(a) must be maintained in a proper and efficient condition; and</p> <p>(b) must be operated in a proper and efficient manner.</p>	Yes		Refer to Condition 2.12 in Table C1 (Compliance with DA07_0123) above.
O3 Dust Control				
O3.1	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	Partial		Refer to Conditions 3.14 and 3.15 in Table C1 (Compliance with DA07_0123) above.
O3.2	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Partial		Refer to Conditions 3.14 and 3.15 in Table C1 (Compliance with DA07_0123) above

Number	Condition	Compliance	Evidence	Audit Outcomes
O4 Covering of loads				
O4.1	Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.	Yes		Refer to Condition 3.36 in Table C1 (Compliance with DA07_0123) above.
Monitoring and recording details				
M1 Monitoring records				
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Partial		Refer to Licence conditions below.
M1.2	All records required to be kept by this licence must be: (a) in a legible form, or in a form that can readily be reduced to a legible form; (b) kept for at least 4 years after the monitoring or event to which they relate took place; and (c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Partial	Monitoring records	The records sighted were in accordance with this condition, however not all monitoring is undertaken as required. Refer also to Conditions 3.4, 3.16, 3.22 and 3.23 in Table C1 (Compliance with DA07_0123) above.
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: (a) the date(s) on which the sample was taken; (b) the time(s) at which the sample was collected; (c) the point at which the sample was taken; and (d) the name of the person who collected the sample.	Yes	Monitoring records	The monitoring results provided (including TSP and groundwater) were in compliance with this condition.

Number	Condition	Compliance	Evidence	Audit Outcomes																												
M2 Requirement to monitor concentration of pollutants discharged																																
M2.1	<p>For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:</p> <table><tr><th colspan="4">POINTS 1,2,3,4 – AIR</th></tr><tr><th>Pollutant</th><th>Unit of Measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Total suspended particles</td><td>milligrams per cubic metre</td><td>Monthly</td><td>Australian Standard 3580.10.1-2003</td></tr><tr><th colspan="4">POINTS 5,6 - AIR</th></tr><tr><th>Pollutant</th><th>Unit of Measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>PM10</td><td>micrograms per cubic metre</td><td>Special frequency</td><td>Australian Standard 3580.9.6-2003</td></tr><tr><td>Total suspended particulates</td><td>milligrams per cubic metre</td><td>Special frequency</td><td>Australian Standard 3580.9.6-2003</td></tr></table> <p>Note: Special Frequency 1 means the collection of samples on a one day in six cycle using a HVAS fitted with size selective inlet for PM10.</p>	POINTS 1,2,3,4 – AIR				Pollutant	Unit of Measure	Frequency	Sampling Method	Total suspended particles	milligrams per cubic metre	Monthly	Australian Standard 3580.10.1-2003	POINTS 5,6 - AIR				Pollutant	Unit of Measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Special frequency	Australian Standard 3580.9.6-2003	Total suspended particulates	milligrams per cubic metre	Special frequency	Australian Standard 3580.9.6-2003	Partial		Refer to Condition 3.16 in Table C1 (Compliance with DA07_0123) above.
POINTS 1,2,3,4 – AIR																																
Pollutant	Unit of Measure	Frequency	Sampling Method																													
Total suspended particles	milligrams per cubic metre	Monthly	Australian Standard 3580.10.1-2003																													
POINTS 5,6 - AIR																																
Pollutant	Unit of Measure	Frequency	Sampling Method																													
PM10	micrograms per cubic metre	Special frequency	Australian Standard 3580.9.6-2003																													
Total suspended particulates	milligrams per cubic metre	Special frequency	Australian Standard 3580.9.6-2003																													

Number	Condition	Compliance	Evidence	Audit Outcomes
M3 Testing methods - concentration limits				
M3.1	<p>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:</p> <p>(a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</p> <p>(b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or</p> <p>(c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</p> <p>Note: The <i>Protection of the Environment Operations</i> (Clean Air) Regulation 2002 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".</p>	Yes		Refer to Condition 3.16 in Table C1 (Compliance with DA07_0123) above.
M4 Recording of pollution complaints				
M4.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	No	Meeting with Shoalhaven City Council on 30 January 2013	<p>Do not have a formal complaints register.</p> <p>From a meeting with Shoalhaven City Council on 30 January 2013 it, Council advised that they had received complaints relating to the earth bunds and the dirt being tracked on to the Princes Highway from the site entrance.</p> <p>SCCCR stated that no complaints have been received directly from the public.</p> <p><u>Corrective Action 24: Create a complaints register for the site.</u></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
M4.2	<p>The record must include details of the following:</p> <p>(a) the date and time of the complaint;</p> <p>(b) the method by which the complaint was made;</p> <p>(c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;</p> <p>(d) the nature of the complaint;</p> <p>(e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and</p> <p>(f) if no action was taken by the licensee, the reasons why no action was taken.</p>	No		<p>Refer to Licence condition M4.1 above in Table C2 (this table).</p> <p><i>Corrective Action 25: Create a complaints record including the details as required by this condition.</i></p>
M4.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	No		Refer to Licence condition M4.1 above in Table C2 (this table).
M4.4	The record must be produced to any authorised officer of the EPA who asks to see them.	No		Refer to Licence condition M4.1 above in Table C2 (this table).
M5 Telephone complaints line				
M5.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	No	<p>SCCCR Quarries website</p> <p>http://www.scccrquarries.com.au/</p>	<p>On the SCCCR Quarries website, a link is provided for <i>Enquiries and Environment</i> where a general enquiries number is provided. A telephone complaints line is not operated for the purpose of receiving complaints.</p> <p><i>Corrective Action 26: Identify a telephone line as a complaints line in accordance with this requirement.</i></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
M5.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	No	SCCCR Quarries website http://www.scccrquarries.com.au/	The SCCCR Quarries website does not identify a telephone number if a member of the public wanted to make a complaint. <i>Corrective Action 27: Notify the public of the complaints line telephone number in accordance with this requirement.</i>
M5.3	Conditions M5.1 and M5.2 do not apply until 3 months after: (a) the date of the issue of this licence or (b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.	N/A		<i>This condition is not assessed.</i>
M7 Blasting monitoring				
M7.1	To determine compliance with condition(s) L6.1 and L6.2: (a) Airblast overpressure and ground vibration levels must be measured at or near the nearest residence or noise sensitive location (such as a school or hospital) that is likely to be most affected by the blast for all blasts carried out in or on the premises; and (b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard 2187.2 of 1993.	Partial		Not all blasts were monitored at the four nominated locations. Two blasts were monitored at a reduced number of locations - January 15, 2010 (only at East Wall of the Correctional Facility) and November 16, 2012 (no monitor at Goodsell Residences). Refer to Conditions 3.5 and 3.6 in Table C1 (Compliance with DA07_0123) above.
M7.2	The licensee must monitor all blasts carried out in or on the premises at or near the nearest residence or noise sensitive location (such as a school or hospital) that is likely to be most affected by the blast and that is not owned by the licensee or subject of a private agreement between the owner of the residence or noise sensitive location and the licensee relating to alternative blasting limits.	Partial		Refer to Licence condition M7.1 above in Table C2 (this table).

Number	Condition	Compliance	Evidence	Audit Outcomes
M7.3	<p>For the purposes of blast monitoring, the following information must be recorded for each blast carried out in or on the premises:</p> <p>(i) the time and date of each blast;</p> <p>(ii) the location(s) at which the blast was measured;</p> <p>(iii) the ground vibration for each blast;</p> <p>(iv) the airblast overpressure for each blast; and</p> <p>(v) evidence that during each 12 month period, a calibration check had been carried out on each blast monitor to ensure accuracy of the reported data</p>	Yes	<p>Blast monitoring records</p> <p>SCCCR Quarries</p> <p>Nowra Brickwork Quarry EMS</p> <p>(June 2010)</p>	<p>Blast monitoring records provided were in accordance with this requirement.</p> <p>A blast design record sheet is included in the EMS, however this is not being used.</p>
Reporting Conditions				
R1 Annual return documents				
<i>What documents must an Annual Return contain?</i>				
R1.1	<p>The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:</p> <p>(a) a Statement of Compliance; and</p> <p>(b) a Monitoring and Complaints Summary.</p> <p>A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.</p>	Not determined	<p>EPA licence summary webpage for Licence No. 11765 (accessed 9 April 2013</p> <p>http://www.environment.nsw.gov.au/prpoeoapp/)</p>	<p>On review of the EPA licence summary page for Licence No. 11765, an annual return was submitted for the 2009/10 period and 2010/11. No annual return has been submitted for the 2011/12 period.</p> <p>However, a copy of the annual returns for the 2009/10 and 2010/11 periods were not available for review on site.</p> <p><i>Corrective Action 28: Supply Annual Returns for each reporting period to the EPA in accordance with this condition.</i></p>

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Period covered by Annual Return</i>				
R1.2	<p>An Annual Return must be prepared in respect of each reporting period, except as provided below.</p> <p><u>Note:</u> The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</p>	No		Refer to Licence condition R1.5 below in Table C2 (this table).
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <p>(a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and</p> <p>(b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.</p> <p><u>Note:</u> An application to transfer a licence must be made in the approved form for this purpose.</p>	N/A		This condition has not been triggered.
R1.4	<p>Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:</p> <p>(a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or</p> <p>(b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.</p>	N/A		This condition has not been triggered.

Number	Condition	Compliance	Evidence	Audit Outcomes
<i>Deadline for Annual Return</i>				
R1.5	The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	No	EPA licence summary webpage for Licence No. 11765 (accessed 9 April 2013 http://www.environment.nsw.gov.au/prpoeoapp/)	On review of the EPA licence summary page for Licence No. 11765, an annual return was submitted for the 2009/10 period within the specific period set out by this condition. The annual return for the 2010/11 period was submitted late outside the 60 days after the reporting period (as reported on the EPA website). No annual return has been submitted for the 2011/12 period. <i>Refer to <u>Corrective Action 28</u>.</i>
<i>Licensee must retain copy of Annual Return</i>				
R1.7	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	No		A copy of the Annual Returns for 2009/10 and 2010/11 were not available for review.
<i>Certifying of Statement of Compliance and signing of Monitoring and Complaints Summary</i>				
R1.8	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: (a) the licence holder; or (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	Not determined		A copy of the annual returns for the 2009/10 and 2010/11 periods were not provided.
R1.9	A person who has been given written approval to certify a certificate of compliance under a licence issued under the <i>Pollution Control Act 1970</i> is taken to be approved for the purpose of this condition until the date of first review of this licence.	Not determined		Refer to Licence condition R1.8 above in Table C2 (this table).

Number	Condition	Compliance	Evidence	Audit Outcomes
R2 Notification of environmental harm				
<i>Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.</i>				
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	N/A		No incidents have reportedly occurred on site.
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.	N/A		Refer to Licence condition R2.1 above in Table C2 (this table).
R3 Written report				
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: (a) where this licence applies to premises, an event has occurred at the premises; or (b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	N/A		Refer to Licence condition R2.1 above in Table C2 (this table). This condition has not been triggered.
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	N/A		Refer to Licence condition R3.1 above in Table C2 (this table).

Number	Condition	Compliance	Evidence	Audit Outcomes
R3.3	<p>The request may require a report which includes any or all of the following information:</p> <p>(a) the cause, time and duration of the event;</p> <p>(b) the type, volume and concentration of every pollutant discharged as a result of the event;</p> <p>(c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;</p> <p>(d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;</p> <p>(e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;</p> <p>(f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and</p> <p>(g) any other relevant matters.</p>	N/A	N/A	Refer to Licence condition R3.1 above in Table C2 (this table).
R3.4	<p>The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.</p>	N/A		Refer to Licence condition R3.1 above in Table C2 (this table).
R4 Reporting of blasting monitoring				
R4.1	<p>The results of the blast monitoring required by condition M7.1 must be submitted to the EPA within 7 days after each blast event and at the end of each reporting period.</p>	Not determined		GHD understands that SCCCR contact OEH prior to a blast, however it was not confirmed whether the blast monitoring records are submitted to the OEH.

Number	Condition	Compliance	Evidence	Audit Outcomes
R4.2	The licensee must report any exceedance of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.	Partial		<p>SCCCR have not been aware of any exceedances of the licence blasting limits to date.</p> <p>As part of this audit, it has been identified that some of the blasts had potentially exceeded the annual allowable exceedance criteria, as the monitoring results were not being interpreted and considered over a 12 month period. SCCCR will be advised of this potential exceedance and the recommended course of action.</p> <p>Refer also to Condition 3.5 in Table C1 (Compliance with DA07_0123) above.</p> <p><u>Corrective Action 29:</u> It is recommended that all of the blasting results be summarised and compared against the licence blasting limits to identify any exceedances. Any exceedances should then be reported to the EPA by SCCCR as soon as practicable.</p>
General Conditions				
G1 Copy of licence kept at the premises				
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Yes	Audit site inspection 12 March 2013	Licence sighted which contained a copy of the current licence and amendments.
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	N/A		<i>This condition is not assessed as part of this audit.</i>
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Yes	Audit site inspection 12 March 2013	Licence available on site for review.

GHD





16 Marcus Clarke St Canberra ACT 2601
PO Box 1877 Canberra ACT 2601 Australia
T: 61 2 6113 3200 F: 61 2 6113 3299 E: cbrmail@ghd.com.au

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