

GALES-KINGSCLIFF

PTY LTD  
ABN: 75 093 540 080

## Annual Review

for the

## Cudgen Lakes Sand Quarry

1 July 2011 to 30 June 2012

*Compiled by:*



**R.W. CORKERY & CO. PTY. LIMITED**



# GALES-KINGSCLIFF

PTY LTD  
ABN: 75 093 540 080

## Annual Review

for the

# Cudgen Lakes Sand Quarry

---

**Compiled for:**

Gales-Kingscliff Pty Ltd  
ABN: 75 093 540 080  
20 Ginahgulla Road  
BELLEVUE HILL NSW 2023

Telephone: (02) 9327 2481  
Facsimile: (02) 9387 8230  
Email: sdsegal@gmail.com

---

**Compiled by:**

R.W. Corkery & Co. Pty. Limited  
Geological & Environmental Consultants  
ABN: 31 002 033 712

**Brooklyn Office:**

1st Floor, 12 Dangar Road  
PO Box 239  
BROOKLYN NSW 2083

**Orange Office:**

62 Hill Street  
ORANGE NSW 2800

**Brisbane Office:**

Suite 5, Building 3  
Pine Rivers Office Park  
205 Leitchs Road  
BRENDALE QLD 4500

Telephone: (02) 9985 8511

Facsimile: (02) 6361 3622

Email: brooklyn@rwcorkery.com

Telephone: (02) 6362 5411

Facsimile: (02) 6361 3622

Email: orange@rwcorkery.com

Telephone: (07) 3205 5400

Facsimile: (02) 6361 3622

Email: brisbane@rwcorkery.com

---

Ref No. 617/26

12 September 2016



R. W. CORKERY & CO. PTY. LIMITED

## TITLE BLOCK

<b>Name of Operation</b>	Cudgen Lakes Sand Quarry
<b>Name of Operator</b>	Not operational
<b>Development consent / project approval #</b>	Project Approval 05_0103
<b>Name of holder of development consent / project approval</b>	Gales-Kingscliff Pty Ltd
<b>Mining Lease #</b>	Not Applicable
<b>Name of holder of mining lease</b>	Not Applicable
<b>Water licence #</b>	30BL179511
<b>Name of holder of water licence</b>	Gales-Kingscliff Pty Ltd
<b>MOP/RMP start date</b>	Not Applicable
<b>MOP/RMP end date</b>	Not Applicable
<b>Annual Review start date</b>	01/07/11
<b>Annual Review end date</b>	30/06/12
<p><b>I, Stephen Segal, certify that this audit report is a true and accurate record of the compliance status of the Cudgen Lakes Sand Quarry for the period 1 July 2011 to 30 June 2012 and that I am authorised to make this statement of behalf of Gales-Kingscliff Pty Ltd.</b></p> <p><i>Note.</i></p> <p>a) <i>The Annual Review is an 'environmental audit' for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</i></p> <p>b) <i>The Crimes Act 1900 contains other offences relating to false and misleading information: Section 192G (Intention to defraud by false or misleading statement – maximum penalty 5 years imprisonment); Section 307A, 307B and 307C (false or misleading application/information/documents – maximum penalty 2 years imprisonment or \$22,000, or both).</i></p>	
<b>Name of authorised reporting officer</b>	Stephen Segal
<b>Title of authorised reporting officer</b>	Managing Director
<b>Signature of authorised reporting officer</b>	
<b>Date</b>	12 September 2016

**This Copyright is included for the protection of this document**

<p><b>COPYRIGHT</b></p> <p>© R.W. Corkery &amp; Co. Pty Limited 2016 and © Gales-Kingscliff Pty Ltd 2016</p> <p>All intellectual property and copyright reserved.</p> <p>Apart from any fair dealing for the purpose of private study, research, criticism or review, as permitted under the Copyright Act, 1968, no part of this report may be reproduced, transmitted, stored in a retrieval system or adapted in any form or by any means (electronic, mechanical, photocopying, recording or otherwise) without written permission. Enquiries should be addressed to R.W. Corkery &amp; Co. Pty Limited.</p>
--

# CONTENTS

	Page
<b>1. STATEMENT OF COMPLIANCE .....</b>	<b>1</b>
<b>2. INTRODUCTION.....</b>	<b>2</b>
2.1 OVERVIEW OF OPERATIONS .....	2
2.2 SCOPE AND FORMAT .....	2
2.3 KEY PERSONNEL CONTACT DETAILS .....	2
<b>3. APPROVALS .....</b>	<b>6</b>
<b>4. OPERATIONS SUMMARY .....</b>	<b>7</b>
4.1 EXTRACTION OPERATIONS .....	7
4.2 OTHER OPERATIONS DURING THE REPORTING PERIOD .....	7
4.3 NEXT REPORTING PERIOD .....	7
<b>5. ACTIONS REQUIRED FROM PREVIOUS ANNUAL REVIEW .....</b>	<b>9</b>
<b>6. ENVIRONMENTAL PERFORMANCE.....</b>	<b>10</b>
<b>7. WATER MANAGEMENT .....</b>	<b>11</b>
<b>8. REHABILITATION .....</b>	<b>13</b>
8.1 REHABILITATION PERFORMANCE DURING THE REPORTING PERIOD .....	13
8.2 ACTIONS FOR THE NEXT REPORTING PERIOD .....	13
<b>9. COMMUNITY .....</b>	<b>15</b>
<b>10. INDEPENDENT AUDIT .....</b>	<b>16</b>
<b>11. INCIDENTS AND NON-COMPLIANCES DURING THE REPORTING PERIOD .....</b>	<b>17</b>
<b>12. ACTIVITIES TO BE COMPLETED IN THE NEXT REPORTING PERIOD.....</b>	<b>18</b>

## APPENDICES

Appendix 1: Compliance Review.....	A1-1
------------------------------------	------

## FIGURES

Figure 2.1 Locality Plan.....	3
Figure 2.2 Approved Quarry Site Layout.....	4
Figure 2.3 Surrounding Land Ownership, Residences and Registered Groundwater Bores .....	5
Figure 7.1 Water Quality Monitoring 2010 - 2012 .....	12
Figure 8.1 Status of Rehabilitation .....	14



# CONTENTS

Page

---

## TABLES

Table 1.1	Statement of Compliance .....	1
Table 1.2	Non-compliances .....	1
Table 3.1	Cudgen Lakes Sand Quarry – Consents, Leases and Licences .....	6
Table 4.1	Production Summary.....	7
Table 6.1	Environmental performance .....	10
Table 7.1	Water Quality Monitoring Results 2010 – 2012 .....	11
Table 8.1	Rehabilitation Summary .....	13



## 1. STATEMENT OF COMPLIANCE

The compliance status of relevant approvals was reviewed for the reporting period and is summarised in **Table 1.1**. It was determined that there were three non-compliances during the reporting period. The non-compliances recorded during the reporting period have been ranked according to the risk matrix included in **Table 1.2**.

**Table 1.1**  
**Statement of Compliance**

Were all conditions of the relevant approval(s) complied with?	Yes / No
Project Approval 05_0103	No
Environment Protection Licence 12385	Yes
Water Licence 30BL179511	Yes

**Table 1.2**  
**Non-compliances**

Relevant Approval	Condition	Condition Description (summary)	Compliance Status	Comment	Where Addressed in Annual Review
PA 05_0103	2(3)	Surrender existing approvals within 18 months of Project Approval.	Non-compliant	DA 96/518 surrendered to (then) DP&I within 18 months. However, DA required to be surrendered to Council.	Section 11, Appendix 1
	5(5)	Submit AEMRs annually from date of Project Approval.	Non-compliant	The 2011/2012 Annual Review was not submitted within the required 12 month timeframe.	Section 11, Appendix 1
	5(10)	Within 1 month of the approval of any plans, audit or AEMR, provide a copy to Council and relevant agencies and make available on Company website.	Non-compliant	The approved 2009/2010 AEMR was not placed on the Company website within 1 month of approval.	Section 11, Appendix 1

### Compliance Status Key

Risk level	Colour code	Description
High	Non-compliant	Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence.
Medium	Non-compliant	Non-compliance with: <ul style="list-style-type: none"> <li>potential for serious environmental consequences, but is unlikely to occur; or</li> <li>potential for moderate environmental consequences, but is likely to occur.</li> </ul>
Low	Non-compliant	Non-compliance with: <ul style="list-style-type: none"> <li>potential for moderate environmental consequences, but is unlikely to occur; or</li> <li>potential for low environmental consequences, but is likely to occur.</li> </ul>
Administrative non-compliance	Non-compliant	Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions).

## 2. INTRODUCTION

### 2.1 OVERVIEW OF OPERATIONS

The Cudgen Lakes Sand Quarry is located at Cudgen approximately 1km south of the Tweed River and 8km south of the New South Wales/Queensland Border (see **Figure 2.1**). Project Approval 05\_0103 was granted 16 June 2009. The approved layout of the operations is shown in **Figure 2.2** whilst surrounding land ownership, residences and registered groundwater bores are shown in **Figure 2.3**. To date operations have not yet commenced.

### 2.2 SCOPE AND FORMAT

This Annual Review for the Cudgen Lakes Sand Quarry (“the Quarry”) has been compiled by R.W. Corkery & Co. Pty. Limited on behalf of Gales-Kingscliff Pty Ltd (“the Company”).

This is the second Annual Review submitted for the Quarry, following one Annual Environmental Management Report, and is applicable for the period 01 July 2011 to 30 June 2012 (“the reporting period”). The information presented within this Annual Review has been compiled based on information compiled by R.W. Corkery & Co. Pty. Limited and provided by the Company.

It should be noted that this Annual Review has been prepared based upon the approval and licencing requirements applicable for the reporting period, however, the report generally follows the format and content requirements identified in the *Annual Review Guideline* dated October 2015 since this applies at the time the report was actually prepared.

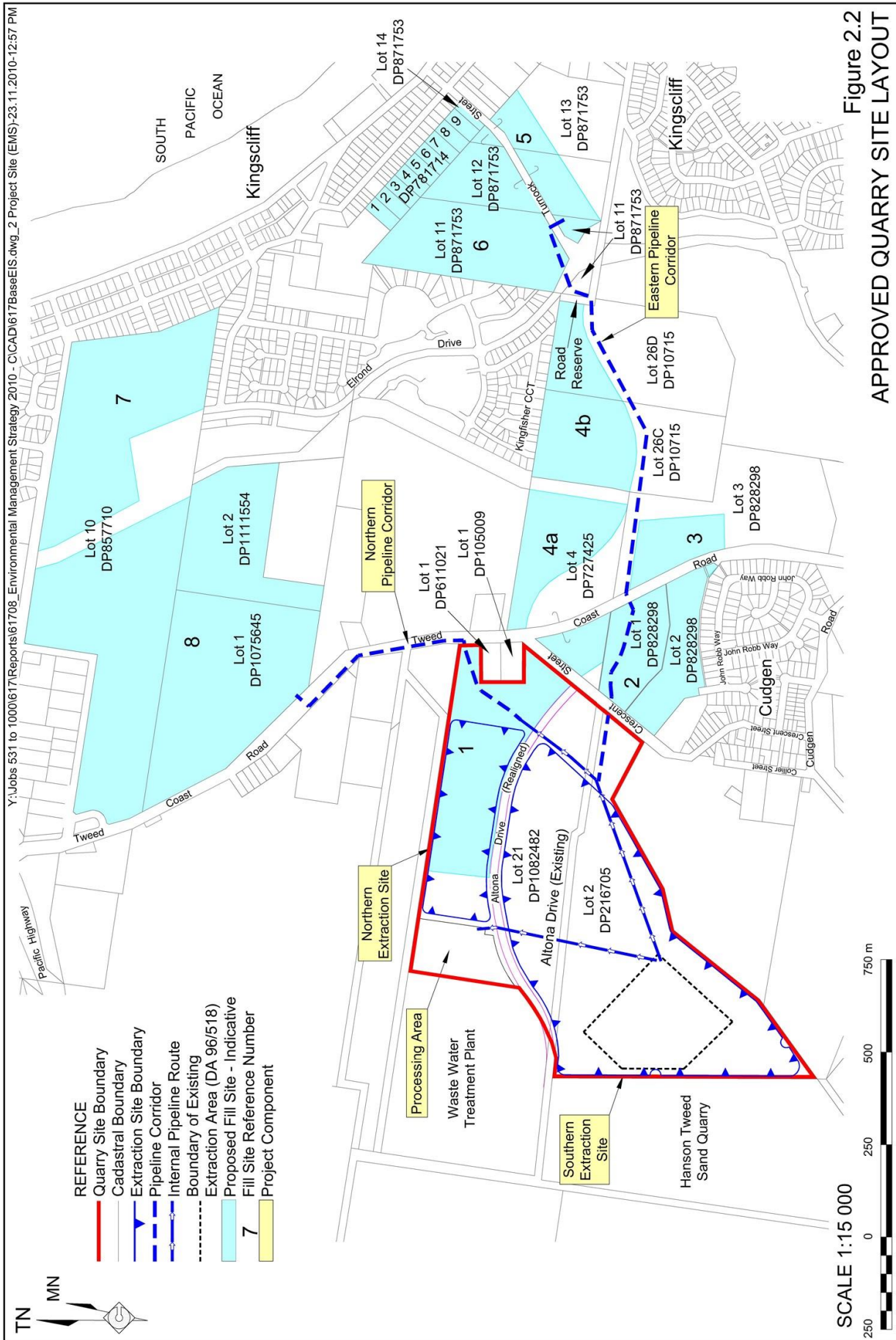
### 2.3 KEY PERSONNEL CONTACT DETAILS

The key personnel contact names, position and phone numbers are as follows.

<b>Name</b>	<b>Position</b>	<b>24 Hour Contact</b>
Stephen Segal	Managing Director	0414 322 455
Jeff Holloway	Site Caretaker	0402 427 938







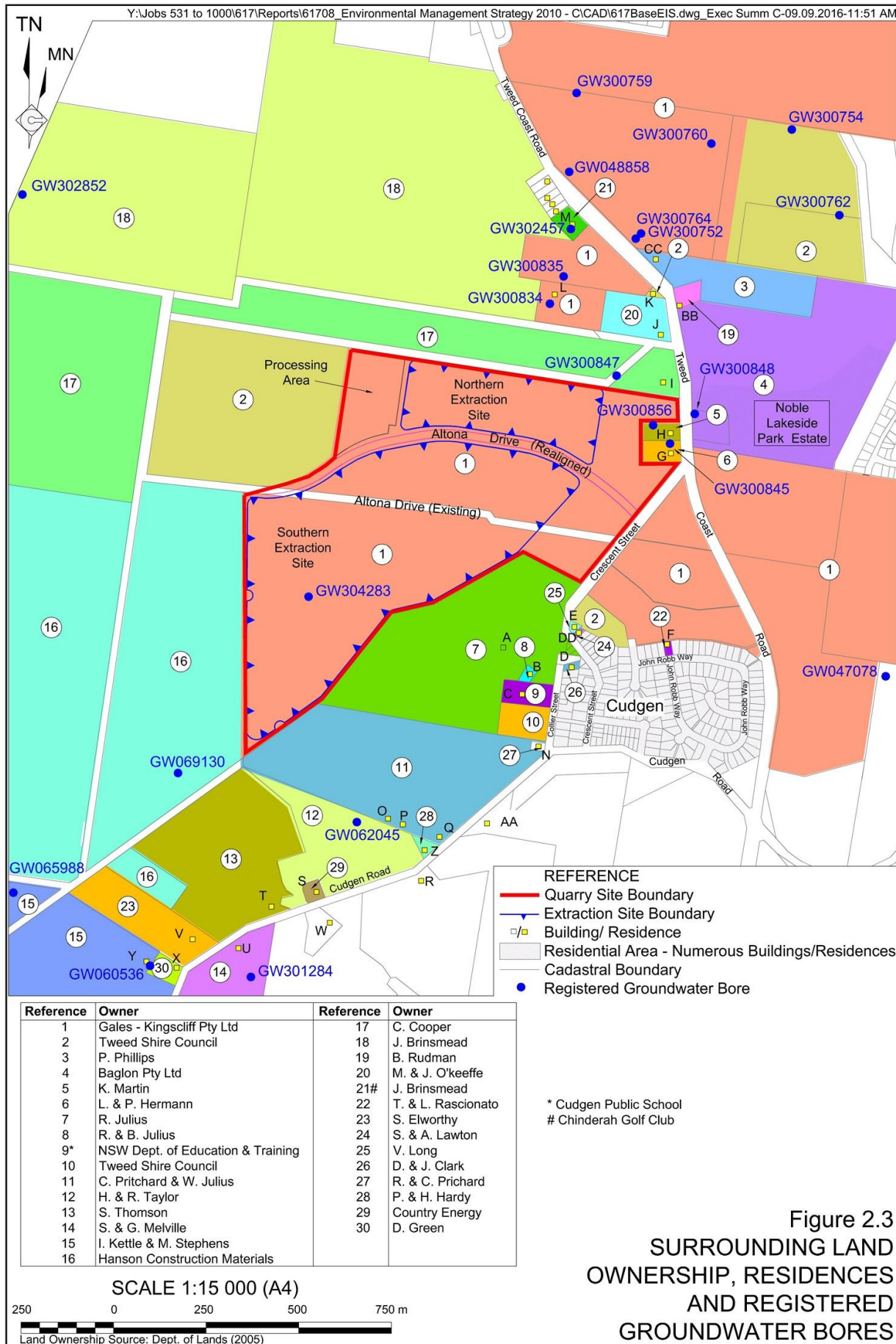


Figure 2.3  
SURROUNDING LAND  
OWNERSHIP, RESIDENCES  
AND REGISTERED  
GROUNDWATER BORES

### 3. APPROVALS

The Quarry will operate in accordance with the approvals listed in **Table 3.1**. There were no changes or modifications to these approvals during the reporting period.

**Table 3.1**  
**Cudgen Lakes Sand Quarry – Consents, Leases and Licences**

<b>Consent/Lease/Licence</b>	<b>Issue Date</b>	<b>Expiry Date</b>	<b>Details / Comments</b>
Project Approval 05_0103	16/06/2009	01/07/2029	Issued by the (then) Department of Planning.
Environment Protection Licence 12385	18/11/2005	Not Applicable	Issued by NSW Environment Protection Authority. Renewed annually.
Water Licence 30BL179511	13/10/2008	12/10/2013	Issued by the (then) NSW Department of Water & Energy for DA 96/518.

## 4. OPERATIONS SUMMARY

### 4.1 EXTRACTION OPERATIONS

No extraction operations were undertaken during the reporting period. **Table 4.1** provides the production summary.

**Table 4.1**  
**Production Summary**

<b>Material</b>	<b>Approved limit (specify source)</b>	<b>Previous reporting period (actual)</b>	<b>This reporting period (actual)</b>	<b>Next reporting period (forecast)</b>
Waste Rock / Overburden	NA	0	0	0
ROM Coal / Ore	NA	0	0	0
Coarse Reject	NA	0	0	0
Fine Reject (Tailings)	NA <sup>1</sup>	0	0	0
Saleable Product (transported by road)	300,000t [PA 05_0103 Condition 2(7)]	0	0	0
Total Extraction	650,000m <sup>3</sup> [PA 05_0103 Condition 2(6)]	0	0	0
Imported VENM	45,000t [PA 05_0103 Condition 2(8)]	0	0	0
Notes: 1. Whilst fines will be generated through sand washing and returned to the extraction ponds, there are no approval limits applicable to this material.				

### 4.2 OTHER OPERATIONS DURING THE REPORTING PERIOD

No other operational activities were undertaken during the reporting period.

Non-operational activities during the reporting period included quarterly water quality monitoring of the initial dredge pond (see Section 7) and revision and resubmission of the following draft management plans to relevant government agencies for further review and comment.

- Soil and Water Management Plan – to NOW.
- Landscape Management Plan – to NOW and DPI.

### 4.3 NEXT REPORTING PERIOD

#### Land Preparation and Construction

No land preparation or construction activities are planned during the next reporting period.

### **Extraction**

No extraction activities are planned during the next reporting period.

### **Rehabilitation**

No areas will become available for rehabilitation during the next reporting period. However, general property maintenance, including weed control and slashing, will be undertaken as required.

### **Monitoring**

Quarterly water quality monitoring of the initial dredge pond will continue in accordance with EPL 12385.

### **Community Consultation and Liaison**

No specific community consultation or liaison activities are planned for the next reporting period.

### **Other Activities**

Government agencies will be further consulted regarding the draft management plans with a view to finalising the management plans for approval by the Department of Planning.

## 5. ACTIONS REQUIRED FROM PREVIOUS ANNUAL REVIEW

The 2011/2012 Annual Review was submitted concurrently with the 2010/2011 Annual Review. Therefore, no actions from the 2010/2011 Annual Review have been raised to date.

## 6. ENVIRONMENTAL PERFORMANCE

A summary of environmental performance for the principal environmental aspects is provided in **Table 6.1**. Given there were no operational activities, no complaints and no related monitoring of these aspects, no specific management measures were deemed necessary and no trends have been identified.

**Table 6.1**  
**Environmental performance**

Aspect	Approval criteria / EIS prediction	Performance during the reporting period	Trend/key management implications	Implemented/proposed management actions
Noise	47dB(A) day & evening. 44dB(A) shoulder.	No operational activities were undertaken and no complaints were received.	No trends identifiable. Currently no management implications.	No specific management measures implemented or currently proposed.
Blasting	Blasting is not an approved activity.	No blasting undertaken.	Nil.	Nil.
Air Quality	PM <sub>10</sub> 24hr = 50ug/m <sup>3</sup> PM <sub>10</sub> Annual = 30ug/m <sup>3</sup> TSP Annual = 90ug/m <sup>3</sup> Dep Dust Annual = 4g/m <sup>2</sup> /month	No operational activities were undertaken and no complaints were received.	No trends identifiable. Currently no management implications.	No specific management measures implemented or currently proposed.
Biodiversity	Establish rehabilitation bond. No significant impacts predicted.	No operational activities or activities relating to biodiversity aspects occurred.	No trends identifiable. Currently no management implications.	No specific management measures implemented or currently proposed.
Heritage	Prepare Aboriginal Cultural Heritage Management Plan. No items of heritage have been located.	No operational activities occurred and no heritage items were identified or disturbed.	No trends identifiable. Currently no management implications.	No specific management measures implemented or currently proposed.



## 7. WATER MANAGEMENT

Water Licence 30BL179511 was issued under the *Water Act 1912* for operations approved under DA 96/518 and does not specify maximum water take / entitlement volumes. Given that no operational activities occurred during the reporting period and no water was actively removed from the initial dredge pond, no water take has occurred. It is noted that consultation with the NSW Office of Water as part of the Soil and Water Management Plan (prepared under PA 05\_0103) confirms that evaporation is not required to be accounted for in the calculated water loss / entitlement for this operation.

Water quality monitoring within the initial dredge pond (EPL Point 1 – see **Figure 8.1**) continued during the reporting period in accordance with the requirements of EPL 12385. A summary of the monitoring results is provided in **Table 7.1** and displayed graphically in **Figure 7.1**.

**Table 7.1**  
**Water Quality Monitoring Results 2010 – 2012**

(Date sampled)*	Dissolved Oxygen	pH	Redox Potential	Salinity	Temperature
Units	mg/L	-	millivolts	µS/cm	°C
<b>EPL 12385 Limits</b>	<b>None Specified</b>				
<b>PA 05_0103 Objectives</b>	<b>&gt;6</b>	<b>6.5-8.5</b>	<b>Not Specified</b>	<b>&lt;3,000</b>	<b>Not Specified</b>
21-Jan-10	8.71	8.13	61	471	25.7
06-Apr-10	7.01	7.71	-31	425	21.3
13-Aug-10	<b>5.92</b>	7.07	-73	392	18.3
22-Oct-10	6.13	7.83	-56	412	23.9
04-Feb-11	8.41	<b>8.57</b>	62	492	27.1
17-May-11	7.41	8.19	31	426	23.1
07-Jul-11	7.35	7.95	-10	397	19.7
17-Oct-11	6.05	7.8	18	310	24.7
16-Feb-12	7.17	<b>8.91</b>	77	336	28.7
01-May-12	6.53	7.91	62	371	22.8
<b>Average</b>	<b>7.07</b>	<b>8.01</b>	<b>14</b>	<b>403</b>	<b>23.5</b>
<b>Minimum</b>	<b>5.92</b>	<b>7.07</b>	<b>-73</b>	<b>310</b>	<b>18.3</b>
<b>Maximum</b>	<b>8.71</b>	<b>8.91</b>	<b>77</b>	<b>492</b>	<b>28.7</b>
<b>Red</b> values indicate exceedance of applicable limits.			*All samples are measured using field instrumentation		
Grey shaded results relevant to this reporting period					

During the reporting period all values remained within the objective ranges except for a slight (0.41) exceedance of the upper pH objective on 16 February 2012. This slight exceedance is not considered likely to have resulted in any adverse environmental effects and is within the range pH previously recorded in surrounding surface water drains (5.98 to 9.3). Given that the intent is to aim to meet these objectives and no operational activities have occurred, other than continued monitoring, no action is currently considered necessary.

There appears to be an approximately seasonal trend for all measured parameters, however, as no operations were undertaken, there is no influence on the parameters from quarry activities.

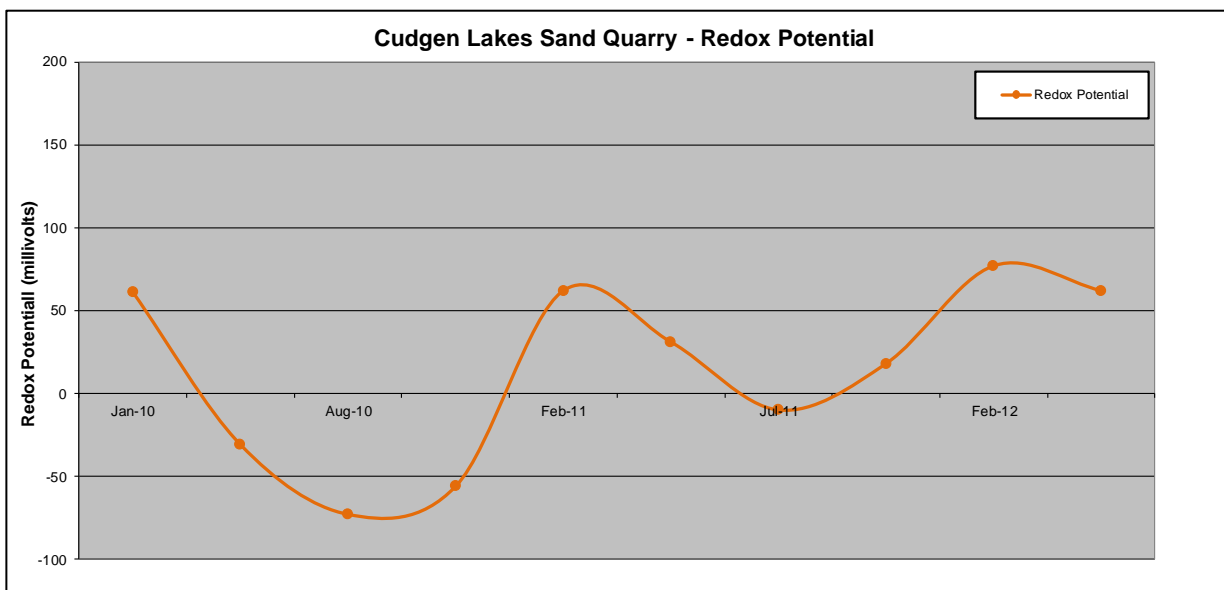
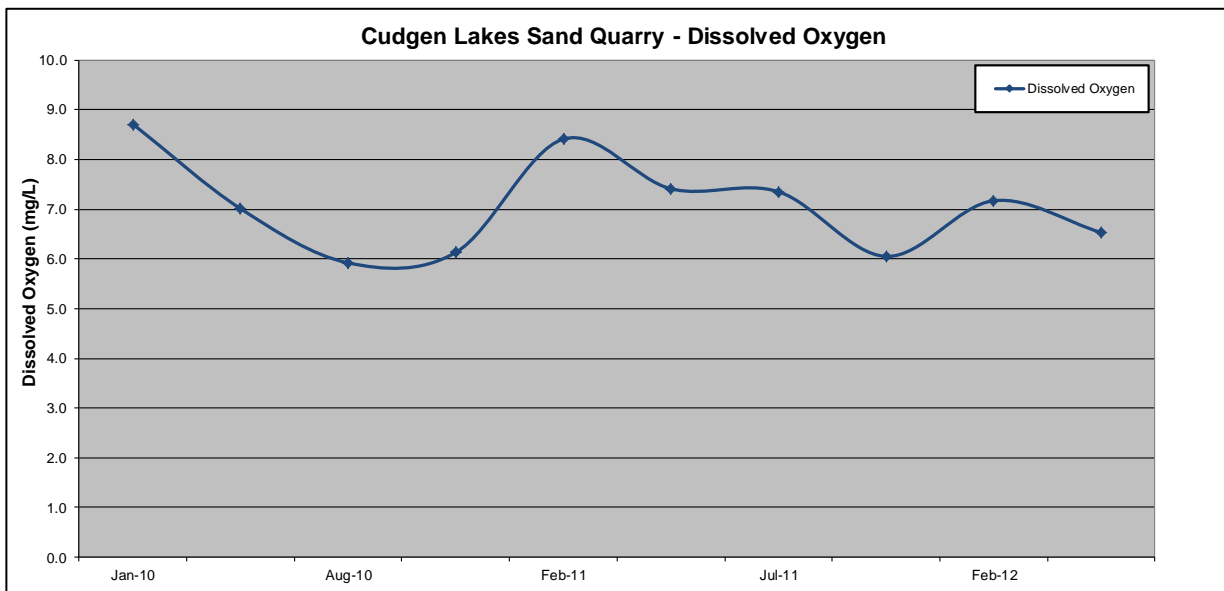
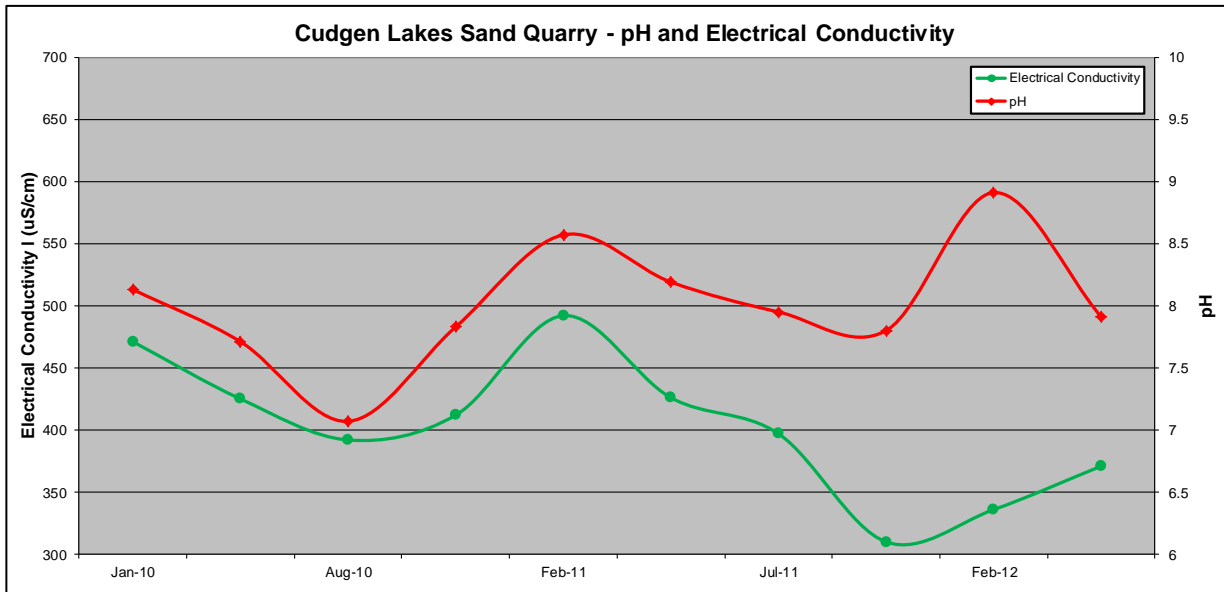


Figure 7.1 Water Quality Monitoring 2010 - 2012

## 8. REHABILITATION

### 8.1 REHABILITATION PERFORMANCE DURING THE REPORTING PERIOD

Figure 8.1 shows the status of disturbance and rehabilitation at the end of the reporting period whilst Table 8.1 provides a summary of the disturbance and rehabilitation areas.

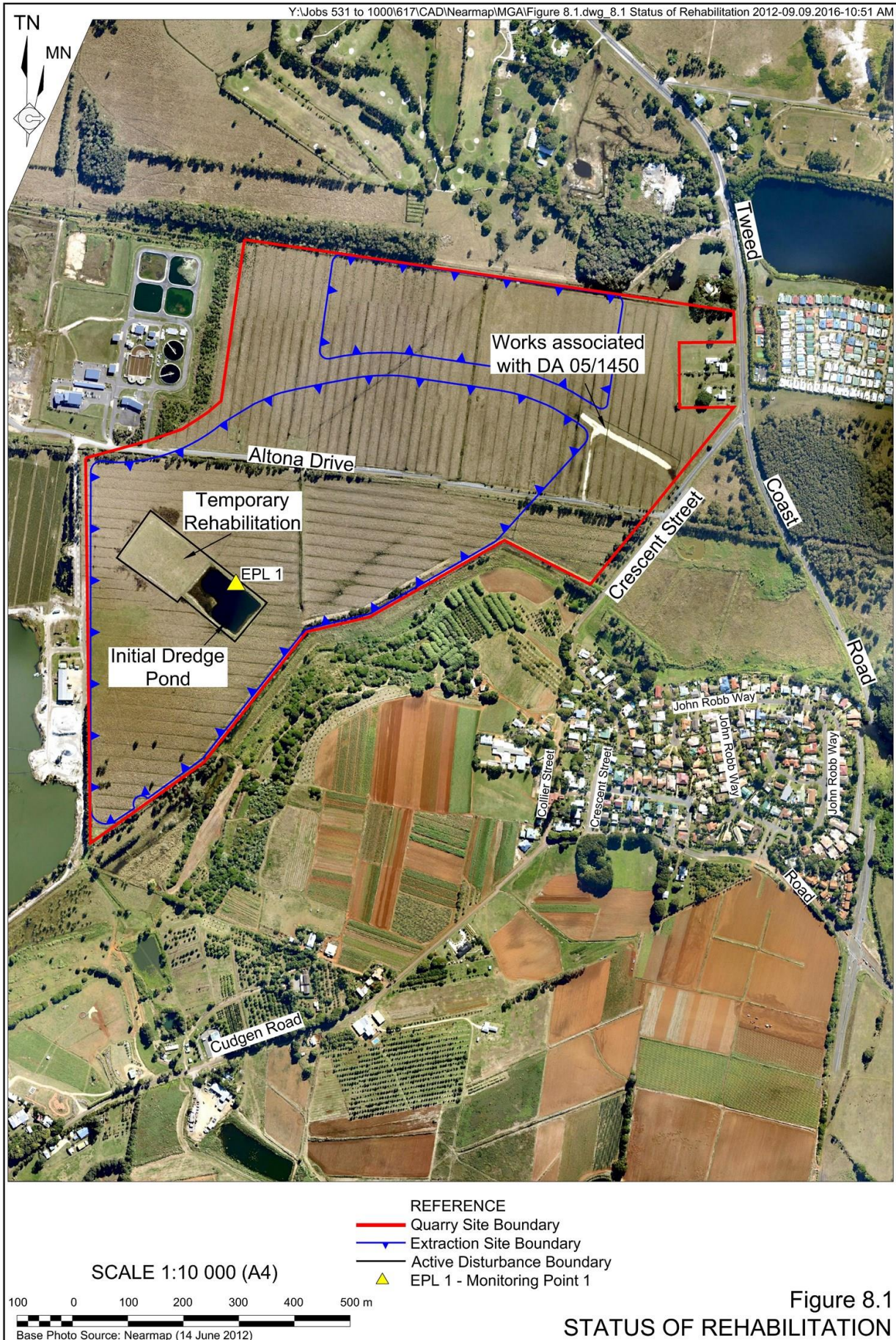
Table 8.1  
Rehabilitation Summary

Quarry Area Type	Previous Reporting Period (Actual)	This Reporting Period (Actual)	Next Reporting Period (Forecast)
	Year 2 (ha)	Year 3 (ha)	Year 4 (ha)
Total Quarry footprint	2.5 <sup>1</sup>	2.5 <sup>1</sup>	2.5 <sup>1</sup>
Total active disturbance	2.5 <sup>1</sup>	2.5 <sup>1</sup>	2.5 <sup>1</sup>
Land being prepared for rehabilitation	0	0	0
Land under active rehabilitation	0	0	0
Completed rehabilitation	0	0	0
Notes:			
1. Relates to initial dredge pond and grassed sand stockpile completed during 2006 under DA 96/518 (now surrendered).			

Disturbance on site currently consists of the initial dredge pond and grassed (temporarily rehabilitated) sand stockpile completed under DA 96/518. No temporary or permanent rehabilitation activities were undertaken during the reporting period. A small area of disturbance is also present in relation to the physical commencement of DA 05/1450 for the realignment of Altona Drive. As these works are managed under separate approval, they are not further discussed in this report.

### 8.2 ACTIONS FOR THE NEXT REPORTING PERIOD

No specific rehabilitation actions or trials are planned for the next reporting period and no areas will become available for final rehabilitation.



## 9. COMMUNITY

No complaints were received during the reporting period and no complaints have been received in previous reporting periods.

No specific community engagement activities or actions occurred during the reporting period in relation to the Quarry.



## **10. INDEPENDENT AUDIT**

No independent audit was undertaken during the reporting period. The first independent audit is required within 2 years of the commencement of quarrying operations. Quarry operations did not commence during the reporting period and are not planned to commence during the next reporting period.

## 11. INCIDENTS AND NON-COMPLIANCES DURING THE REPORTING PERIOD

During the reporting period there were no:

- reportable incidents or exceedances; or
- official cautions, warning letters, penalty notices or prosecution proceedings.

A total of three non-compliances were recorded against Project Approval 05\_0103 (see **Table 1.2**). Further detail relating to these non-compliances is provided as follows.

### **Condition 2(3) – Surrender Existing Approvals**

The Company surrendered DA 96/518 to the (then) NSW Department of Planning & Infrastructure on 14/12/10 (i.e. within the required 18 months). However, the Department requested that the development consent be surrendered to Tweed Shire Council. Correspondence from Council dated 07/09/16 confirms that Council holds no record of the development consent being surrendered and the Company held no record. Therefore the Company also formally surrendered DA 96/518 to Council on 12/09/16.

### **Condition 5(5) – Submit AEMRs Annually from Date of Approval**

The 2011/2012 Annual Review (this report) was not submitted within the required 12 month timeframe. The report was submitted 12/09/16 and was formatted to comply with the October 2015 *Annual Review Guideline*.

### **Condition 5(10) – Circulation / Website Publishing of Approved Plans / Reports**

The approved 2009/2010 AEMR was circulated within the required timeframe, however, it was not placed on the Company website within 1 month of approval. The report has now been placed on the Company website.

## **12. ACTIVITIES TO BE COMPLETED IN THE NEXT REPORTING PERIOD**

As discussed in Section 4.3, no land preparation, construction, quarry operations, rehabilitation activities or community engagement activities are planned during the next reporting period.

Quarterly water quality monitoring of the initial dredge pond will continue in accordance with EPL 12385.

No other specific measures are currently deemed necessary to improve environmental or community performance.



# Appendices

(No. of pages including blank pages = 54)

## Appendix 1: Compliance Review



This page has intentionally been left blank



# Appendix 1

## Compliance Review

Table A: Project Approval 05\_0103

Table B: Statement of Commitments

Table C: Environment Protection Licence 12385

Table D: Water Licence 30BL179511

(No. of pages including blank pages = 52)

This page has intentionally been left blank



**Table A**  
**Compliance Review – Project Approval 05\_0103**

Page 1 of 26

<b>Cond. No.</b>	<b>Conditional Requirement</b>	<b>Compliance</b>	<b>Comments</b>	<b>Basis*</b>
<b>SCHEDULE 2 ADMINISTRATIVE CONDITIONS</b>				
<b>Obligation to Minimise Harm to the Environment</b>				
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.	Not Yet Applicable	Operations have not yet commenced.	A, D
<b>Surrender of Consents</b>				
2.	Within 18 months of the date of this approval, or as otherwise approved by the Director-General, the Proponent shall surrender all previous development consents for sand extraction on Lot 2 DP 216705 and Lot 21 DP 1082482, to the satisfaction of the Director-General.	<b>Administrative Non-Compliance</b>	PA 05_0103 issued 16/06/09. Correspondence dated 14/12/10 to the, then, NSW Department of Planning & Infrastructure surrendering DA 96/518 (within 18 months). DP&I requested DA to be surrendered to Council. Further correspondence to Council dated 12/09/16 also surrendering DA 96/518 to Council.	D
<b>Terms of Approval</b>				
3.	The Proponent shall carry out the project generally in accordance with the: (a) EA; (b) statement of commitments; and (c) conditions of this approval.  <i>Note: The general layout of the project is shown in the figure in Appendix 1.</i> If there is any inconsistency between the documents referred to above, the conditions of this approval shall prevail to the extent of the inconsistency.	Not Yet Applicable	Operations have not yet commenced.	A, D
4.	The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of: (a) any reports, plans, programs or correspondence that are submitted in accordance with this approval; and (b) the implementation of any actions or measures contained in these reports, plans, programs or correspondence.	Compliant	Comments provided by the Department on draft management plans required by this approval were incorporated into the final approved management plans to the Department's satisfaction.	D
<b>Limits on Approval</b>				
5.	Sand extraction operations may take place until 1 July 2029.  <i>Note: Under this Approval, the Proponent is required to rehabilitate and revegetate 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 and revegetated to a satisfactory standard.</i>	Noted	-	-
* D = Documentation sighted                                  A = Advised by Company                                  O = On-site Observation				



**Table A (Cont'd)**  
**Compliance Review – Project Approval 05\_0103**

Page 2 of 26

<b>Cond. No.</b>	<b>Conditional Requirement</b>	<b>Compliance</b>	<b>Comments</b>	<b>Basis*</b>
<b>SCHEDULE 2 ADMINISTRATIVE CONDITIONS (Cont'd)</b>				
<b>Limits on Approval (Cont'd)</b>				
6.	The Proponent shall not remove from the extraction area, by any means, more than 650,000 cubic metres of material a year.	Compliant	Extraction operations have not yet commenced.	A, D
7.	The Proponent shall not transport from the extraction area by road more than 300,000 tonnes of material per year.	Compliant	Extraction operations have not yet commenced.	A, D
8.	The Proponent shall not import to the extraction area more than 45,000 tonnes per year of VENM. The Proponent shall ensure that material imported in compliance with this condition does not contain waste.	Compliant	Importation of VENM has not yet commenced.	A
<b>Management Plans/Monitoring Programs</b>				
9.	With the prior approval of the Director-General, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.	Compliant	Approval to defer the submission of the management plans to 14 February 2011.	D
<b>Protection of Public Infrastructure</b>				
10.	<p>The Proponent shall:</p> <p>a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and</p> <p>b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.</p> <p><i>Note: This condition does not apply where such costs have already been provided by the Proponent through applicable road contribution or S94 plans (see Condition 14 below).</i></p>	Not Applicable	No repairs or relocations of infrastructure have been required to date.	A
<b>Compliance with Relevant Legislation and Other Approvals</b>				
11.	<p>The Proponent shall comply with all relevant Australian Standards and Codes (including Building Code of Australia) and obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li><i>Under Part 4A of the EP&amp;A Act, the Proponent is required to obtain construction and occupation certificates for any proposed building works.</i></li> <li><i>Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the project.</i></li> </ul>	Not Yet Applicable	Operations have not yet commenced. Therefore, no additional approvals were required during the reporting period.	A, D

\* D = Documentation sighted

A = Advised by Company

O = On-site Observation



**Table A (Cont'd)**  
**Compliance Review – Project Approval 05\_0103**

Cond. No.	Conditional Requirement	Compliance	Comments	Basis*						
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>										
<b>Pipeline Corridor</b>										
2.	<p>Prior to commencing work to install pipelines in the pipeline corridors (shown conceptually in Appendix 1), the Proponent shall submit for the approval of the Director-General:</p> <p>a) a survey plan of the route of the pipeline;</p> <p>b) evidence that this route does not require native vegetation clearing;</p> <p>c) evidence that the fill sites have approval for filling; and</p> <p>d) in relation to the eastern pipeline:</p> <p>(i) evidence that any vegetation cleared from the eastern pipeline corridor following the date of this approval has been lawfully carried out in accordance with another approval;</p> <p>(ii) details of proposed measures to protect vegetation during pipeline installation, operation and removal; and</p> <p>(iii) details of measures, developed in consultation with DECC, to provide opportunities for the Wallum Froglet to cross the eastern pipeline.</p>	Not Yet Applicable	Work to install pipelines has not yet commenced.	A, D						
<b>NOISE</b>										
<b>Impact Assessment Criteria</b>										
3.	<p>The Proponent shall ensure that the noise generated by the project during the operating hours specified in Condition 5, does not exceed the noise impact assessment criteria in <i>Table 1</i>.</p> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Receiver Location</th> <th>Day &amp; Evening L<sub>Aeq(15 min)</sub> dB(A)</th> <th>Shoulder L<sub>Aeq(15 min)</sub> dB(A)</th> </tr> </thead> <tbody> <tr> <td>Residences on privately owned land</td> <td style="text-align: center;">47</td> <td style="text-align: center;">44</td> </tr> </tbody> </table> <p><i>Table 1: Noise Impact Assessment Criteria</i></p> <p>Notes:</p> <ul style="list-style-type: none"> <li>Noise generated by the project is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy.</li> <li>The noise limits do not apply if the Proponent has an agreement with the relevant owner/s of the residence/land to generate higher noise levels, and the Proponent has advised the department in writing of the terms of the agreement.</li> </ul>	Receiver Location	Day & Evening L <sub>Aeq(15 min)</sub> dB(A)	Shoulder L <sub>Aeq(15 min)</sub> dB(A)	Residences on privately owned land	47	44	Not Yet Applicable	Operations have not yet commenced.	A, D
Receiver Location	Day & Evening L <sub>Aeq(15 min)</sub> dB(A)	Shoulder L <sub>Aeq(15 min)</sub> dB(A)								
Residences on privately owned land	47	44								
* D = Documentation sighted    A = Advised by Company    O = On-site Observation										



**Table A (Cont'd)**  
**Compliance Review – Project Approval 05\_0103**

Page 5 of 26

Cond. No.	Conditional Requirement	Compliance	Comments	Basis*																																		
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>																																						
<b>Cumulative Noise Criteria</b>																																						
4.	<p>The Proponent shall take all reasonable and feasible measures to ensure that noise generated by the project combined with the noise generated by other industrial development does not exceed the following amenity criteria on any privately owned land, to the satisfaction of the Director-General:</p> <ul style="list-style-type: none"> <li>• <math>L_{Aeq}</math> (11 hour) 50 dB(A) – Day;</li> <li>• <math>L_{Aeq}</math> (4 hour) 45 dB(A) – Evening; and</li> <li>• <math>L_{Aeq}</math>(9 hour) 40 dB(A) – Night.</li> </ul>	Not Yet Applicable	Operations have not yet commenced.	A, D																																		
<b>Hours of Operation</b>																																						
5.	<p>The Proponent shall comply with the operating hours in <i>Table 2</i>.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;"><i>Activity</i></th> <th style="text-align: center;"><i>Day</i></th> <th style="text-align: center;"><i>Time</i></th> </tr> </thead> <tbody> <tr> <td rowspan="3">Site establishment, sand or soil extraction by excavator, dry processing, product transport by road, VENM receipts, other quarry related activities, maintenance (if audible at neighbouring residences)</td> <td>Monday – Friday</td> <td>7:00am to 6:00pm</td> </tr> <tr> <td>Saturday</td> <td>7:00am to 1:00pm</td> </tr> <tr> <td>Sunday and Public Holidays</td> <td>Nil</td> </tr> <tr> <td rowspan="3">Sand extraction by dredging and pumping to the processing plant, wet processing.</td> <td>Monday – Friday</td> <td>7:00am to 10:00pm</td> </tr> <tr> <td>Saturday</td> <td>7:00am to 4:00pm</td> </tr> <tr> <td>Sunday and Public Holidays</td> <td>Nil</td> </tr> <tr> <td rowspan="3">Sand extraction by dredging and pumping to fill sites.</td> <td>Monday – Friday</td> <td>7:00am to 6:30pm</td> </tr> <tr> <td>Saturday</td> <td>7:00am to 1:00pm</td> </tr> <tr> <td>Sunday and Public Holidays</td> <td>Nil</td> </tr> <tr> <td rowspan="3">Operation of dredge to fill pipeline with water or pipeline flushing</td> <td>Monday – Friday</td> <td>6.30am to 7.00pm</td> </tr> <tr> <td>Saturday</td> <td>6.30am to 1.30pm</td> </tr> <tr> <td>Sunday and Public Holidays</td> <td>Nil</td> </tr> <tr> <td>Maintenance (if inaudible at neighbouring residences)</td> <td>Any day</td> <td>Any time</td> </tr> </tbody> </table> <p><i>Table 2: Operating Hours</i></p>	<i>Activity</i>	<i>Day</i>	<i>Time</i>	Site establishment, sand or soil extraction by excavator, dry processing, product transport by road, VENM receipts, other quarry related activities, maintenance (if audible at neighbouring residences)	Monday – Friday	7:00am to 6:00pm	Saturday	7:00am to 1:00pm	Sunday and Public Holidays	Nil	Sand extraction by dredging and pumping to the processing plant, wet processing.	Monday – Friday	7:00am to 10:00pm	Saturday	7:00am to 4:00pm	Sunday and Public Holidays	Nil	Sand extraction by dredging and pumping to fill sites.	Monday – Friday	7:00am to 6:30pm	Saturday	7:00am to 1:00pm	Sunday and Public Holidays	Nil	Operation of dredge to fill pipeline with water or pipeline flushing	Monday – Friday	6.30am to 7.00pm	Saturday	6.30am to 1.30pm	Sunday and Public Holidays	Nil	Maintenance (if inaudible at neighbouring residences)	Any day	Any time	Not Yet Applicable	Operations have not yet commenced.	A, D
<i>Activity</i>	<i>Day</i>	<i>Time</i>																																				
Site establishment, sand or soil extraction by excavator, dry processing, product transport by road, VENM receipts, other quarry related activities, maintenance (if audible at neighbouring residences)	Monday – Friday	7:00am to 6:00pm																																				
	Saturday	7:00am to 1:00pm																																				
	Sunday and Public Holidays	Nil																																				
Sand extraction by dredging and pumping to the processing plant, wet processing.	Monday – Friday	7:00am to 10:00pm																																				
	Saturday	7:00am to 4:00pm																																				
	Sunday and Public Holidays	Nil																																				
Sand extraction by dredging and pumping to fill sites.	Monday – Friday	7:00am to 6:30pm																																				
	Saturday	7:00am to 1:00pm																																				
	Sunday and Public Holidays	Nil																																				
Operation of dredge to fill pipeline with water or pipeline flushing	Monday – Friday	6.30am to 7.00pm																																				
	Saturday	6.30am to 1.30pm																																				
	Sunday and Public Holidays	Nil																																				
Maintenance (if inaudible at neighbouring residences)	Any day	Any time																																				
<b>Continuous Improvement</b>																																						
6.	<p>The Proponent shall:</p> <ul style="list-style-type: none"> <li>(a) implement all reasonable and feasible best practice noise mitigation measures;</li> <li>(b) investigate ways to reduce the noise generated by the project; and</li> <li>(c) report on these investigations and the implementation and effectiveness of these measures in the AEMR, to the satisfaction of the Director-General.</li> </ul>	Not Yet Applicable	Operations have not yet commenced.	A, D																																		

\* D = Documentation sighted

A = Advised by Company

O = On-site Observation



**Table A (Cont'd)**  
**Compliance Review – Project Approval 05\_0103**

Page 6 of 26

Cond. No.	Conditional Requirement	Compliance	Comments	Basis*																							
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>																											
<b>Noise Monitoring Program</b>																											
7.	<p>The Proponent shall prepare and implement a Noise Monitoring Program for the project to the satisfaction of the Director-General. This program must:</p> <p>a) be submitted to the Director-General for approval prior to carrying out any development on the site;</p> <p>b) provide details of how the noise performance of the project would be monitored, including monitoring at the following locations:</p> <ul style="list-style-type: none"> <li>• Residence G;</li> <li>• Residence DD;</li> <li>• Residence F;</li> <li>• Residence B; and</li> <li>• Residence O, and</li> </ul> <p>c) include a noise monitoring protocol for evaluating compliance with the relevant noise limits in this approval.</p> <p><i>Note: For more information on the monitoring locations see Appendix 3.</i></p>	Not Yet Applicable	<p>Operations have not yet commenced.</p> <p>A draft Noise Monitoring Program was submitted to the Department 13/12/10.</p> <p>Section 4 of the draft Noise Monitoring Program.</p> <p>Section 5 of the draft Noise Monitoring Program.</p>	A, D																							
<b>AIR QUALITY</b>																											
<b>Impact Assessment Criteria</b>																											
8.	<p>The Proponent shall ensure that dust generated by the project does not cause exceedances of the criteria listed in <i>Tables 3 to 5</i> at any privately owned land.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter &lt;10µm (PM<sub>10</sub>)</td> <td>24 hour</td> <td>50µg/m<sup>3</sup></td> </tr> </tbody> </table> <p><i>Table 3: Short Term Impact Assessment Criteria for Particulate Matter</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>90 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>Annual</td> <td>30 µg/m<sup>3</sup></td> </tr> </tbody> </table> <p><i>Table 4: Long Term Impact Assessment Criteria for Particulate Matter</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total deposited dust level</th> </tr> </thead> <tbody> <tr> <td>Deposited dust</td> <td>Annual</td> <td>2 g/m<sup>2</sup>/month</td> <td>4 g/m<sup>2</sup>/month</td> </tr> </tbody> </table> <p><i>Table 5: Long Term Impact Assessment Criteria for Deposited Dust</i></p>	Pollutant	Averaging Period	Criterion	Particulate matter <10µm (PM <sub>10</sub> )	24 hour	50µg/m <sup>3</sup>	Pollutant	Averaging period	Criterion	Total suspended particulate (TSP) matter	Annual	90 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	Annual	30 µg/m <sup>3</sup>	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level	Deposited dust	Annual	2 g/m <sup>2</sup> /month	4 g/m <sup>2</sup> /month	Not Yet Applicable	Operations have not yet commenced.	A, D
Pollutant	Averaging Period	Criterion																									
Particulate matter <10µm (PM <sub>10</sub> )	24 hour	50µg/m <sup>3</sup>																									
Pollutant	Averaging period	Criterion																									
Total suspended particulate (TSP) matter	Annual	90 µg/m <sup>3</sup>																									
Particulate matter < 10 µm (PM <sub>10</sub> )	Annual	30 µg/m <sup>3</sup>																									
Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level																								
Deposited dust	Annual	2 g/m <sup>2</sup> /month	4 g/m <sup>2</sup> /month																								
<p>* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation</p>																											



**Table A (Cont'd)**  
**Compliance Review – Project Approval 05\_0103**

Cond. No.	Conditional Requirement	Compliance	Comments	Basis*																																																									
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>																																																													
<b>Water Quality Objectives (Cont'd)</b>																																																													
11.	The Proponent shall aim to meet the water quality objectives in <i>Table 6</i> for water in the dredge pond and in groundwater adjacent the dredge pond, unless otherwise approved by the Director-General.	Compliant	Whilst slight exceedance of one sample pH was recorded within the existing initial dredge pond, it is considered that the intent of the condition, 'aiming' to meet the objectives, has been met.	D																																																									
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Pollutant</th> <th style="text-align: center;">Unit of Measure</th> <th style="text-align: center;">Water Quality Objectives</th> </tr> </thead> <tbody> <tr><td style="text-align: center;">Turbidity</td><td style="text-align: center;">NTU</td><td style="text-align: center;">5 - 20</td></tr> <tr><td style="text-align: center;">pH</td><td style="text-align: center;">pH</td><td style="text-align: center;">6.5 – 8.5</td></tr> <tr><td style="text-align: center;">Oil and Grease</td><td style="text-align: center;">mg/L</td><td style="text-align: center;">10</td></tr> <tr><td style="text-align: center;">Salinity</td><td style="text-align: center;">µS/cm</td><td style="text-align: center;">&lt;3,000</td></tr> <tr><td style="text-align: center;">Dissolved oxygen</td><td style="text-align: center;">mg/L</td><td style="text-align: center;">&gt;6</td></tr> <tr><td style="text-align: center;">Chlorophyll-a</td><td style="text-align: center;">µg/L</td><td style="text-align: center;">2-10</td></tr> <tr><td style="text-align: center;">Faecal coliforms</td><td style="text-align: center;">Median No./100mL</td><td style="text-align: center;">&lt;1000</td></tr> <tr><td style="text-align: center;">Enterococci</td><td style="text-align: center;">Median No./100mL</td><td style="text-align: center;">&lt;230</td></tr> <tr><td style="text-align: center;">Algae and blue-green algae</td><td style="text-align: center;">No. of cells/mL (M.aeruginosa) mm<sup>3</sup>/L (total biovolume)</td><td style="text-align: center;">&lt;50,000 &lt;4</td></tr> <tr><td style="text-align: center;">Sodium</td><td style="text-align: center;">mg/L</td><td style="text-align: center;">&lt;500</td></tr> <tr><td style="text-align: center;">Potassium ion</td><td style="text-align: center;">mg/L</td><td style="text-align: center;">&lt;40</td></tr> <tr><td style="text-align: center;">Magnesium ion</td><td style="text-align: center;">mg/L</td><td style="text-align: center;">&lt;100</td></tr> <tr><td style="text-align: center;">Chloride ion</td><td style="text-align: center;">mg/L</td><td style="text-align: center;">&lt;1000</td></tr> <tr><td style="text-align: center;">Sulphate ion</td><td style="text-align: center;">mg/L</td><td style="text-align: center;">&lt;800</td></tr> <tr><td style="text-align: center;">Bicarbonate ion</td><td style="text-align: center;">mg/L</td><td style="text-align: center;">&lt;400</td></tr> <tr><td style="text-align: center;">Soluble Iron ion</td><td style="text-align: center;">mg/L</td><td style="text-align: center;">&lt;20</td></tr> <tr><td style="text-align: center;">Soluble aluminium ion</td><td style="text-align: center;">mg/L</td><td style="text-align: center;">&lt;0.5</td></tr> <tr><td style="text-align: center;">Ammonium ion</td><td style="text-align: center;">mg/L</td><td style="text-align: center;">&lt;20</td></tr> </tbody> </table>					Pollutant	Unit of Measure	Water Quality Objectives	Turbidity	NTU	5 - 20	pH	pH	6.5 – 8.5	Oil and Grease	mg/L	10	Salinity	µS/cm	<3,000	Dissolved oxygen	mg/L	>6	Chlorophyll-a	µg/L	2-10	Faecal coliforms	Median No./100mL	<1000	Enterococci	Median No./100mL	<230	Algae and blue-green algae	No. of cells/mL (M.aeruginosa) mm <sup>3</sup> /L (total biovolume)	<50,000 <4	Sodium	mg/L	<500	Potassium ion	mg/L	<40	Magnesium ion	mg/L	<100	Chloride ion	mg/L	<1000	Sulphate ion	mg/L	<800	Bicarbonate ion	mg/L	<400	Soluble Iron ion	mg/L	<20	Soluble aluminium ion	mg/L	<0.5	Ammonium ion	mg/L	<20
Pollutant	Unit of Measure	Water Quality Objectives																																																											
Turbidity	NTU	5 - 20																																																											
pH	pH	6.5 – 8.5																																																											
Oil and Grease	mg/L	10																																																											
Salinity	µS/cm	<3,000																																																											
Dissolved oxygen	mg/L	>6																																																											
Chlorophyll-a	µg/L	2-10																																																											
Faecal coliforms	Median No./100mL	<1000																																																											
Enterococci	Median No./100mL	<230																																																											
Algae and blue-green algae	No. of cells/mL (M.aeruginosa) mm <sup>3</sup> /L (total biovolume)	<50,000 <4																																																											
Sodium	mg/L	<500																																																											
Potassium ion	mg/L	<40																																																											
Magnesium ion	mg/L	<100																																																											
Chloride ion	mg/L	<1000																																																											
Sulphate ion	mg/L	<800																																																											
Bicarbonate ion	mg/L	<400																																																											
Soluble Iron ion	mg/L	<20																																																											
Soluble aluminium ion	mg/L	<0.5																																																											
Ammonium ion	mg/L	<20																																																											
<p><i>Table 6: Water Quality Objectives</i></p> <p>Notes:</p> <ul style="list-style-type: none"> <li>The objectives for dissolved oxygen, turbidity and algae are relevant to surface water only.</li> <li>The Department acknowledges that short term exceedances of these objectives may occur during natural events such as heavy rainfall or flooding.</li> <li>The Department acknowledges that pre-existing water quality may not meet the objectives for some analytes, including salinity. The Proponent shall strive to meet the water quality objectives through implementation of the Soil and Water Management Plan (see condition 0 below), as far as is reasonable and feasible and within the Proponent's control, to the satisfaction of the Director-General.</li> </ul>																																																													
<p>* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation</p>																																																													



**Table A (Cont'd)**  
**Compliance Review – Project Approval 05\_0103**

<b>Cond. No.</b>	<b>Conditional Requirement</b>	<b>Compliance</b>	<b>Comments</b>	<b>Basis*</b>
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>				
<b>Management and Monitoring</b>				
19.	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: <ul style="list-style-type: none"> <li>a) be prepared in consultation with DWE and DECC;</li> <li>b) include a:                             <ul style="list-style-type: none"> <li>• Water Balance;</li> <li>• Erosion and Sediment Control Plan;</li> <li>• Acid Sulfate Soil Management Plan;</li> <li>• Blue-Green Algae Management Plan;</li> <li>• Surface Water Monitoring Program; and</li> <li>• Groundwater Monitoring Program; and</li> </ul> </li> <li>c) be submitted to the Director-General prior to starting quarrying operations, and prior to carrying out any development on the site in the case of the Erosion and Sediment Control Plan.</li> </ul>	Not Yet Applicable	Operations have not yet commenced.  A draft Soil and Water Management Plan (SWMP) was submitted to DWE and DECC 06/02/11 for review and comment. A revised draft was also submitted to NOW 10/08/11.  Section 2.4 of the SWMP Section 3 of the SWMP Section 4 of the SWMP Section 5 of the SWMP Section 6 of the SWMP Section 7 of the SWMP  Operations have not yet commenced.	A, D
20.	The Water Balance shall include: <ul style="list-style-type: none"> <li>a) details of all water extracted, transferred, used and/or discharged by the quarry;</li> <li>b) the source of all water collected or stored on the site, including rainfall, stormwater and groundwater; and</li> <li>c) measures to minimise water use or water loss by the project.</li> </ul>	Compliant	Section 2.3 of SWMP.  Section 2.2 of SWMP.  Section 2.5 of SWMP.	D

\* D = Documentation sighted      A = Advised by Company      O = On-site Observation







**Table A (Cont'd)  
Compliance Review – Project Approval 05\_0103**

Page 13 of 26

Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>				
<b>Management and Monitoring (Cont'd)</b>				
25.	The Groundwater Monitoring Program shall include: a) detailed baseline data on groundwater levels and quality, based on statistical analysis; b) groundwater impact assessment criteria; c) a program to monitor groundwater levels and quality; d) a program to monitor groundwater level effects on groundwater dependent vegetation, and on groundwater supply to adjoining properties; e) a protocol for the investigation, notification and mitigation of identified exceedances of the groundwater impact assessment criteria; and f) a protocol for making good any adverse effect of changes to groundwater levels or quality associated with the project on water use on surrounding properties.	Compliant	Section 7.3 of the SWMP.  Section 7.4 of the SWMP.  Section 7.5 of the SWMP.  Section 7.5 of the SWMP.  Section 7.6 of the SWMP.  Section 7.6 of the SWMP.	D
<b>Pipeline Management</b>				
26.	For the life of the pipelines, the Proponent shall maintain the pipelines, ensuring that any leaks or maintenance issues are detected and repaired to the satisfaction of the Director-General.	Not Yet Applicable	Pipelines not yet installed.	A, D
<b>REHABILITATION AND LANDSCAPING</b>				
<b>Rehabilitation</b>				
27.	The Proponent shall progressively rehabilitate the site to the satisfaction of the Director-General.	Not Yet Applicable	Operations have not yet commenced.	A, D
* D = Documentation sighted                                      A = Advised by Company                                      O = On-site Observation				



**Table A (Cont'd)**  
**Compliance Review – Project Approval 05\_0103**

Page 15 of 26

Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>				
<b>Landscape Management Plan (Cont'd)</b>				
	<p>c) detailed performance and completion criteria for the rehabilitation and stabilisation of the site;</p> <p>d) consideration of outcomes if VENM material received for backfilling is less than optimum;</p> <p>e) a detailed description of how the performance of the rehabilitation of the site would be monitored over time to achieve the stated objectives;</p> <p>f) a detailed description of what measures would be implemented over the next 5 years to rehabilitate and manage the landscape of the site and revegetation areas including the procedures to be implemented for:</p> <ul style="list-style-type: none"> <li>• progressively rehabilitating and stabilising areas disturbed by quarrying;</li> <li>• implementing revegetation and regeneration within the disturbance areas;</li> <li>• protecting areas outside the disturbance areas, including vegetation adjoining pipelines;</li> <li>• managing impacts on fauna, including measures to enable Wallum Froglet to cross the eastern pipeline;</li> <li>• controlling terrestrial and aquatic weeds and pests;</li> <li>• controlling access; and</li> <li>• reducing the visual impacts of the project;</li> </ul> <p>g) a description of the potential risks to successful rehabilitation and/or revegetation, and a description of the contingency measures that would be implemented to mitigate these risks; and</p> <p>h) details of who is responsible for monitoring, reviewing, and implementing the plan.</p>		<p>Section 2.5 of the Landscape Management Plan.</p> <p>Section 2.4.6 of the Landscape Management Plan.</p> <p>Section 2.6 of the Landscape Management Plan.</p> <p>Sections 2.3 &amp; 2.4 of the Landscape Management Plan.</p> <p>Section 2.7 of the Landscape Management Plan.</p> <p>Section 2.8 of the Landscape Management Plan.</p>	
* D = Documentation sighted      A = Advised by Company      O = On-site Observation				

**Table A (Cont'd)  
 Compliance Review – Project Approval 05\_0103**

Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>				
<b>Landscape Management Plan (Cont'd)</b>				
30.	The Long Term Management Strategy must: <ol style="list-style-type: none"> <li>define the objectives and criteria for quarry closure and post-extraction management;</li> <li>investigate options for the future use of the site;</li> <li>describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the project; and</li> <li>describe how the performance of these measures would be monitored over time.</li> </ol>	Compliant	Section 3.2 of the Landscape Management Plan.  Section 3.3 of the Landscape Management Plan.  Section 3.4 of the Landscape Management Plan.  Section 3.5 of the Landscape Management Plan.	D
<b>Rehabilitation Bond</b>				
31.	Prior to starting quarrying operations on the site, the Proponent shall lodge a rehabilitation bond for the project with the Director-General. The sum of the bond shall be calculated at: <ol style="list-style-type: none"> <li>\$2.50/m<sup>2</sup> for the total area to be disturbed and/or revegetated in each 5 year review period (see condition 28 below); and</li> <li>\$1.50/m<sup>2</sup> for the total area of land previously disturbed and/or rehabilitated by the project, to the satisfaction of the Director-General.</li> </ol> Notes: <ul style="list-style-type: none"> <li>If the rehabilitation and revegetation works are completed to the satisfaction of the Director-General, the Director-General will release the rehabilitation bond.</li> <li>If the rehabilitation and revegetation works are not completed to the satisfaction of the Director-General, the Director-General will call in all or part of the rehabilitation bond, and arrange for the satisfactory completion of the relevant works.</li> </ul>	Not Yet Applicable	Quarry operations have not yet commenced.	A, D
* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation				



**Table A (Cont'd)**  
**Compliance Review – Project Approval 05\_0103**

Page 18 of 26

Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>				
<b>TRAFFIC AND TRANSPORTATION</b>				
<b>Road Works</b>				
34.	<p>Prior to despatch of sand by road, the Proponent shall:</p> <p>a) upgrade the intersection of Tweed Coast Road and Crescent Street for right turning vehicles to AUSTRROADS CHR treatment; and</p> <p>b) upgrade the intersection of Tweed Coast Road and Crescent Street for left turning vehicles to AUSTRROADS Figure 6.24 left turn treatment, to the satisfaction of Council.</p> <p><i>Note: In the event that the Tweed Coast Road is upgraded prior to the commencement of the despatch of sand by road, the Proponent shall pay \$105,000 (indexed annually by CPI) to Tweed Shire Council as a contribution to intersection works on Tweed Coast Road and Crescent Street for trucks entering onto Tweed Coast Road from Crescent Street.</i></p>	Not Yet Applicable	Product despatch has not yet commenced.	A
<b>Road Haulage</b>				
35.	<p>Trucks are not permitted to enter the site prior to 7.00am on any day.</p> <p><i>Note: 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 DECC and the affected residents as soon as possible, or within a reasonable period in the case of emergency.</i></p>	Not Yet Applicable	Road haulage has not yet commenced.	A
36.	<p>The Proponent shall prepare and implement a Traffic Safety Plan for the project to the satisfaction of the Director-General . This plan must:</p> <p>a) be prepared in consultation with the RTA and Tweed Shire Council;</p> <p>b) include measures to minimise the risk to other road users from project-related vehicles on public roads during construction and operation, including vehicles proceeding across Altona Drive between the southern and northern parts of the site;</p> <p>c) prohibit trucks departing the site from turning right from Crescent Street to Tweed Coast Road; and</p> <p>d) be submitted to the Director-General prior to commencing construction work.</p>	Not Yet Applicable	Construction works have not yet commenced.	A, D
<p>* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation</p>				

Table A (Cont'd)  
Compliance Review – Project Approval 05\_0103

Page 19 of 26

Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>				
<b>Road Haulage (Cont'd)</b>				
37.	Product and VENM trucks are not to utilise Altona Drive west of the site or Crescent Street south of Altona Drive, except for the purpose of delivery or collection local to those streets.	Not Yet Applicable	Product and VENM transportation has not yet commenced.	A
38.	The Proponent shall ensure that all loaded vehicles: a) entering or leaving the site have their loads covered; and b) leaving the site are cleaned of materials that may fall on the road before they are allowed to leave the site.	Not Yet Applicable	Product and VENM transportation has not yet commenced.	A
<b>Parking</b>				
39.	The Proponent shall provide sufficient parking on-site for all project-related traffic and visitors, in accordance with Council's parking codes and to the satisfaction of the Director-General. No on street parking shall be undertaken.	Not Yet Applicable	Operations have not yet commenced.	A, D
<b>VISUAL IMPACT</b>				
<b>Visual Amenity</b>				
40.	The Proponent shall minimise the visual impacts of the project to the satisfaction of the Director-General.	Not Yet Applicable	Operations have not yet commenced.	A, D
41.	The Proponent shall establish and subsequently maintain the vegetation screen around the extraction area within 12 months of the date of this approval. <i>Note: The vegetation screen shall be detailed in the Landscape Management Plan required under condition 28.</i>	Compliant	Vegetation screening was previously planted adjacent to Tweed Coast Road and Crescent Street and fencing installed to exclude cattle.	A
<b>Lighting Emissions</b>				
42.	The Proponent shall: a) take all practicable measures to mitigate off-site lighting impacts from the project; and b) ensure that all external lighting associated with the project complies with <i>Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting</i> , to the satisfaction of the Director-General.	Not Yet Applicable	Operations have not yet commenced.	A, D
<b>Advertising</b>				
43.	The Proponent shall not erect or display any advertising structure(s) or signs on the site without the written approval of the Director-General. <i>Note: This does not include business identification, traffic management and safety or environmental signs.</i>	Compliant	No advertising or signs have been erected within the Quarry Site.	A
* D = Documentation sighted    A = Advised by Company    O = On-site Observation				





**Table A (Cont'd)**  
**Compliance Review – Project Approval 05\_0103**

Page 21 of 26

Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 4 ADDITIONAL PROCEDURES (Cont'd)</b>				
<b>Independent Review</b>				
2.	<p>If a landowner considers that the project is exceeding the impact assessment criteria in 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> <p>a) consult with the landowner to determine his/her concerns;</p> <p>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</p> <p>c) give the Director-General and landowner a copy of the independent review.</p>	Not Yet Applicable	Request for independent review has not been received to date.	A
3.	<p>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.</p>	Not Yet Applicable	Request for independent review has not been received to date.	A
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, to the satisfaction of the Director-General.</p>	Not Yet Applicable	Request for independent review has not been received to date.	A
* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation				





**Table A (Cont'd)**  
**Compliance Review – Project Approval 05\_0103**

Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 5 ENVIRONMENTAL MANAGEMENT AND MONITORING CONDITIONS (Cont'd)</b>				
<b>Annual Reporting</b>				
5.	<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 including Council. This report must:</p> <ol style="list-style-type: none"> <li>identify the standards and performance measures that apply to the project;</li> <li>describe the works carried out in the last 12 months;</li> <li>describe the works that will be carried out in the next 12 months;</li> <li>include a summary of the complaints received during the past year, and compare this to the complaints received in previous years;</li> <li>include a summary of the monitoring results for the project during the past year;</li> <li>include an analysis of these monitoring results against the relevant:                             <ul style="list-style-type: none"> <li>• impact assessment criteria/limits;</li> <li>• monitoring results from previous years; and</li> <li>• predictions in the EA;</li> </ul> </li> <li>identify any trends in the monitoring results over the life of the project;</li> <li>identify any non-compliance during the previous year;</li> <li>describe what actions were, or are being, taken to ensure compliance; and</li> <li>list the sources of VENM material received at the site and the tonnage of materials received from each source during the period to which the AEMR refers.</li> </ol>	<b>Administrative Non- Compliance</b>	<p>The first AEMR was submitted 15/06/10 (i.e. within 12 months of this approval 16/06/09). This AEMR was accepted by DP&amp;I on 28/06/10.</p> <p>The 2011/2012 Annual Review was submitted 12/09/16, i.e. exceeding the annual requirement. Notably, no operations were undertaken during that Annual Review period.</p>	D
<p>* D = Documentation sighted                                      A = Advised by Company                                      O = On-site Observation</p>				







**Table B (Cont'd)**  
**Compliance Review – Statement of Commitments**

Page 2 of 12

SoC No.	Commitment	Compliance	Comments	Basis*
<b>Rehabilitation</b>				
5.1	Progressively backfill the northern extraction pond to the natural ground level.	Not Yet Applicable	Operations have not yet commenced.	A, D
5.2	Progressively backfill selected finalised sections of the southern extraction pond to create wetland areas.	Not Yet Applicable	Operations have not yet commenced.	A, D
5.3	Stabilise all earthworks and disturbed areas no longer required for Project-related activities in order to minimise erosion and sedimentation, dust lift-off and to reduce visual intrusion.	Not Yet Applicable	Operations have not yet commenced.	A, D
5.4	Conduct ongoing annual rehabilitation monitoring and maintenance.	Not Yet Applicable	Operations have not yet commenced.	A, D
5.5	Cross-rip all unsealed roads and remove all buildings and structures not required for the final land use.	Not Yet Applicable	Operations have not yet commenced.	A, D
5.6	Prepare a Rehabilitation Management Plan.	See <b>Table A Schedule 3 Condition 29.</b>		
<b>Flooding and Drainage</b>				
6.1	Construct and maintain shallow spillways (approximate elevation 1.3m AHD) within the bunds surrounding the extraction ponds at the eastern and western extent of the bunding adjacent the deepest part of the extraction pond.	Not Yet Applicable	Operations have not yet commenced.	A, D
6.2	Remove sections of bunding once floodwaters have peaked to allow floodwaters trapped behind the bunds to drain freely to the western drainage channel as the flood recedes.	Not Yet Applicable	Operations have not yet commenced.	A, D
6.3	Fill the processing area approximately 0.75m to 1.0m above natural ground level (1.55m AHD to 1.8m AHD) to prevent inundation of the processing area during local catchment floods.	Not Yet Applicable	Operations have not yet commenced.	A, D
6.4	Block the entrance to the processing area with sand relocated from on-site stockpiles prior to a forecast Tweed River overbank flood to reduce the level of inundation within the processing area.	Not Yet Applicable	Operations have not yet commenced	A, D
6.5	Maintain drainage paths outside of the bunded and filled areas to allow floodwaters to drain freely.	Not Yet Applicable	Operations have not yet commenced.	A, D
6.6	Prepare a flood evacuation plan to ensure that personnel respond appropriately to a warning of an imminent Tweed River overbank flood.	Not Yet Applicable	Operations have not yet commenced.	A, D
6.7	Realign the western drainage channel parallel to and south of Altona Drive to provide a more efficient drain and allow faster drainage of floodwaters towards the Tweed River.	Not Yet Applicable	Altona Drive has not yet been realigned.	A, D
* D = Documentation sighted    A = Advised by Company    O = On-site Observation				























**Table B (Cont'd)**  
**Compliance Review – Statement of Commitments**

Page 12 of 12

SoC No.	Commitment	Compliance	Comments	Basis*
<b>Visibility (Cont'd)</b>				
16.4	Maintain the Project Site in a clean and tidy condition at all times.	Compliant	Quarry Site, although not operational, is maintained in a clean and tidy condition.	A
16.5	Implement air quality controls (see Commitment No. 14).	See <b>Table B</b> Commitment No. 14		
16.6	Position and direct floodlights or other lighting to minimise light emissions, with lighting not required at any given time not used.	Not Yet Applicable	Operations have not yet commenced.	A, D
* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation				

















**Table C (Cont'd)**  
**Compliance Review – Environmental Protection Licence 12385**

Page 8 of 8

Cond. No.	Commitment	Compliance	Comments	Basis*
<b>6 Reporting Conditions (Cont'd)</b>				
<b>R3 Written report (Cont'd)</b>				
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	Not Applicable	No requests received.	A
R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.	Not Applicable	No requests received.	A
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Not Applicable	No requests received.	A
<b>7 General Conditions</b>				
<b>G1 Copy of licence kept at the premises or plant</b>				
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Yes	A copy is retained by the site caretaker.	A
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Not Applicable	No requests received.	A
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Yes	A copy is retained by the site caretaker and is available upon request.	A
* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation				

**Table D**  
**Compliance Review – Water Licence 30BL179511**

Page 1 of 3

Cond. No.	Commitment	Compliance	Comments	Basis*
1.	The licensee must allow authorised officers to the department of water and energy, and its authorised agents reasonable access to the licensed works with vehicles and equipment at any time for the purposes of: <ul style="list-style-type: none"> <li>Inspecting the said work.</li> <li>Taking samples of any water or material in the work and testing the samples.</li> </ul>	Compliant	No access known to have occurred during reporting period.	A
2.	If the licensee proposes to cease using the work, they must notify the department of water and energy of their intention to do so, in writing at least three months in advance.	Not Applicable	The Company did not propose to cease using the work during the reporting period.	A
3.	In the event that any notice is given pursuant to Condition 2, the licensee must submit a proposal to the department indicating how the licensed work is to be sealed and rendered safe.	Not Applicable	As above	A
4.	The licensee must carry out any works directed to be carried out by the Department of Water and Energy for remediation of the site caused by contamination of soil/groundwater, or changes to the works structure, including: capping, slope, bank stabilisation and revegetation upon completion of filling operations. Monitoring of the site is required for a period of 3 years or a period as may be agreed to by the department of water and energy.	Not Applicable	No directions received during the reporting period.	A
5.	The authorised work shall not be used for the discharge of polluted water into a river or lake otherwise than in accordance with the conditions of a licence granted under the <i>Protection of the Environment Operations Act 1997</i> . A copy of the licence to discharge is to be provided to the department of water and energy.	Compliant	The initial dredge pond has not been used to discharge polluted water.	A
6.	The licensee must not enlarge the work extension beyond the following dimensions: 270 metres long, 200 metres wide and 8.5 metres in depth. The location of the licensed work is shown on Figure 2 of the Gilbert & Sutherland correspondence dredge pond detail held at the Department's Grafton office.	Compliant	The initial dredge pond is less than the maximum allowable dimensions.	D
7.	The licensee must manage the work in such a way that the natural water levels are maintained in the acid sulfate soils of the surrounding environment.	Compliant	No dredging or other water extracting operations occurred during the reporting period.	A
8.	The licensee must manage the work in such a way that by-products from any acid sulfate soils placed in the work do not escape into the groundwater systems surrounding the work.	Compliant	No acid sulfate soils were placed within the initial dredge pond during the reporting period.	A
9.	The licensed work must not be filled with silts and fines from the sand mining operation to a level higher than 6.5 metres below 0.0 AHD (Australian Height Datum).	Compliant	No silts or fines have been placed within the initial dredge pond.	A
10.	At all times, the silts and fines in the excavated work must be covered by at least 6.5 metres of water	Not Applicable	No silts or fines have been placed within the initial dredge pond.	A

\* D = Documentation sighted

A = Advised by Company

O = On-site Observation







This page has intentionally been left blank

