

GALES-KINGSCLIFF

PTY LTD  
ABN: 75 093 540 080

## Annual Review

for the

## Cudgen Lakes Sand Quarry

1 July 2014 to 30 June 2015

*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

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**Compiled for:**

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Ref No. 617/29

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>	01/07/14
<b>Annual Review end date</b>	30/06/15
<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 2014 to 30 June 2015 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

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## 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 2014/2015 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 fifth Annual Review submitted for the Quarry, following one Annual Environmental Management Report, and is applicable for the period 01 July 2014 to 30 June 2015 (“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.

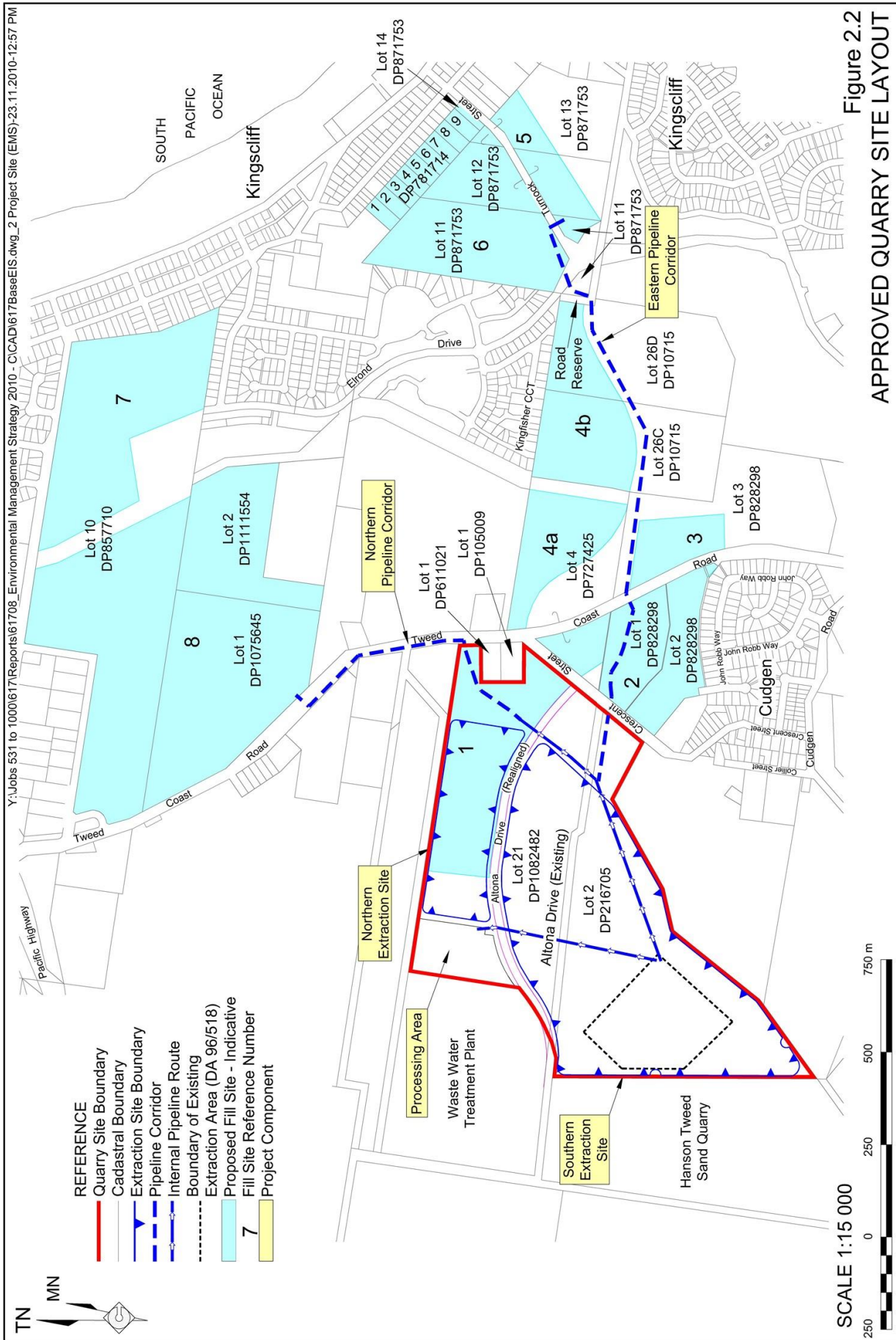
### 2.3 KEY PERSONNEL CONTACT DETAILS

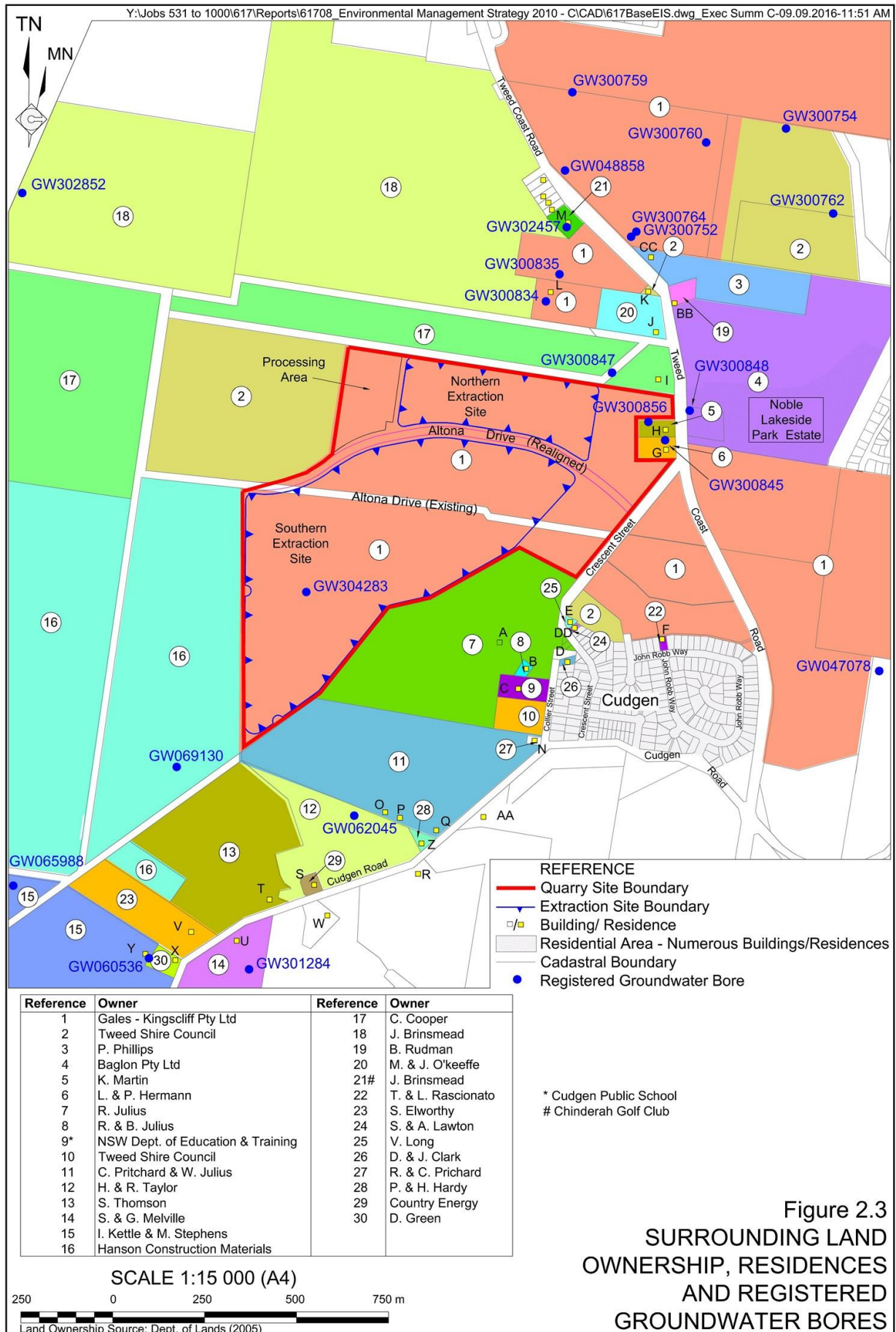
The key personnel contact names, position and phone numbers are as follows.

<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









### 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).

### 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. Additional baseline water quality mentoring will also be undertaken within surrounding surface water drains in accordance with the commitments within the approved Soil and Water Management Plan.

### **Community Consultation and Liaison**

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

## 5. ACTIONS REQUIRED FROM PREVIOUS ANNUAL REVIEW

The 2014/2015 Annual Review was submitted concurrently with the 2013/2014 Annual Review. Therefore, no actions from the 2013/2014 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 – 2015**

(Date sampled)*	Dissolved Oxygen	pH	Redox Potential	Salinity	Temperature
Units	mg/L	-	millivolts	uS/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
23-Aug-12	7.21	8.37	83	420	21.7
30-Oct-12	7.36	8.46	71	322	26.2
23-Jan-13	8.90	8.00	81	379	29.2
02-Apr-13	6.20	7.60	68	356	23.7
21-Jun-13	6.18	7.90	57	389	21.7
25-Sep-13	<b>5.30</b>	7.21	48	480	24.6
21-Jan-14	7.2	8.43	97	451	28.3
07-Apr-14	<b>5.7</b>	7.21	37	372	25.7
14-Jul-14	<b>5.8</b>	7.19	^	418	20.1
20-Oct-14	8.3	<b>8.57</b>	93	492	27.6
05-Feb-15	6.38	8.08	67	456	28.7
20-May-15	7.14	7.92	87	508	24.8
<b>Average</b>	<b>6.93</b>	<b>7.96</b>	<b>44</b>	<b>413</b>	<b>24.4</b>
<b>Minimum</b>	<b>5.30</b>	<b>7.07</b>	<b>-73</b>	<b>310</b>	<b>18.3</b>
<b>Maximum</b>	<b>8.90</b>	<b>8.91</b>	<b>97</b>	<b>508</b>	<b>29.2</b>
Red 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 very slight (0.07) exceedance of the upper pH objective and a dissolved oxygen value slightly (0.2mg/L) below the dissolved oxygen objective. These slight exceedances are not considered likely to have resulted in any adverse environmental effects and are within the ranges for pH (5.98 to 9.3) and dissolved oxygen (0.36mg/L to 13.3mg/L) previously recorded in surrounding surface water drains. Given that the intent is to aim to meet these objectives and no operational activities have occurred, no action other than continued monitoring is currently considered necessary.

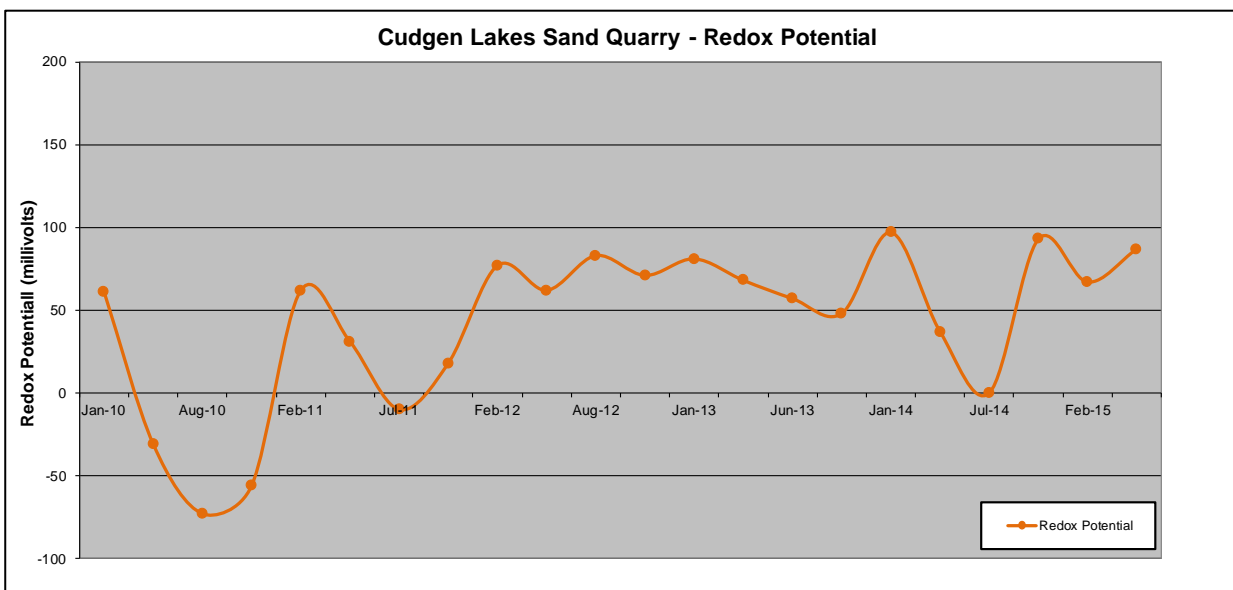
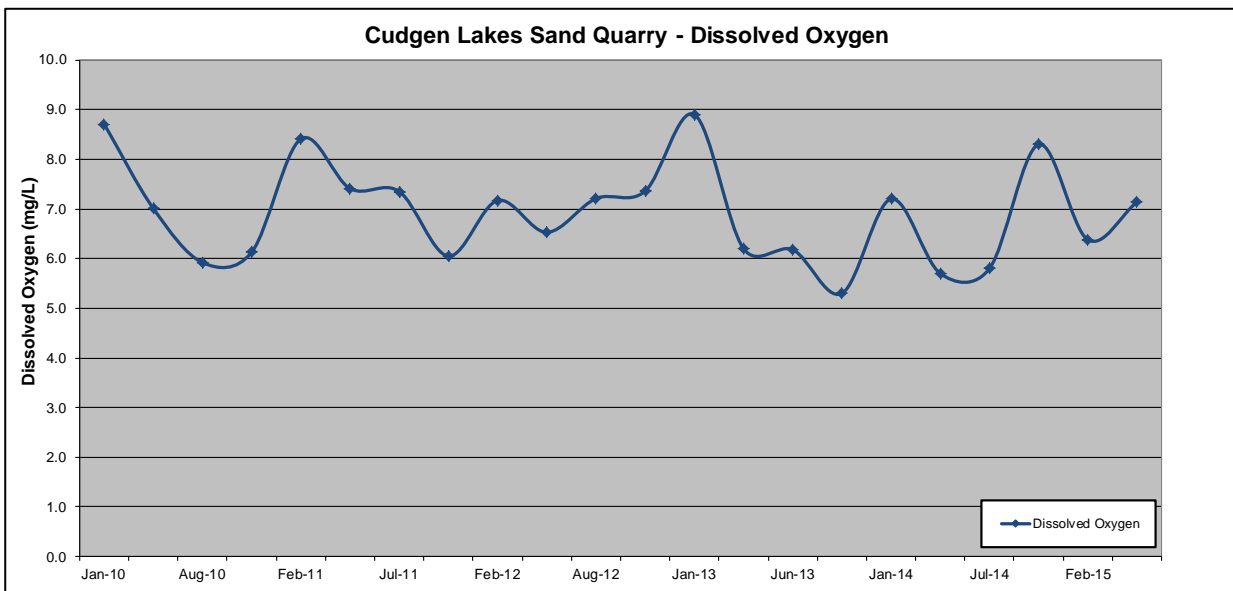
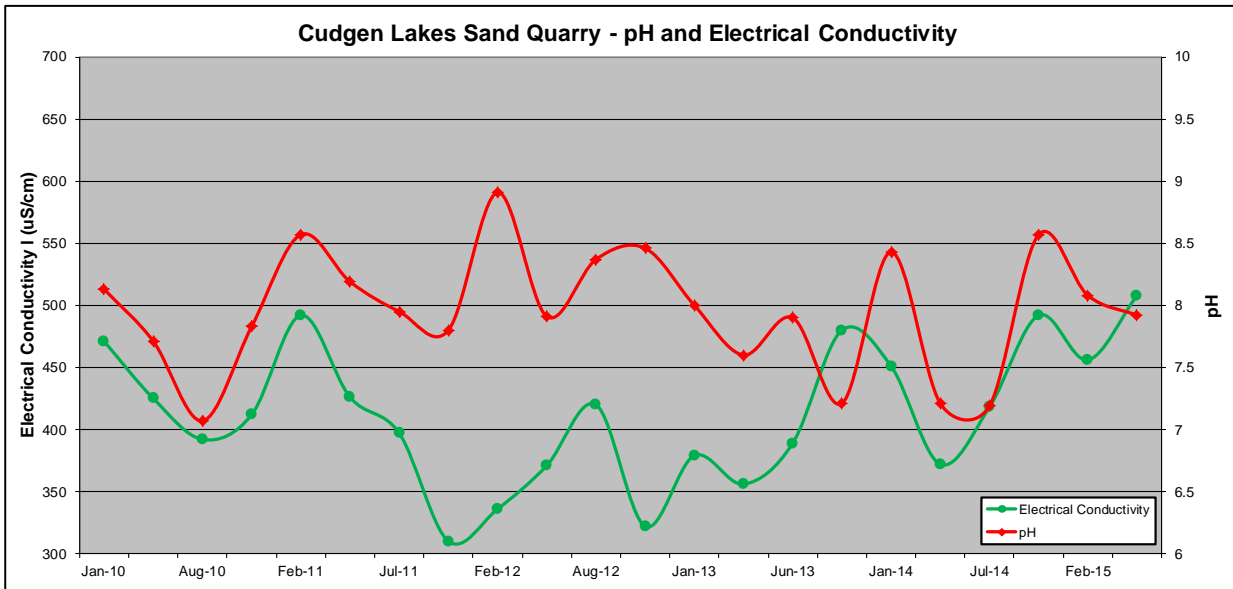


Figure 7.1 Water Quality Monitoring 2010 - 2015

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.



## 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.

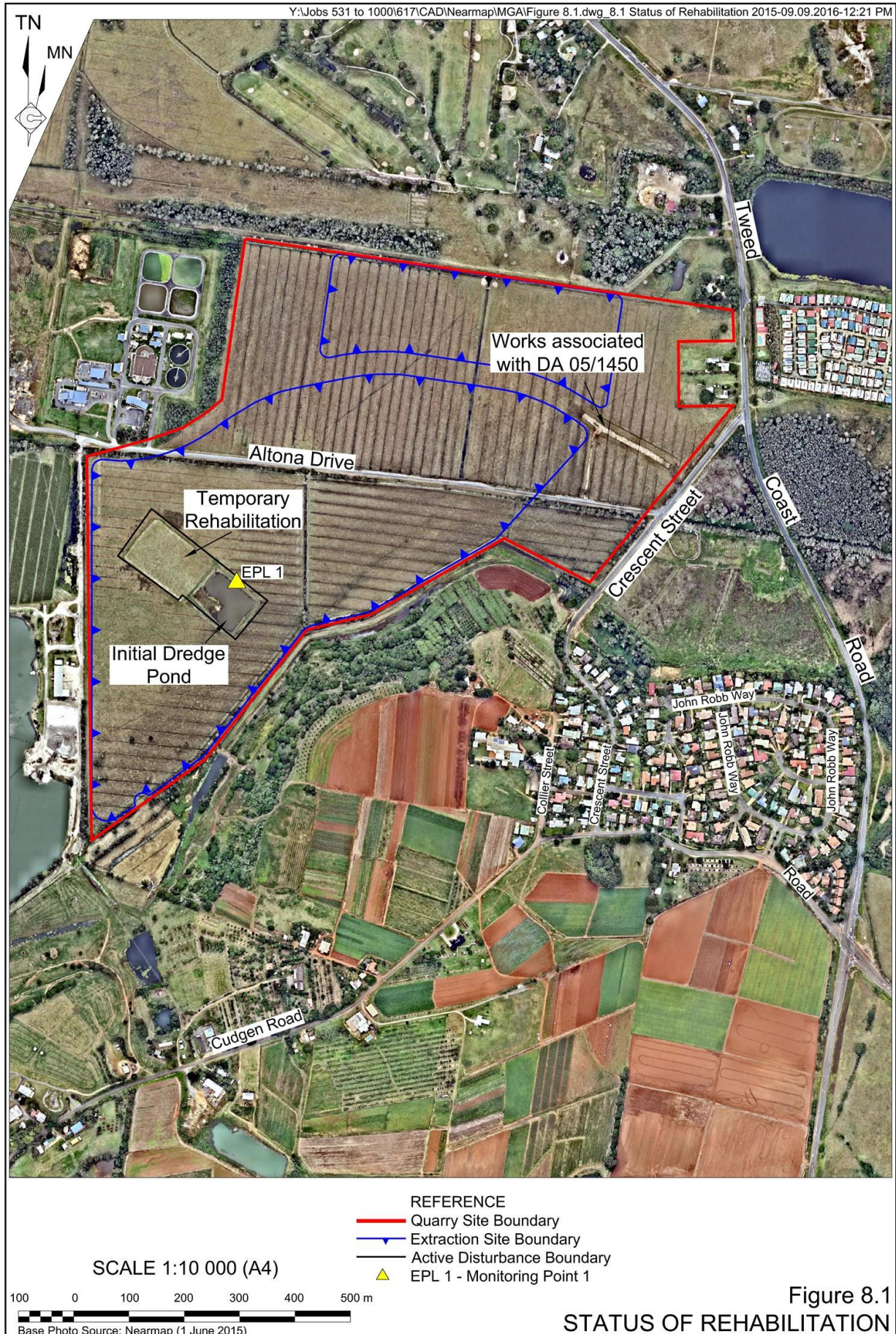
Table 8.1  
Rehabilitation Summary

Quarry Area Type	Previous Reporting Period (Actual)	This Reporting Period (Actual)	Next Reporting Period (Forecast)
	Year 5 (ha)	Year 6 (ha)	Year 7 (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 2014/2015 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. Copies of approved management plans have now also been provided to relevant government agencies.



## **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. Additional baseline water quality monitoring will also be undertaken within surrounding surface water drains in accordance with the commitments within the approved Soil and Water Management Plan.

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

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# Appendices

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## Appendix 1: Compliance Review



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# 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

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

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Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<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**

Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<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)**  
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<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>Demolition</b>				
12.	The Proponent shall ensure that all demolition work is carried out in accordance with <i>AS 2601-2001: The Demolition of Structures</i> , or its latest version.	Not Yet Applicable	No demolition work has been required to date.	A
<b>Operation of Plant and Equipment</b>				
13	The Proponent shall ensure that all plant and equipment used at the site is: a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner.	Not Yet Applicable	No plant or equipment currently utilised on site.	A, D
<b>Section 94 Contributions</b>				
14.	Prior to carrying out any development, or as otherwise agreed by Council, the Proponent shall pay Council \$91,761.00 in accordance with Section 7.1 of Council's <i>Tweed Road Contribution Plan No.4 Version 5.1</i> and \$399.40 in accordance with Council's <i>Section 94 Plan No.18</i> .	Not Yet Applicable	Development has not yet commenced.	A
15.	After submission of each AEMR and on receipt of an invoice from Council, the Proponent shall pay to Council an amount calculated by Council to be the Proponent's contribution under Section 7.2 of Council's <i>Tweed Road Contribution Plan No.4 Version 5.1</i> in respect of the heavy haulage of VENM to the site.	Not Yet Applicable	No VENM received to date.	A
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS</b>				
<b>GENERAL EXTRACTION AND PROCESSING PROVISIONS</b>				
<b>Identification of Boundaries</b>				
1.	Within 1 month of the date of approval of the Landscape Management Plan (see condition 28 below), the Proponent shall: a) engage a registered surveyor to mark out the boundaries of the approved limits of extraction; b) submit a survey plan of these boundaries to the Director-General; and c) ensure that these boundaries are clearly marked at all times in a permanent manner that allows operating staff and inspecting officers to clearly identify those limits.  <i>Note: The limit of extraction includes the areas described in the EA and shown conceptually on the plans in Appendix 1.</i>	Not Yet Applicable	A draft of the Landscape Management Plan was previously submitted; however, approval has not yet been issued.	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.	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: <ul style="list-style-type: none"> <li>a) a survey plan of the route of the pipeline;</li> <li>b) evidence that this route does not require native vegetation clearing;</li> <li>c) evidence that the fill sites have approval for filling; and</li> <li>d) in relation to the eastern pipeline:                             <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) details of proposed measures to protect vegetation during pipeline installation, operation and removal; and</li> <li>(iii) details of measures, developed in consultation with DECC, to provide opportunities for the Wallum Froglet to cross the eastern pipeline.</li> </ul> </li> </ul>	Not Yet Applicable	Work to install pipelines has not yet commenced.	A, D						
<b>NOISE</b>										
<b>Impact Assessment Criteria</b>										
3.	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> . <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="width: 30%;">Receiver Location</th> <th style="width: 30%;">Day &amp; Evening <math>LA_{eq}(15\text{ min})</math> dB(A)</th> <th style="width: 30%;">Shoulder <math>LA_{eq}(15\text{ min})</math> 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 $LA_{eq}(15\text{ min})$ dB(A)	Shoulder $LA_{eq}(15\text{ min})$ dB(A)	Residences on privately owned land	47	44	Not Yet Applicable	Operations have not yet commenced.	A, D
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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
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<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)**  
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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 and therefore plan has not yet been implemented.</p> <p>The Noise Monitoring Program was approved by the Department 14/05/14.</p> <p>Section 4 of the Noise Monitoring Program.</p> <p>Section 5 of the 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 Tables 3 to 5 at any privately owned land.</p> <table border="1" style="width: 100%;"> <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%;"> <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%;"> <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
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Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>				
<b>AIR QUALITY</b>				
<b>Impact Assessment Criteria (Cont'd)</b>				
	<i>Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia AS/NZS 3580.10.1-2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.</i>			
<b>Dust Monitoring Program</b>				
9.	<p>The Proponent shall prepare and implement a Dust 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; and</p> <p>b) include details of how the air quality performance of the project would be monitored, and include a protocol for evaluating compliance with the relevant air quality criteria in this approval.</p>	Not Yet Applicable	<p>Operations have not yet commenced and therefore plan has not yet been implemented.</p> <p>The Air Quality Monitoring Program was approved by the Department 14/05/14.</p> <p>Sections 3, 5 and 6 of the Air Quality Monitoring Program.</p>	A, D
<b>SOIL AND WATER</b>				
<b>Discharges</b>				
10.	<p>Except as may be expressly provided for by an EPL, the Proponent shall not discharge any water from the project or ancillary operational areas. The Proponent shall ensure that the extraction pits subject to sand excavation are maintained and operated to prevent discharges of any surface water.</p>	Compliant	<p>No discharges have occurred from the initial dredge pond created under former DA 96/518. No further extraction operations have occurred to date.</p>	A
* D = Documentation sighted    A = Advised by Company    O = On-site Observation				

**Table A (Cont'd)**  
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<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="width: 35%;">Pollutant</th> <th style="width: 30%;">Unit of Measure</th> <th style="width: 35%;">Water Quality Objectives</th> </tr> </thead> <tbody> <tr><td>Turbidity</td><td>NTU</td><td>5 - 20</td></tr> <tr><td>pH</td><td>pH</td><td>6.5 – 8.5</td></tr> <tr><td>Oil and Grease</td><td>mg/L</td><td>10</td></tr> <tr><td>Salinity</td><td>µS/cm</td><td>&lt;3,000</td></tr> <tr><td>Dissolved oxygen</td><td>mg/L</td><td>&gt;6</td></tr> <tr><td>Chlorophyll-a</td><td>µg/L</td><td>2-10</td></tr> <tr><td>Faecal coliforms</td><td>Median No./100mL</td><td>&lt;1000</td></tr> <tr><td>Enterococci</td><td>Median No./100mL</td><td>&lt;230</td></tr> <tr><td rowspan="2">Algae and blue-green algae</td><td>No. of cells/mL (M.aeruginosa)</td><td>&lt;50,000</td></tr> <tr><td>mm<sup>3</sup>/L (total biovolume)</td><td>&lt;4</td></tr> <tr><td>Sodium</td><td>mg/L</td><td>&lt;500</td></tr> <tr><td>Potassium ion</td><td>mg/L</td><td>&lt;40</td></tr> <tr><td>Magnesium ion</td><td>mg/L</td><td>&lt;100</td></tr> <tr><td>Chloride ion</td><td>mg/L</td><td>&lt;1000</td></tr> <tr><td>Sulphate ion</td><td>mg/L</td><td>&lt;800</td></tr> <tr><td>Bicarbonate ion</td><td>mg/L</td><td>&lt;400</td></tr> <tr><td>Soluble Iron ion</td><td>mg/L</td><td>&lt;20</td></tr> <tr><td>Soluble aluminium ion</td><td>mg/L</td><td>&lt;0.5</td></tr> <tr><td>Ammonium ion</td><td>mg/L</td><td>&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)	<50,000	mm <sup>3</sup> /L (total biovolume)	<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
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<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>																																																															
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Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>				
<b>PASS Fines Management</b>				
12.	The Proponent shall ensure that all excavated PASS fines material is returned to below the watertable as soon as possible to prevent oxidation, unless adequately neutralised in accordance with methods approved under the Soil and Water Management Plan (see condition 0 below).	Not Yet Applicable	Extraction and processing operations have not yet commenced.	A, D
13.	The Proponent must not remove material from the site that: a) has a Chromium reducible Sulfur level exceeding 0.03% Sulfur; or b) contains a pH less than 5.5 in 1:5 water suspension.	Not Yet Applicable	Extraction operations have not yet commenced.	A, D
14.	The Proponent shall ensure that PASS material to be interred in the excavation is discharged into the pond at a depth of no less than 3 metres from the water surface, and that all fines are deposited to a final depth of at least 8 metres below the water surface, unless an alternative method is approved by DWE and the Director-General. <i>Note: Material that would settle to a depth of at least 8 metres may be placed in the pond at a depth of less than 3 metres by excavator or similar equipment.</i>	Not Yet Applicable	Extraction and internment operations have not yet commenced.	A, D
<b>Flood Management</b>				
15.	All earthworks, including drainage and bunding works, shall be contained wholly within the site.	Compliant	The existing initial dredge pond and associated bunding is contained wholly within the site.	O, D
16.	The Proponent shall cease sand extraction and processing activities not less than 24 hours prior to the commencement of overflow from any extraction pond or as soon as notification is received of an impending flood, if notification is provided less than 24 hours prior. No sand extraction or processing shall occur while an extraction pond is overflowing.	Not Yet Applicable	No dredging occurred during the reporting period.	A
17.	The Proponent shall ensure that the flood storage capacity of the site is not less than the pre-existing flood storage capacity at all stages of the project. Details of the available flood storage capacity shall be reported in each AEMR.	Not Yet Applicable	Operations under this approval have not yet commenced.	A, D
18.	The top of the earth bunding around the northern and southern extraction ponds shall not exceed 1.8 m AHD. Spillways shall be provided at the eastern and western extents of each bund and shall be a minimum of 50 m wide and not exceed 1.3 m AHD. Bunds and spillways shall be suitably surfaced (for example grassed or rock lined) to avoid scour and erosion during storm and flood events.	Not Yet Applicable	The bunding has not yet been constructed.	A
* D = Documentation sighted      A = Advised by Company      O = On-site Observation				

Table A (Cont'd)  
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Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>				
<b>Management and Monitoring</b>				
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 DWE and DECC;</p> <p>b) include a:</p> <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> <p>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.</p>	Not Yet Applicable	<p>Operations have not yet commenced and therefore plan has not yet been implemented.</p> <p>The Soil and Water Management Plan (SWMP) was prepared in consultation with DWE and DECC and approved by the Department 14/05/14.</p> <p>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</p> <p>Operations have not yet commenced.</p>	A, D
20.	<p>The Water Balance shall include:</p> <p>a) details of all water extracted, transferred, used and/or discharged by the quarry;</p> <p>b) the source of all water collected or stored on the site, including rainfall, stormwater and groundwater; and</p> <p>c) measures to minimise water use or water loss by the project.</p>	Compliant	<p>Section 2.3 of SWMP.</p> <p>Section 2.2 of SWMP.</p> <p>Section 2.5 of SWMP.</p>	D
<p>* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation</p>				





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Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>				
<b>Management and Monitoring (Cont'd)</b>				
23.	<p>The Blue-Green Algae Management Plan shall:</p> <ul style="list-style-type: none"> <li>a) be prepared by a suitably qualified blue-green algae expert, whose appointment has been approved by the Director-General;</li> <li>b) be consistent with extant guidelines for blue-green algae management including the NHMRC's <i>Guidelines for Managing Risks in Recreational Water</i>;</li> <li>c) describe the measures that would be implemented to prevent and control the sources of algal blooms over the short, medium and long term; and</li> <li>d) define procedures for the management and notification of identified algal blooms.</li> </ul>	Compliant	<p>The Blue-Green Algae Management Plan was prepared in conjunction with Dr John Runcie, who was approved by DP&amp;I on 03/02/11.</p> <p>Section 5.3 of the SWMP.</p> <p>Section 5.8 of the SWMP.</p> <p>Sections 5.5, 5.6, 5.7, 5.8 and 5.10 of the SWMP.</p>	D
24.	<p>The Surface Water Monitoring Program shall include:</p> <ul style="list-style-type: none"> <li>a) detailed baseline data on surface water quality;</li> <li>b) surface water impact assessment criteria;</li> <li>c) a program to monitor surface water levels and quality;</li> <li>d) a program to manage any water releases from the site;</li> <li>e) a program to monitor bank and bed stability; and</li> <li>f) a protocol for the investigation, notification and mitigation of identified exceedances of the surface water impact assessment criteria.</li> </ul>	Compliant	<p>Section 6.3 of the SWMP.</p> <p>Section 6.4 of the SWMP.</p> <p>Sections 6.5 and 6.6 of the SWMP.</p> <p>Section 6.8 of the SWMP.</p> <p>Section 3.4 of the SWMP.</p> <p>Sections 6.7 and 6.9 of the SWMP.</p>	D
<p>* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation</p>				



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Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>				
<b>Landscape Management Plan</b>				
28.	The Proponent shall prepare and implement a Landscape 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:                             <ul style="list-style-type: none"> <li>• by suitably qualified consultants, including a specialist hydrologist, coastal engineer, wetlands ecologist and landscape architect;</li> <li>• in consultation with Council, DWE and DPI-Fisheries; and</li> <li>• in accordance with extant guidelines including the DWE's <i>Constructed Wetlands Manual, Volumes 1 and 2</i> and the DPI's <i>Policy and Guidelines: Aquatic Habitat Management, 1999</i>;</li> </ul> </li> <li>a) be submitted to the Director-General prior to starting quarrying operations on the site; and</li> <li>b) include a:                             <ul style="list-style-type: none"> <li>• Rehabilitation Management Plan; and</li> <li>• Long Term Management Strategy.</li> </ul> </li> </ul> <p><i>Note: The Department accepts that the initial Landscape 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>	Not Yet Applicable	Operations have not yet commenced.  Plan prepared in conjunction with Knobel Consulting and Wetland Care Australia. The Strategic Development Plan was developed in conjunction with Allen Jack and Cottier  The draft plan was submitted to Council, DWE and DPI Fisheries for review and comment on 09/02/11 and a revised version on 10/08/11.  The Landscape Management Plan was prepared generally in accordance with the relevant guidelines (Section 1).  Operations have not yet commenced.  Sections 2 and 3 of the Landscape Management Plan.	A, D
29.	The Rehabilitation Management Plan must include: <ul style="list-style-type: none"> <li>(a) the rehabilitation objectives for the site and pipeline corridors;</li> <li>(b) a description of the short, medium, and long term measures that would be implemented to:                             <ul style="list-style-type: none"> <li>• rehabilitate and stabilise the site and pipeline corridors; and</li> <li>• manage the restored vegetation and wetland habitat established on the site;</li> </ul> </li> </ul>	Compliant	Section 2.2 of the Landscape Management Plan.  Section 2.3 of the Landscape Management Plan.	D
* D = Documentation sighted                                  A = Advised by Company                                  O = On-site Observation				





**Table A (Cont'd)  
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Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>				
<b>Rehabilitation Bond (Cont'd)</b>				
32.	<p>Within 6 months of each Independent Environmental Audit (see condition 6 of schedule 5) excluding the inaugural audit, unless the Director-General directs otherwise, the Proponent shall review, and if necessary revise, the sum of the rehabilitation bond to the satisfaction of the Director-General. This review must consider:</p> <p>a) the effects of inflation;</p> <p>b) any changes to the total area of disturbance; and</p> <p>c) the performance of the rehabilitation and revegetation to date.</p>	Not Yet Applicable	No independent audits have been completed to date.	A
<b>ABORIGINAL CULTURAL HERITAGE</b>				
<b>Aboriginal Cultural Heritage Management Plan</b>				
33.	<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 the relevant Aboriginal communities;</p> <p>b) be submitted to the Director-General for approval prior to carrying out any development; and</p> <p>c) include a:</p> <ul style="list-style-type: none"> <li>• description of the Aboriginal cultural heritage induction protocol for employees;</li> <li>• description of the process for Aboriginal inspection of excavations for the northern pipeline corridor;</li> <li>• description of the measures that would be implemented if any new Aboriginal objects or skeletal remains are discovered during the project either within or beyond the area of disturbance; and</li> <li>• description of the process for identifying a long-term storage location should Aboriginal relics be discovered within the project site requiring salvage.</li> </ul>	Not yet Applicable	<p>Operations have not yet commenced and therefore plan has not yet been implemented.</p> <p>Prepared in consultation with Tweed-Byron LALC (correspondence dated 01/03/11) and approved by the Department 14/05/14.</p> <p>Aboriginal Cultural Heritage Management Plan (ACHMP) submitted to DoP 09/02/11.</p> <p>Section 7 of the ACHMP.</p> <p>Section 8 of the ACHMP.</p> <p>Section 10 and Appendix 1 of the ACHMP.</p> <p>Section 12 of the ACHMP.</p>	A, D
* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation				



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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,</p> <p>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 = Documentation sighted                      A = Advised by Company                      O = On-site Observation				





**Table A (Cont'd)**  
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Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS (Cont'd)</b>				
<b>WASTE MANAGEMENT</b>				
44.	The Proponent shall minimise the amount of waste generated by the project to the satisfaction of the Director-General.	Not Yet Applicable	Operations have not yet commenced.	A
<b>EMERGENCY AND HAZARDS MANAGEMENT</b>				
<b>Dangerous Goods</b>				
45.	The Proponent shall ensure that the storage, handling, and transport of 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 Yet Applicable	No dangerous goods are currently stored or transported to the Quarry Site.	A
<b>Safety</b>				
46.	The Proponent shall secure the project to ensure public safety to the satisfaction of the Director-General.	Compliant	The boundary of the Quarry Site is currently fenced with agricultural fencing.	A
<b>Bushfire Management</b>				
47.	The Proponent shall: a) ensure that the project is suitably equipped to respond to any fires on-site; and b) assist the rural fire service and emergency services as much as possible if there is a fire on-site.	Not Yet Applicable	Operations have not yet commenced and no quarry infrastructure is present on-site.	A, D
<b>PRODUCTION DATA</b>				
48.	The Proponent shall: a) provide annual production data to the DPI using the standard form for that purpose; and b) include a copy of this data in the AEMR.	Not Yet Applicable	Extraction operations have not yet commenced.	A, D
<b>SCHEDULE 4 ADDITIONAL PROCEDURES</b>				
<b>Notification of Landowners</b>				
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, affected landowners, and/or existing or future tenants accordingly, and provide quarterly monitoring results to each of these parties until the results show that the project is complying with the relevant criteria.	Not Yet Applicable	Whilst slight exceedances of the dissolved oxygen and pH objectives were recorded within the existing initial dredge pond, it is considered that the intent of the condition, 'aiming' to meet the objectives, has been met.  No other monitoring or exceedance.	A, D
* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation				

**Table A (Cont'd)**  
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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)**  
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Cond. No.	Conditional Requirement	Compliance	Comments	Basis*
<b>SCHEDULE 4 ADDITIONAL PROCEDURES (Cont'd)</b>				
<b>Independent Review (Cont'd)</b>				
	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.			
5.	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.  If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (see Appendix 4).	Not Yet Applicable	Request for independent review has not been received to date.	A
<b>SCHEDULE 5 ENVIRONMENTAL MANAGEMENT AND MONITORING CONDITIONS</b>				
<b>Environmental Management Strategy</b>				
1.	The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must:  a) be submitted to the Director-General prior to starting quarrying operations on the site;  b) provide the strategic context for environmental management of the project;  c) identify the statutory requirements that apply to the project;  d) describe in general how the environmental performance of the project would be monitored and managed;  e) describe the procedures that would be implemented to:  <ul style="list-style-type: none"> <li>• keep the local community and relevant agencies informed about the construction, operation and environmental performance of the project;</li> <li>• receive, handle, respond to, and record complaints;</li> <li>• resolve any disputes that may arise during the life of the project;</li> <li>• respond to any non-compliance;</li> </ul>	Not Yet Applicable	Quarrying operations have not yet commenced .  The revised Environmental Management Strategy (EMS) was approved 14/05/14.  Section 1.2 of the EMS.  Section 3.0 of the EMS.  Section 5.0 of the EMS.  Section 6.1 of the EMS.  Section 6.2 of the EMS.  Section 6.3 of the EMS.  Section 7.0 of the EMS.	A, D
* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation				













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

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**

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SoC No.	Commitment	Compliance	Comments	Basis*
<b>Groundwater</b>				
7.1	Commence extraction within the southern extraction pond at an equivalent rate of 100 000m <sup>3</sup> per year and progressively ramp up in increments of up to 100 000m <sup>3</sup> .	Not Yet Applicable	Operations have not yet commenced.	A, D
7.2	Ensure the maximum extraction rate within the southern extraction pond does not exceed 450 000m <sup>3</sup> per year during the first two years of operations or until a sufficient size extraction pond is created to allow extraction at a rate of 650 000m <sup>3</sup> per year.	Not Yet Applicable	Operations have not yet commenced.	A, D
7.3	Adjust sand extraction rates to ensure that groundwater drawdown levels remain within the predicted limits.	Not Yet Applicable	Operations have not yet commenced.	A, D
7.4	Install a height gauge within the Southern Extraction Pond so that water levels can be monitored daily to m AHD.	Not Yet Applicable	Operations have not yet commenced.	A, D
7.5	Undertake standard monitoring for pH, EC, temperature, REDOX potential and groundwater level (m AHD) at the monitoring locations nominated in the Groundwater Monitoring Plan.	Not Yet Applicable	Operations have not yet commenced. A Groundwater Monitoring Plan has been included in the SWMP.	A, D
7.6	Undertake comprehensive monitoring for pH, EC, temperature, REDOX potential, groundwater level (m AHD), dissolved oxygen, calcium, magnesium, sodium, potassium, bicarbonate, sulfate, chloride, filterable iron, aluminium and arsenic. Monitoring will be undertaken by a suitably qualified or trained person at the monitoring locations nominated in the Groundwater Monitoring Plan and analysis undertaken at a NATA accredited laboratory.	Not Yet Applicable	Operations have not yet commenced. A Groundwater Monitoring Plan has been included in the SWMP.	A, D
7.7	Continue groundwater monitoring following the cessation of extraction and placement of VENM.	Not Yet Applicable	Operations have not yet commenced.	A, D
7.8	Regularly review monitoring data.	Not Yet Applicable	Operations have not yet commenced.	A, D
7.9	Provide a summary of the monthly / quarterly data relevant to each bore to the respective landowners.	Not Yet Applicable	Operations have not yet commenced.	A, D
7.10	Compile an annual summary of all monitoring results and forward to DWE as part of the annual return for the site.	Not Yet Applicable	Operations have not yet commenced.	A, D
7.11	Coordinate all monitoring activities with those already underway by Hanson Construction Materials and Australian Bay Lobster to ensure meaningful analyses can be obtained from all monitoring on the flood plain.	Not Yet Applicable	Operations have not yet commenced.	A, D
7.12	Consult with each likely affected landowner and investigate complaints of poor water quality in neighbouring dams/bores.	Not Yet Applicable	Operations have not yet commenced.	A, D
7.13	Undertake a more detailed sampling and analysis program to identify the source of the drawdown or contamination in the event the following is detected. <ul style="list-style-type: none"> <li>Deterioration in groundwater quality outside of the effects of drought or flood due to on-site activities.</li> <li>Significant variations in groundwater level outside drought or flood conditions due to on-site activities.</li> <li>Formation of a cone of depression or a groundwater mound that extends beyond the site boundary.</li> </ul>	Not Yet Applicable	Operations have not yet commenced.	A, D

\* D = Documentation sighted

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O = On-site Observation

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

SoC No.	Commitment	Compliance	Comments	Basis*
<b>Groundwater (Cont'd)</b>				
7.14	Negotiate an agreement with each affected landholder in the event water quality or quantity is adversely affected to either: <ul style="list-style-type: none"> <li>• deepen the existing bore or install a replacement bore;</li> <li>• pay a cash compensation equal to the assessed cost of deepening the bore;</li> <li>• provide an alternative water supply, such as from the extraction ponds or groundwater bore registered to the Proponent; or</li> <li>• provide an appropriately sized rainwater storage tank to enhance property water storage.</li> </ul>	Not Yet Applicable	Operations have not yet commenced.	A, D
7.15	Investigate and secure a suitable alternative water supply (or other form of compensation) for R.W. Julius commensurate with the agreed legal water usage from groundwater supplies from Lot 1 DP598073.	Not Yet Applicable	Operations have not yet commenced.	A, D
7.16	Monitor, using data loggers, water levels and water usage rates within the dams on the R. Julius property that would potentially be affected.	Not Yet Applicable	Operations have not yet commenced.	A, D
7.17	Implement the provision of an alternative water supply or other agreed compensation.	Not Yet Applicable	Operations have not yet commenced.	A, D
7.18	Provide copies of any negotiated agreements to the Department of Planning and Department of Water and Energy for their records.	Not Yet Applicable	Operations have not yet commenced.	A, D
<b>Surface Water</b>				
8.1	Reduce sand extraction and temporarily cease VENM placement if a significant deterioration in extraction pond water quality occurs, until the source is identified and appropriate amelioration measures are implemented.	Not Yet Applicable	Operations have not yet commenced.	A, D
8.2	Regularly monitor surface water to provide an accurate assessment of the adequacy of practices implemented as part of the operation.	Not Yet Applicable	Operations have not yet commenced.	A, D
<b>Acid Sulfate Soils and Sediments, Soil Contamination and Agricultural Suitability</b>				
9.1	Convey return water (from both the wash plant and fill sites) in a manner which ensures fines / silts remain in suspension and do not settle in the return pipelines. If a pipeline is not used, undertake sluicing in a manner that ensures turbulent flow and sufficient velocity to prevent the deposition of fines material within the drainage line.	Not Yet Applicable	Operations have not yet commenced.	A, D
9.2	Return all separated fines to the extraction ponds for final placement with the return outlet located at a minimum 3m below the water surface within the extraction ponds.	Not Yet Applicable	Operations have not yet commenced.	A, D
9.3	Settle silts/fines arising from processing a minimum depth (typically 8m) below the surface of the southern extraction pond.	Not Yet Applicable	Operations have not yet commenced.	A, D
* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation				

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

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SoC No.	Commitment	Compliance	Comments	Basis*
<b>Acid Sulfate Soils and Sediments, Soil Contamination and Agricultural Suitability (Cont'd)</b>				
9.4	Do not extract residual clay material from the base of the sand resource.	Not Yet Applicable	Operations have not yet commenced.	A, D
9.5	Ensure a suitably qualified or trained person assesses imported material (VENM) in accordance with the ASSMAC guidelines and confirms its classification as VENM prior to acceptance at the Project Site.	Not Yet Applicable	Operations have not yet commenced.	A, D
9.6	Place VENM(b), received at the premises which is intended to be: <ul style="list-style-type: none"> <li>• dredged or interned within the southern extraction pond to settle at a minimum of 8m below the surface water; or</li> <li>• placed within the northern extraction area a minimum depth of -2.0m AHD;</li> </ul> within a nominated period.	Not Yet Applicable	Operations have not yet commenced.	A, D
9.7	Compile a site specific Acid Sulfate Soil and Sediment Management Plan for the Project in accordance with relevant legislation and in consultation with government agencies, in particular DWE and DECC. Ensure the management plan covers both the management of acid generation during extraction operations and the management of potentially acid generating VENM(b).	See <b>Table A Schedule 3 Condition 22</b>		
9.8	Retain records of monitoring on site together with the application rates of the alkaline amendment used as neutralising agents. Provide these records to statutory authorities upon request.	Not Yet Applicable	Operations have not yet commenced.	A, D
9.9	Obtain documentation for each truck load of VENM(b) received at the Project Site that demonstrates that the excavation of VENM(b) and its transport and handling has been conducted in accordance with the NSW ASS Manual to prevent the generation of acid.	Not Yet Applicable	Operations have not yet commenced.	A, D
9.10	Submit to the DECC(EPA) an annual return (in accordance with the issued Environment Protection Licence) which outlines the results of all required monitoring.	Not Yet Applicable	Operations have not yet commenced.	A, D
9.11	Retain documentation for each truck load of VENM(b) received at the site which indicates: <ul style="list-style-type: none"> <li>• the details of the originating site (name, address, owner and developer, contact details);</li> <li>• the details of the transportee (name, address, contact details, vehicle registration);</li> <li>• date and time of the extraction of the VENM(b);</li> <li>• pH of the VENM(b) at the time of its extraction, and at the time immediately prior to its placement underwater; and</li> <li>• the name of the person (certified practicing soil scientist) who assessed the material and classified it as VENM(b).</li> </ul>	Not Yet Applicable	Operations have not yet commenced.	A, D
* D = Documentation sighted    A = Advised by Company    O = On-site Observation				



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

SoC No.	Commitment	Compliance	Comments	Basis*
<b>Acid Sulfate Soils and Sediments, Soil Contamination and Agricultural Suitability (Cont'd)</b>				
9.28	<p>Complete the following in the event that validation or monitoring criteria are exceeded for topsoil, loamy sand or sand.</p> <ul style="list-style-type: none"> <li>• Test the acid neutralising capacity of the stripped topsoil or hydraulically separated sands.</li> <li>• Incorporate alkaline amendments at the appropriate rate if the measured acid neutralising capacity is insufficient to neutralise the existing and potential acidity.</li> </ul> <p>Undertake validation testing following treatment of loamy sand and unprocessed sand and apply additional alkaline amendments as required. Repeat process until compliance with action criteria is met.</p>	Not Applicable	Operations have not yet commenced.	A, D
9.29	<p>Terminate VENM(b) receipt at the premises if the pH of the water falls below accepted levels, until approval to continue is received in writing from the DECC(EPA).</p>	Not Applicable	Operations have not yet commenced.	A, D
9.30	<p>Complete the following in the event monitoring criteria are exceeded for imported VENM(b).</p> <ul style="list-style-type: none"> <li>• Sample at the maximum rate of one sample / 1 000m<sup>3</sup> and test for SCR and total actual acidity.</li> <li>• Treat the material with the calculated amount of alkaline amendment if any records indicate SCR &gt;0.03% or total actual acidity &gt;18mol H+/t.</li> <li>• Treat the material with the calculated amount of alkaline amendment. Undertake verification testing at the rate of 1 sample/per 1 000m<sup>3</sup> to confirm SCR &lt;0.03% and total actual acidity &lt;18mol H+/t prior to final placement or further processing</li> </ul>	Not Applicable	Operations have not yet commenced.	A, D
9.31	<p>Undertake the following as soon as possible after becoming aware that any waste/material accepted at the premises is not VENM.</p> <ul style="list-style-type: none"> <li>• Notify the EPA in writing.</li> <li>• Remove the material/waste from the premises and dispose of it at a facility licensed to take such waste.</li> <li>• Implement a procedure to audit all further incoming loads from that waste origin site prior to accepting any further waste, until such time as the results of such audits demonstrate that the waste origin site's screening and assessment procedures have been corrected to prevent further miss-classification of waste.</li> </ul>	Not Applicable	Operations have not yet commenced.	A, D
9.32	<p>Introduce hydrated lime at the appropriate rate if the extraction pond water quality fails accepted levels and ensure target pH level of 6.5 to 8.5 is not “overshot” leading to severely alkaline conditions (pH&gt;9.0).</p>	Not Applicable	Operations have not yet commenced.	A, D
<p>* D = Documentation sighted    A = Advised by Company    O = On-site Observation</p>				









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

Page 11 of 12

SoC No.	Commitment	Compliance	Comments	Basis*
<b>Air Quality (Cont'd)</b>				
14.5	Prepare an air monitoring program to ensure that DECC air quality goals for dust (TSP, PM <sub>10</sub> and deposited dust) are met.	See <b>Table A Schedule 3 Condition 9</b>		
14.6	Undertake monitoring in accordance to the DECC document " <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> " (DECC, 2005), and more specifically, in accordance with AS 2922-1987 " <i>Ambient Air – Guide for the Siting of Sampling Units</i> " (NSW DECC Method AM-1) and AS 3580.9.6-2003 " <i>Particulate Matter – PM<sub>10</sub> – high volume sampler with size-selective inlet</i> ".	Not Yet Applicable	Operations have not yet commenced.	A, D
14.7	Annually review the dust monitoring program to ensure that the data being collected is meaningful.	Not Yet Applicable	The program has not yet been approved and operations have not yet commenced.	A, D
14.8	Ensure the screening and blending plant does not exceed a daily <u>average</u> processing rate greater than 100tph.	Not Yet Applicable	Processing operations have not yet commenced.	A, D
<b>Aboriginal Heritage</b>				
15.1	Invite any Aboriginal stakeholders to observe during the burying of the pipelines within the northern pipeline corridor.	Not Yet Applicable	The pipelines have not yet been installed.	A, D
15.2	Stop works at and adjacent to any Aboriginal sites or relics, if found.	Not Applicable	No Aboriginal sites have been identified.	A
15.3	Contact the regional archaeologist of the Coffs Harbour DECC and relevant Aboriginal Stakeholders if any Aboriginal sites or relics, if found.	Not Applicable	No Aboriginal sites have been identified.	A
15.4	Receive authorisation from the DECC and Tweed Byron LALC prior to proceeding with any works in the vicinity of any identified Aboriginal sites or relics, if found.	Not Applicable	No Aboriginal sites have been identified.	A
15.5	Prepare a simple Cultural Heritage Information booklet for use in induction of employees and contractors.	Compliant	The Aboriginal Cultural Heritage Management Plan will act as the induction manual.	D
15.6	Undertake agency consultation with Aboriginal representatives in relation to the ongoing management of identified items of Aboriginal heritage.	Not Applicable	No Aboriginal sites have been identified.	A
<b>Visibility</b>				
16.1	Surround the processing area by a 3m high bund planted with native shrub species.	Not Yet Applicable	Construction operations have not yet commenced.	A, D
16.2	Plant a visual screen between the eastern extent of the extraction sites and Tweed Coast Road providing visual screening from motorists on Tweed Coast Road.	See <b>Table A Schedule 3 Condition 41.</b>		
16.3	Progressively rehabilitate the Project Site such that non-vegetated areas would be minimised.	Not Yet Applicable	Extraction operations have not yet commenced.	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**  
**Compliance Review – Environmental Protection Licence 12385**

Page 1 of 8

Cond. No.	Commitment	Compliance	Comments	Basis*						
<b>1. Administrative Controls</b>										
<b>A1 What the licence authorises and regulates</b>										
A1.1	This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2:  Consent to remove 400 000 cubic metres of sand over a 7ha area and hydraulic transportation to a fill site used for development.	Compliant	No other scheduled development works undertaken during the reporting period.	A						
A1.2	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.	Compliant	No extraction occurred during the reporting period (i.e. extraction did not exceed the licenced scale).	A, D						
<table border="1"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Extractive Activities</td> <td>Water-based extractive activity</td> <td>0 - 30000 m<sup>3</sup> extracted</td> </tr> </tbody> </table>		Scheduled Activity	Fee Based Activity	Scale	Extractive Activities	Water-based extractive activity	0 - 30000 m <sup>3</sup> extracted			
Scheduled Activity	Fee Based Activity	Scale								
Extractive Activities	Water-based extractive activity	0 - 30000 m <sup>3</sup> extracted								
A1.3	The licensee must not carry on any scheduled activities until the scheduled development works are completed, except as elsewhere provided in this licence.	Compliant	No scheduled activities were undertaken during the reporting period.	A						
<b>A2 Premises or plant to which this licence applies</b>										
A2.1	The licence applies to the following premises:  <b>Premises Details</b> CUDGEN LAKES CRESCENT STREET CUDGEN NSW 2487 LOT 2 DP 216705, LOT 1 DP 828298, LOT 2 DP 828298	Noted	-	-						
<b>A3 Information supplied to the EPA</b>										
A3.1	Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.  In this condition the reference to "the licence application" includes a reference to:  c) 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  d) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.	Compliant	No operations were undertaken during the reporting period (and therefore no inconsistencies have arisen).	A, D						
* D = Documentation sighted    A = Advised by Company    O = On-site Observation										

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

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Cond. No.	Commitment	Compliance	Comments	Basis*								
<b>2 Discharges to Air and Water and Applications to Land</b>												
<b>P1 Location of monitoring/discharge points and areas</b>												
P1.1	The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.	Noted	-	-								
P1.2	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area. Water and Land	Noted	Monitoring undertaken at this point.	D								
	<table border="1"> <thead> <tr> <th>EPA Id. No.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Water Quality Monitoring</td> <td></td> <td>Dredge Pond</td> </tr> </tbody> </table>				EPA Id. No.	Type of Monitoring Point	Type of Discharge Point	Location Description	1	Water Quality Monitoring		Dredge Pond
	EPA Id. No.				Type of Monitoring Point	Type of Discharge Point	Location Description					
1	Water Quality Monitoring		Dredge Pond									
<b>3 Limit Conditions</b>												
<b>L1 Pollution of waters</b>												
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Compliant	No pollution of waters is deemed to have occurred during the reporting period.	A, D								
<b>L2 Noise limits</b>												
L2.1	Noise from the dredge pond must not exceed an LA <sub>eq(15 minute)</sub> noise emission criterion of 46 dB(A) during 7am to 5pm Monday to Friday and 7am to 1pm on Saturdays. Where LA <sub>eq</sub> means the equivalent continuous noise level – the level of noise equivalent to the energy-average of noise levels occurring over a measurement period, except as expressly provided by this licence.	Compliant	As no operational activities occurred during the reporting period, no exceedance of noise criterion will have occurred.	A, D								
L2.2	Noise from the premises is to be measured at the nearest noise sensitive receiver to determine compliance with this condition.  Note: Noise generated from the fill site must be managed according to the licensee's Construction Noise Management Plan (Ron Rumble Pty Ltd, October 2005).	Not Applicable	As no operational activities occurred during the reporting period, no noise monitoring was required.	A, D								
<b>L3 Hours of operation</b>												
L3.1	Activities covered by this licence must only be carried out between the hours of 0700 and 1800 Monday to Friday, and 0700 and 1300 Saturday, and at no time on Sundays and Public Holidays.	Compliant	No licenced activities occurred (within or outside of the approved hours).	A								
* D = Documentation sighted                      A = Advised by Company                      O = On-site Observation												



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

Cond. No.	Commitment	Compliance	Comments	Basis*																								
<b>5. Monitoring and Recording Conditions</b>																												
<b>M1 Monitoring records</b>																												
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Compliant	The monitoring records have been retained as required.	D																								
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.	Compliant	Monitoring has been retained in a legible form for more than 4 years. No requests from an EPA officer were received.	A, D																								
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.	Compliant	Monitoring records contain all required information.	D																								
<b>M2 Requirement to monitor concentration of pollutants discharged</b>																												
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	Compliant	Monitoring undertaken in accordance with these requirements.	D																								
M2.2	Water and/ or Land Monitoring Requirements. <table border="1" data-bbox="252 1317 842 1720"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Dissolved Oxygen</td> <td>milligrams per litre</td> <td>Quarterly</td> <td>In situ</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Quarterly</td> <td>In situ</td> </tr> <tr> <td>Redox potential</td> <td>millivolts</td> <td>Quarterly</td> <td>In situ</td> </tr> <tr> <td>Salinity</td> <td>millisiemens per centimetre</td> <td>Quarterly</td> <td>In situ</td> </tr> <tr> <td>Temperature</td> <td>degrees Celsius</td> <td>Quarterly</td> <td>In situ</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Dissolved Oxygen	milligrams per litre	Quarterly	In situ	pH	pH	Quarterly	In situ	Redox potential	millivolts	Quarterly	In situ	Salinity	millisiemens per centimetre	Quarterly	In situ	Temperature	degrees Celsius	Quarterly	In situ	Compliant	All required analytes were sampled at the frequency required using in situ methods.	D
Pollutant	Units of measure	Frequency	Sampling Method																									
Dissolved Oxygen	milligrams per litre	Quarterly	In situ																									
pH	pH	Quarterly	In situ																									
Redox potential	millivolts	Quarterly	In situ																									
Salinity	millisiemens per centimetre	Quarterly	In situ																									
Temperature	degrees Celsius	Quarterly	In situ																									
<b>M3 Testing methods - concentration limits</b>																												
M3.1	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	Not Applicable	No discharges or application of water occurred during the reporting period.	A																								
* D = Documentation sighted                                      A = Advised by Company                                      O = On-site Observation																												





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

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Cond. No.	Commitment	Compliance	Comments	Basis*
<b>5 Monitoring and Recording Conditions (Cont'd)</b>				
<b>M4 Recording of pollution complaints</b>				
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.	Not Applicable	No complaints received during the reporting period.	A, D
M4.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Not Applicable	No complaints received during the reporting period.	A, D
M4.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Not Applicable	No complaints received during the previous 4 years.	A, D
M4.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Not Applicable	No requests received during the reporting period.	A
<b>M5 Telephone complaints line</b>				
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.	Compliant	The mobile phone contact for the Managing Director, 0414 322 455, was the relevant complaints contact during the reporting period.	A, D
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.	Compliant	The complaints number is included on the Company website.	A, D
M5.3	The preceding two conditions 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.	No Longer Applicable	The licence was issued 18/11/2005 (i.e. more than 3 months prior).	D
* D = Documentation sighted    A = Advised by Company    O = On-site Observation				

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

Page 6 of 8

Cond. No.	Commitment	Compliance	Comments	Basis*
<b>6 Reporting Conditions</b>				
<b>R1 Annual return documents</b>				
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: a) a Statement of Compliance; and b) a Monitoring and Complaints Summary. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.	Compliant	The completed annual return for the period 18 November 2013 to 17 November 2014 was received by the EPA on 14 January 2015.	D
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	Compliant	The completed annual return for the period 18 November 2013 to 17 November 2014 was received by the EPA on 14 January 2015.	D
R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.	Not Applicable	The licence has not been transferred.	D
R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.	Not Applicable	The licence has not been surrendered.	D
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').	Compliant	The completed annual return for the period 18 November 2013 to 17 November 2014 was received by the EPA on 14 January 2015.	D
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Compliant	Copies of annual returns retained for more than 4 years.	A
* 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 NSW Office of Water, 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 NSW Office of Water 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 NSW Office of Water 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 NSW Office of Water.	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 NSW Office of Water.	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







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