

**Independent Environmental Audit:  
Albion Park Quarry  
Project Approval SSD 10369**



Audit Organisation:	<b>Cleary Bros (Bombo) Pty Ltd</b>
Auditors:	<b>James Hart</b>
Date of Audit:	<b>21 January 2025</b>
Draft Report Submitted:	<b>24 February 2025</b>
Final Report Submitted:	<b>3 March 2025</b>

## Version Control and Distribution

Revision No.	Date	Reasons for Revision	Issued to
Draft	24/02/2025	Initial for Review	Mark Hammond
0	3/03/2025	Final	Mark Hammond
1	3/03/2025	Final	Mark Hammond

## Independent Audit Declaration Form

Project Name: *Albion Park Quarry Stage 7 Extension*  
Consent Number: SSD 10369  
Description of Project: Hard Rock Quarry  
Project Address: 81 East West Link, Croom NSW 2527  
Proponent: Cleary Bros (Bombo) Pty Ltd  
Date: 3 March 2025

I declare that:

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

Notes:

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

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

Name of Auditor: James Hart

Signature: 

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

Company: James Hart Consulting

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## Abbreviations

AEMR	Annual Environmental Management Review
AQMP	Air Quality Monitoring Plan
DA	Development Approval
DDG	Deposition Dust Gauge
DPHI	Department of Planning Housing and Infrastructure
DRG	Department of Resources and Geoscience
eBAM	Beta Attenuation Monitor
EMS	Environmental Management Strategy
EPA	Environment Protection Authority
EPL	Environment Protection Licence
HVAS	High Volume Air Sampler
IEA	Independent Environmental Audit
NMP	Noise Monitoring Program
NRAR	National Resource Access Regulator
PIRMP	Pollution Incident Response Management Plan
POEO	Protection of the Environment Operations
RMP	Rehabilitation Management Plan
TfNSW	Transport for NSW (formerly Roads and Maritime Services)
TMP	Transport Management Plan
TSP	Total Suspended Particulates
WMP	Water Management Plan
WAL	Water Access Licence

# 1 INTRODUCTION

## 1.1 Overview

The Albion Park Quarry is a hard rock quarry operated by Cleary Bros (Bombo) Pty Ltd (Cleary Bros) and is identified by title as Lot 1 of DP858245 and Lot 7 of DP3709. In the current extraction area, quarrying was originally approved by the Minister for Planning under Development Consent 10639 in February 2006. Development Consent 10639 MOD 3 was approved in June 2017 with an expiry date of 21 February 2036.

A new SSD application for the Albion Park Stage 7 Extension was submitted to DPHI and Development Consent DC 10369 approved in September 2023, and included the requirement to surrender the previous approval (10639). The approval conditions require the company to implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the development.

The approval conditions also require the company, within 12 months of commencement of operations in Stage 7, and every 3 years thereafter, to commission and pay the full cost of an Independent Environmental Audit of the development. The audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary of the DPHI. The nominated auditor(s) must be approved by the Secretary prior to undertaking the audit.

The previous Independent Environmental Audit of the project was conducted on 7 November 2023 in line with the requirements of the now surrendered DC10639. The current audit is required to be completed within one year of commencement of Stage 7 and submitted within 2 months of completion of the site inspection. The audit will assess compliance with project environmental requirements for the period from the previous audit.

The conditions of approval require Cleary Bros to appoint an independent auditor to assess compliance with the Minister’s Conditions of Approval obtained for the quarry operations.

Condition D11 of the approval requires that within one year of commencement of quarrying operations within the Stage 7 extraction area, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:

- a) be prepared in accordance with the *Independent Audit Post Approval Requirements* (NSW Government 2020); and
- b) be submitted, to the satisfaction of the Planning Secretary, within two months of undertaking the independent audit site inspection, unless otherwise agreed by the Planning Secretary.

Since the day of the audit on 21 January 2025, the quarry has been sold by Cleary Bros (Bombo) Pty Ltd to Maas Group Limited on 31 January 2025, and is now owned by Regional Quarries & Concrete Pty Ltd, a wholly owned subsidiary of Maas Group Limited. The quarry is still known as the Cleary Bros Albion Park Quarry, and these names will be used throughout the audit report.

## Project Details

Project Name	Cleary Bros Albion Park Quarry
Project Application Number	SSD 10369
Project Address	81 East West Link, Albion Park Rail
Project Phase	Stage 7A

Project Name		Cleary Bros Albion Park Quarry
Project Description	The approved activities at the Quarry comprise the following. <ul style="list-style-type: none"> <li>• Development and use of an extraction area to process latite and agglomerate to produce a range of high-quality aggregates, armour rock, and pavement products using standard drill, blast, load and haul techniques.</li> <li>• Crushing and processing of hard rock material to produce quarry products.</li> <li>• Transportation of quarry products for use in the Illawarra-Shoalhaven and Greater Sydney Regions.</li> <li>• Progressive rehabilitation and construction of the final landform.</li> </ul>	

### 1.2 Audit Team

The audit was conducted by the following:

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

James Hart was endorsed by the Secretary of the Department of Planning Housing and Infrastructure on 29 October 2024.

The independent audit declaration form is attached as Appendix B.

### 1.3 Audit Objectives

The objective of this audit was to undertake the independent environmental audit of the project in compliance with Part D Condition D11 and D12 of SSD-10369 to assess compliance with the conditions of the approval, relevant water licences, and relevant management plans. The audit was conducted with consideration of the Department of Planning Industry and Environment Independent Audit Post Approval Requirements June 2020 (DPAR 2020).

### 1.4 Audit Scope

The scope of this audit comprised of the following:

- Consultation with stakeholders to obtain their input into the scope of the audit;
- Project Approval SSD10369, Albion Park Quarry Stage 7 Extension, 29 September 2023;
- Review of implementation of the following management plans:
  - Historic Heritage Management Plan – Albion Park Quarry, V5R2, March 2024;
  - Biodiversity Management Plan – Albion Park Quarry, V3R3, March 2024;
  - Blast Management Plan – Albion Park Quarry, V1R4, August 2024;
  - Air Quality Monitoring Program – Albion Park Quarry, V1R3, October 2024;
  - Noise Monitoring Program – Albion Park Quarry, V1R4, October 2024;
  - Water Management Plan – Albion Park Quarry, V9R1, March 2024;
  - Rehabilitation Management Plan – Albion Park Quarry, V1R5, October 2024;
  - Rehabilitation Strategy – Albion Park Quarry, V1R4, March 2024;

- Environmental Management Strategy – Albion Park Quarry, V1R3, November 2024;
- Pollution Incident Response Management Plan, Albion Park Quarry, V4R5, October 2024;
- the performance of the operation;
- results from previous audits;
- any incidents or community complaints;
- Site inspection of the project area.

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

### 1.5 Audit Period

This was the first independent environmental audit carried out on the project since approval of Stage 7, which covered the period the previous audit, 7 November 2023 to 21 January 2025.

## 2 Methodology

### 2.1 Approval of Auditors

Cleary Bros engaged James Hart as the independent environmental auditor to conduct this audit. The auditor details and certification were discussed in Section 1.2 of this report. Auditor's approval letter from DPHI is attached as Appendix B.

### 2.2 Audit scope development

The audit scope and a checklist was developed based on Project Approval SSD10369 September 2023, requirements of water access licence and feedback from agencies consulted.

### 2.3 Audit Process

The audit commenced with an Opening Meeting to confirm the scope, purpose, and timeline of the audit. The Opening Meeting was held at 8.30am on 21 January 2025.

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

The audit activities included the following:

- A site walk to review implementation of mitigation measures and environmental controls on 21 January 2025 accompanied by Callum Conway, Todd Kalajzich and Tom Garrett.
- Desktop review of the project documentation (EMS and its sub-plans) to verify compliance with the Project Approval, management plans and WAL requirements;
- Review of available records on the project website and records provided during the site audit and records provided subsequently as evidence of compliance; and
- Submission of draft report to Cleary Bros for review prior to finalisation of report and submission to DPHI.

A closing meeting was held at 4.30pm on 21 January 2025 where the preliminary audit findings were presented. Where aspects of the audit remained unresolved, Cleary Bros was requested to provide additional information. This information was provided between 21/01/2025 and the 17/02/2025.

## 2.4 Interviewed Persons

Name and position of persons interviewed:

Name	Organisation	Position
Todd Kalajzich	Cleary Bros (Bombo) Pty Ltd	Quarry Manager
Tom Garrett	Cleary Bros (Bombo) Pty Ltd	Quarry Supervisor
Clint Byers	Cleary Bros (Bombo) Pty Ltd	Maintenance Coordinator
Callum Conway	Cleary Bros (Bombo) Pty Ltd	Graduate Environmental Officer
Mark Hammond	Cleary Bros (Bombo) Pty Ltd	Quality and Environmental Manager

## 2.5 Details of Site Inspection

A site inspection of the quarry was conducted with focus on the following controls:

- Visibility barriers and rehabilitation areas;
- Erosion and sedimentation controls;
- Water storage;
- access/egress;
- Roads surrounding the site for dust/mud tracking;
- Dust management;
- Waste management;
- Site fence and vegetation screening;
- Boundary markers;
- Chemical storage;
- Site signage; and
- General housekeeping.

Activities being undertaken during the site inspection included:

- Drilling blast holes.
- Transport of material from quarry to crusher.
- Crushing, screening and stockpiling of material.
- Weed control.
- Loading and transport of finished product offsite.

## 2.6 Agency and Community Consultation

Consultation with the following was undertaken prior to the audit to obtain feedback and to focus the audit criteria on key issues.

Refer to **Appendix C** for consultation records provided.

Contact	Agency	Comments
Georgia Dragicevic Senior Compliance Officer	Department of Planning Housing and Infrastructure	Thank you for consulting the NSW Department of Planning, Housing and Infrastructure on the upcoming IEA for Albion Park Quarry. Please consult following agencies, including but not limited to: <ul style="list-style-type: none"> <li>• Biodiversity &amp; Conservation Division within the Department;</li> <li>• Water Group within the Department;</li> <li>• EPA; and</li> <li>• Shellharbour City Council.</li> </ul>

## Independent Environmental Audit – Cleary Bros Albion Park Quarry

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<p>Brian Weir Chair</p>	<p>Community Consultative Committee</p>	<p>No response.</p>
<p>Jarryd Thomson Operations Officer</p>	<p>NSW Environment Protection Authority</p>	<p>The EPA does not currently have any major areas of concern with the operation at the Quarry, however over the past year we have received a couple of community complaints regarding dust generation and drag out onto the East West Link. We therefore recommend the following as areas of focus:</p> <ul style="list-style-type: none"> <li>• Management of dust generation at the site and effectiveness of dust suppression measures on internal haul roads, stockpile areas and crushing plants.</li> <li>• Adequacy of dust monitoring. Cleary Bros have recently commissioned a network of real-time dust monitors. It would be good to review the effectiveness of the system (locations of monitors, alert system/TARP etc)</li> <li>• Adequacy of drag out controls, including the onsite wheel wash.</li> </ul> <p>Other areas we would recommend particular focus on include the following:</p> <ul style="list-style-type: none"> <li>• Adequacy of and compliance with site surface water controls and discharges</li> <li>• Adequacy of controls for blasting and compliance with blast limits in the Environment Protection Licence</li> </ul>
<p>Mark Miller Manager Compliance and Regulation</p>	<p>Shellharbour City Council</p>	<p>Council has received a number of complaints in relation to the dirt being tracked out of the quarry onto the east-west link road. This has been an ongoing issue, which remains difficult to resolve, as both trucks from Cleary Bros and the adjacent Holcim quarry might be at fault.</p> <p>My dealings with Cleary Bros in relation to this issue have resulted in prompt cleaning and sweeping, however a more permanent engineered response may be required, such as a designated wheel wash bay.</p> <p>Other than that, no other issues or concerns are recorded by Council.</p>
<p>Chris Page Senior Team Leader, Planning (Illawarra) South East</p>	<p>Biodiversity Conservation Division  Department of Climate Change, Energy, the Environment and Water</p>	<p>Most of the conditions relating to biodiversity rely on stages, and as we are not aware of when these stages occur, we suggest the audit investigates if relevant stages have commenced and if any of the biodiversity conditions should have been initiated. Examples of requirements from Part B of the Development Consent:</p> <ul style="list-style-type: none"> <li>• Staged retirement of biodiversity credits</li> <li>• Biodiversity Stewardship Agreement</li> <li>• Biodiversity Management Plan</li> </ul>

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		<ul style="list-style-type: none"> <li>• Rehabilitation Strategy</li> <li>• Rehabilitation Management Plan</li> </ul>
<p><b>Patricia Borges</b> Assistant Projects Officer Knowledge Office</p>	<p>Department of Climate Change, Energy, the Environment and Water</p>	<p>NSW DCCEEW water group requests that the audit address compliance with the following specific elements of the consent conditions and related legislative requirements in a manner consistent with the above audit scope:</p> <ul style="list-style-type: none"> <li>• The requirement to prepare and implement management plans that relate to water sources and their dependent ecosystems in users, and associated impact management and mitigation. These plans include: <ul style="list-style-type: none"> <li>○ Water Management Plans and related sub plans e.g. Site Water Balance, Erosion and Sediment Control Plan, Stormwater Management Plan, Surface and Groundwater Management Plan.</li> <li>○ Extraction plans and related sub plans e.g. Water Management Plan, Subsidence Management Plan.</li> </ul> </li> <li>• The requirement to prepare and implement Trigger Action Response Plans for water source impacts which set clearly defined limits and actions. This is to be reported on within annual and exceedance based reporting.</li> <li>• Water supply availability is clearly defined for the project water take at the site via storage, diversion, interception or extraction is clearly documented and is authorised by a relevant water access licence or exemption under the water management general regulation 2018.</li> <li>• Water metering at the site is in accordance with the NSW non-urban metering framework where relevant.</li> <li>• Water access licence/s used to account for water take by the project nominates the work where the water is being taken from.</li> <li>• Annual reporting clearly documents: 1) water take use and water source impacts 2) compares results with previous years, and 3) identifies exceedances and how these are managed mitigated.</li> </ul>

Issues raised during the agency consultation process were considered in development of the audit checklist and checked and reviewed during the site inspection and review of records.

## 2.7 Audit Compliance Status Descriptors

<b>Compliant</b>	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
<b>Not Compliant</b>	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
<b>Not triggered</b>	A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.

## 2.8 Approvals and Documents Audited

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

- Project Approval SSD10369, Albion Park Quarry Stage 7 Extension, 29 September 2023;
- Historic Heritage Management Plan – Albion Park Quarry, V5R2, March 2024;
- Biodiversity Management Plan – Albion Park Quarry, V3R3, March 2024;
- Blast Management Plan – Albion Park Quarry, V1R4, August 2024;
- Air Quality Monitoring Program – Albion Park Quarry, V1R3, October 2024;
- Noise Monitoring Program – Albion Park Quarry, V1R4, October 2024;
- Water Management Plan – Albion Park Quarry, V9R1, March 2024;
- Rehabilitation Management Plan – Albion Park Quarry, V1R5, October 2024;
- Rehabilitation Strategy – Albion Park Quarry, V1R4, March 2024;
- Environmental Management Strategy – Albion Park Quarry, V1R3, November 2024;
- Pollution Incident Response Management Plan, Albion Park Quarry, V4R5, October 2024;
- Water Access Licence 45278, Sydney Basin South Groundwater Source.
- Albion Park Quarry Complaints Registers 2023-2024 and 2024-2025.
- Albion Park Quarry Extension “Belmont”, 207 Dunsters Lane, Croom Archival Report, Draft 18 December 2024.
- Albion Park Quarry Annual Review 1 July 2023 to 30 June 2024.
- Independent environmental Audit Albion Park Quarry, Cleary Bros (Bombo) Pty Ltd, 12 February 2024.

## 2.9 Issues to be considered in reviewing this report

This audit was based on a review of compliance with the approval conditions for the operation of the Cleary Bros Albion Park Quarry.

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

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

### 3 AUDIT FINDINGS

#### 3.1 Overview

The following activities were being conducted at the time of the audit.

- Drilling blast holes.
- Transport of material from quarry to crusher.
- Crushing, screening and stockpiling of material.
- Transport of finished product offsite.
- Weed control.

The attached checklists record the outcomes of the audit process.

#### 3.2 Assessment of Compliance

	Requirements	Findings
Consolidated Consent Part A	31	Compliant – 28
		Non-Compliant – 1
		Not Triggered – 2
Consolidated Consent Part B	98	Compliant – 68
		Non-Compliant – 4
		Not Triggered – 23
Consolidated Consent Part C	8	Compliant – 4
		Non-Compliant – 0
		Not Triggered – 4
Consolidated Consent Part D	15	Compliant – 14
		Non-Compliant – 0
		Not Triggered – 1
Water Access Licence 45278		Compliant – 5
		Non-Compliant – 0
		Not Triggered – 2

Overall, the project had implemented processes to generally manage compliance with SSD10369, and the water access licence.

The attached checklists record the outcomes of the audit process. Five (5) non-compliances have been identified where compliance with the conditions of consent, WAL or management plans could not be verified.

##### 3.2.1 Air Quality

An Air Quality Monitoring Program (AQMP) had been prepared to address the requirements of SSD 10369. The AQMP was included in the Environmental Management Strategy.

The AQMP included requirements for air quality monitoring, and measures to minimise air quality impacts of the sites operations which had been implemented on site. Dust monitoring was conducted using high volume air samplers and real time monitors. HVAS were used to assess compliance with the conditions of consent, while real time monitoring provide feedback into effectiveness of air quality control measures and support the Trigger Action Response Plan.

Results of dust monitoring conducted for the site were consistently below the annual average criteria, indicating that the site was effectively managing site activities to minimise dust generation.

One exceedance of the 24hr PM<sub>10</sub> criteria had been recorded at the site, which had been reported as a non-compliance to DPHI and the EPA upon becoming aware of the exceedance. A review of all available data determined that the exceedance was attributable to regional influences, which was supported by regional air quality monitoring data.

No non-compliances were raised received in relation to air quality management.

### 3.2.2 Blast Management Plan

A Blast Management Plan was prepared in accordance with the requirements of the project approval, condition B18 and submitted to DPHI for review. The Blast Management Plan had been updated in 2024 following the identification of a non-compliance with blasting criteria.

Blasting had been conducted by the quarry blasting contractor, and blast monitoring had been conducted.

One non-compliance with the Blast Management Plan had been identified. Blast criteria required the sound pressure level from blasting to be less than 120dBA(lin), with 95% of blasts to be below 115dBA(lin). No blasts had exceeded the 120dBA criteria. Two blasts had been recorded where the 115dBA criteria had been exceeded, resulting in a non-compliance with the criteria for 95% of blasts to be below 115dBA. The non-compliance was reported to DPHI upon becoming aware of the exceedance, and an investigation into the non-compliance completed. Additional measures had been identified and implemented to reduce the risk of further exceedances occurring. No further exceedances had been recorded indicating that the additional measures were effective in managing airblast overpressure compliance.

One blasting non-compliance was raised against Condition B7.

### 3.2.3 Noise Management

A Noise Monitoring Program (NMP) had been prepared and noise minimisation practices identified implemented, including adherence to site working hours. The noise monitoring program included real time monitoring, compliance monitoring, short term monitoring and equipment monitoring.

The site had entered into an agreement with the owner of 'The Cottage', 195 Dunsters Lane to allow variations to permitted noise levels.

Noise monitoring had been conducted in accordance with the NMP, with no exceedances of noise criteria identified. Use of the real time noise monitoring system was demonstrated during the site visit.

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

### 3.2.4 Water Management

A Water Management Plan (WMP) had been prepared, submitted to DPHI and approved in March 2024. The WMP addressed requirements for the management of surface water and groundwater, including site water balance, stormwater management and erosion and sediment controls. It is noted

that run-off from the extraction area of the site is collected in the western sump and used for dust suppression. Erosion and sediment controls had been implemented for stockpiles and areas of disturbance outside of the extraction area.

A groundwater licence had been obtained for groundwater seepage into the extraction area. Groundwater was not extracted for use on site. The water balance for the 2023-2024 period found an excess of 19.5 ML of surface water runoff entered to the groundwater system.

Surface and groundwater quality monitoring had been conducted in accordance with the WMP. No exceedances of criteria had been recorded.

No non-compliances with water management requirements were identified.

### 3.2.5 Waste Management

Facilities had been provided for the segregation, storage and disposal of waste on site. Records were available to verify that, where applicable, waste had been collected by an approved waste contractor and disposed of at an appropriate facility.

No waste had been received on to the site.

### 3.2.6 Rehabilitation

The Quarry has developed a Rehabilitation Management Plan (RMP) and Rehabilitation Strategy (RS) which had been submitted to and approved by DPHI. The RMP includes rehabilitation objectives, completion criteria and performance indicators which are aligned to the objectives identified in the conditions of consent. A strategy for progressive rehabilitation of the site was included in the RS, with rehabilitation of the site ongoing. Rehabilitation of benches in Stage 7A was sighted during the site inspection.

The conditions of consent require, within five years of commencing quarrying operations within the Stage 7 extraction area, that a detailed final landform feasibility assessment be completed. Quarrying had commenced in Stage 7 in May 2024, hence the detailed final landform feasibility assessment was required before May 2029.

Weed management had been undertaken for the site (weed management was being conducted during the site inspection).

No non-compliances had been identified in relation to implementation of the requirements of the RMP.

### 3.2.7 Biodiversity Management Plan

A Biodiversity Management Plan had been prepared by Niche Environment and Heritage, which had been submitted to and approved by DPHI. The Biodiversity Management Plan includes requirements for the retirement of biodiversity credits prior to impacting the biodiversity values of the Stage 7 area and the process for establishing a Biodiversity Stewardship Agreement on Cleary Bros landholding adjacent to the site, as well as various actions to be undertaken to minimise direct and indirect impacts to biodiversity associated with the project.

Records were sighted to verify that biodiversity credits for Stage 7a had been retired, and the process for establishing a Biodiversity Stewardship Agreement had commenced (required to be completed by 28/05/2026). Records were also sighted to verify that relevant requirements were included in inductions, exclusion zones had been established and pre-clearing inspections had been completed.

Once non-compliance with the requirements of the Biodiversity Management Plan had been identified:

- The site induction does not address all the requirements of the Biodiversity Management Plan.

### 3.2.8 Historic Heritage Management Plan

A Historic Heritage Management Plan had been prepared by Niche Environmental, which had been submitted to and approved by DPHI.

Cleary Bros had facilitated the recovery of items of interest from the ‘Belmont’ Homestead, and developed a digital register of salvaged items from the ‘Belmont’ homestead. A Heritage Interpretation Plan had been developed and published on the Cleary Bros Albion Park website as part of the EIS process. The Heritage Interpretation Plan was being updated following demolition of the homestead. A draft archival report sighted.

One non-compliance with the requirements of the Historic Heritage Management Plan had been identified:

- The site induction does not address all the requirements of the Historic Heritage Management Plan.

### 3.2.9 Environmental Management Strategy

An Environmental Management Strategy (EMS) had been developed and implemented for the site. The EMS had been prepared and approved by DPHI on 28/03/2024, prior to the commencement of work on Stage 7. The EMS had been updated (Rev 1, Ver 3) and resubmitted to DPHI, which was approved on 3/12/2024.

Records were available to verify that requirements of the EMS had been implemented, including records of daily and monthly inspections.

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

### 3.3 Previous Audit Findings

Previous audit findings were reviewed as part of the current audit to assess implementation of actions identified to address issues. Actions to address previous audit findings had been identified and previous non-compliances had been closed out. Where close out of previous issues could not be verified, these issues were again raised as non-conformances in the current audit.

A summary of previous findings and status is provided in Appendix A.

### 3.4 Summary of Agency Notices, Orders, Penalty Notices or Prosecutions

No Orders or Penalty Notices have been issued to Cleary Bros in relation to Albion Park Quarry operations during the period covered by the current audit.

The Albion Park Quarry has not been prosecuted during the period covered by the current audit.

### 3.5 Complaints

A Complaints Register is available where information regarding complaints was recorded, including the relevant resolution.

Date	Complaint Details	Quarry Response
30/04/2024	Complaint regarding dust build-up and dust in the air (anonymous complaint received via EPA).	Dust management practices reviewed in line with complaint, including subsequent implementation of updated Air Quarry Monitoring Program.

## Independent Environmental Audit – Cleary Bros Albion Park Quarry

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		Closed out 6/05/2024.
28/08/2024	Complaint regarding dust and material tracking at the entrance to the quarry	Cleary Bros reviewed current strategies. Confirmed street sweeper engaged daily, improvements to wheel wash recently undertaken. Continuous particulate monitor recently installed near site entrance.
17/09/2024	Complaint received by the EPA regarding dust emissions from the quarries (Cleary Bros and Holcim) at 6pm on Saturday 14 September 2024	Cleary Bros was not operating at the time of the complaint. Dust suppression activities from earlier in the day and monitoring data suggests Cleary Bros were not causing elevated dust levels.
27/09/2024	Complaint received from Shellharbour Council regarding rocks tracked onto public road at entrance to quarry	Cleary Bros requested further information from Council and inspected the road. 10 rocks picked up from the sides of the road, and confirmed street sweeper operation as scheduled.
23/10/2024	Complaint received regarding dust impacts to Albion Park Rail residents.	Review of dust emissions suggested activities in Storage Area may have contributed to concerns. Quarry Manager advised and dust mitigation strategies in Storage Area revised. Complainant did not respond to requests for further information.
2/11/2024	Complaint received regarding dust impacts to solar panels and cars.	Review of real time monitors and weather conditions suggests Cleary Bros not contributing to dust levels off site on day of complaint. Complainant did not respond to requests for further information.

### 3.6 Reportable Incidents

Date	Incident	Quarry Response
No reportable incidents had occurred		

### 3.7 Additional Matters Raised During Consultation

Agency	Comments	Finding
Department of Planning Housing and Infrastructure	Please consult following agencies, including but not limited to: <ul style="list-style-type: none"> <li>Biodiversity &amp; Conservation Division within the Department;</li> <li>Water Group within the Department;</li> <li>EPA; and</li> <li>Shellharbour City Council.</li> </ul>	Consultation undertaken with the nominated agencies. Records included in Appendix D.
NSW EPA	The EPA does not currently have any major areas of concern with the operation at the Quarry, however over	

	<p>the past year we have received a couple of community complaints regarding dust generation and drag out onto the East West Link. We therefore recommend the following as areas of focus:</p> <ul style="list-style-type: none"> <li>• Management of dust generation at the site and effectiveness of dust suppression measures on internal haul roads, stockpile areas and crushing plants.</li> <li>• Adequacy of dust monitoring. Cleary Bros have recently commissioned a network of real-time dust monitors. It would be good to review the effectiveness of the system (locations of monitors, alert system/TARP etc)</li> <li>• Adequacy of drag out controls, including the onsite wheel wash.</li> </ul> <p>Other areas we would recommend particular focus on include the following:</p> <ul style="list-style-type: none"> <li>• Adequacy of and compliance with site surface water controls and discharges</li> <li>• Adequacy of controls for blasting and compliance with blast limits in the Environment Protection Licence</li> </ul>	<p>Dust control measures were verified as effective during the site inspection. Actions were taken to improve dust control at the crushing plant.</p> <p>Noted that the real time monitor located and PM<sub>10</sub> HVAS were located in near proximity to a gravel access road. Dust generated by vehicle movements on the gravel road may lead to false short term high readings. Noted that this road was reported to be used infrequently.</p> <p>During the site inspection, drag out controls appeared effective in minimising transport of material offsite.</p> <p>Refer Water management plan. No issues were identified with on-site surface water controls. One non-compliance raised in relation to blast management. Refer NC-04.</p>
<p>Department of Climate Change, Energy, the Environment and Water</p>	<p>NSW DCCEEW water group requests that the audit address compliance with the following specific elements of the consent conditions and related legislative requirements in a manner consistent with the above audit scope:</p> <ul style="list-style-type: none"> <li>• The requirement to prepare and implement management plans that relate to water sources and their dependent ecosystems in users, and associated impact management and mitigation. These plans include: <ul style="list-style-type: none"> <li>○ Water Management Plans and related sub plans e.g. Site Water Balance, Erosion and Sediment Control Plan, Stormwater Management Plan, Surface and Groundwater Management Plan.</li> <li>○ Extraction plans and related sub plans e.g. Water Management Plan, Subsidence Management Plan.</li> </ul> </li> </ul>	<p>Water Management Plan developed and approved. The Water Management Plan addresses water sources, dependent ecosystems and associated impact and mitigation. Site water balance is included in Section 7 of the WMP. All water falling on the extraction area is collected in the south and western sumps, which has more than adequate capacity. Erosion and sediment controls were seen to be implemented for stockpiles and areas disturbed outside the extraction area. Surface and groundwater management was included in the Water Management Plan. No groundwater extraction was proposed or conducted on site.</p>

	<ul style="list-style-type: none"> <li>• The requirement to prepare and implement Trigger Action Response Plans for water source impacts which set clearly defined limits and actions. This is to be reported on within annual and exceedance based reporting.</li> <li>• Water supply availability is clearly defined for the project water take at the site via storage, diversion, interception or extraction is clearly documented and is authorised by a relevant water access licence or exemption under the water management general regulation 2018.</li> <li>• Water metering at the site is in accordance with the NSW non-urban metering framework where relevant.</li> <li>• Water access licence/s used to account for water take by the project nominates the work where the water is being taken from.</li> <li>• Annual reporting clearly documents: 1) water take use and water source impacts 2) compares results with previous years, and 3) identifies exceedances and how these are managed mitigated.</li> </ul>	<p>Trigger Action Response Plans were included in Section 9.2 of the WMP.</p> <p>Water supply is identified in Section 7 of the WMP. Adequate water was available for the site. A water access licence had been obtained.</p> <p>Annual reporting of water management included in the Annual Review.</p> <p>Water extraction is via groundwater flows into the quarry, and hence not metered. Modelling during the 2023-2024 period estimated a groundwater inflow of 13.9ML, well below the licenced 130ML. Noted that the Annual review identifies a water meter to be installed to measure water pumped out of the Quarry sump.</p> <p>The Annual Review included detailed reporting on water usage and management for the site.</p>
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### 3.8 Audit Site Inspection

The site inspection was conducted on 21 January 2025 by the Lead Auditor James Hart accompanied by Callum Conway, Todd Kalajzich and Tom Garrett. The following activities were being undertaken at the time of audit:

- Drilling blast holes.
- Transport of material from quarry to crusher.
- Crushing, screening and stockpiling of material.
- Transport of finished product offsite.
- Weed control.

The site environmental controls and mitigation measures were verified including:

- The site had been secured to prevent unauthorised access.
- Receptacles were provided for storage of wastes.
- Erosion and sediment controls had been implemented.
- Topsoil had been stockpiled on site. Sediment controls had been installed around stockpiles.
- Weather station had been installed on site .
- Real time dust monitoring and noise monitoring was being undertaken.
- Trees in rehabilitation areas were in generally good condition.

During the site inspection, it was noted that oil and fuel containers used by drilling contractors had been stored in an open location on site without any spill controls implemented.

### 3.9 Suitability and Adequacy of Plans and the EMS

An assessment of the general adequacy and compliance against Project Approval conditions of key

management plans was undertaken and is provided in Appendix C. It should be noted, however, that a detailed or technical assessment of these management plans was not undertaken.

Overall, the EMS, sub-plans and compliance were found to be adequate, had been provided by appropriately qualified and experienced personnel, received the appropriate approval and had been satisfactorily implemented. Commentary on individual management plans is provided in Section 3.2.

Management plans have been reviewed and revised where required.

### 3.10 Actual versus predicted environment impacts

Review of actual versus predicted impacts was included in the Annual Review. Review of monitoring data identified that the impacts on air, water and noise quality was consistent with predicted impacts.

Air quality monitoring showed that impacts were similar or less than those predicted in the EIS.

Water monitoring did not identify any significant impacts from onsite activities.

Noise impacts from Quarrying operations were consistent with the predicted levels.

### 3.11 Key Strengths

Overall, the project environmental performance in compliance with SSD 10369 was satisfactorily met with the following key strengths noted:

- The site had implemented a rigorous process for the real time management of noise levels and air quality.
- The process for managing complaints and non-conformances has been implemented and recorded. Prompt response to complaints was noted.
- Consultation with the stakeholders, community and sensitive receivers were well managed;
- Implementation of environmental control, including:
  - erosion and sedimentation controls;
  - boundary markings;
  - vegetation screening and fencing;
  - dust management; and
  - the site was maintained in a clean and tidy condition.

## 4 Non-compliances and Recommendations

The following non-compliances were identified.

Auditor's notes are detailed in the attached **Appendix C – Audit Table**.

4.1 Areas of Non-compliance

Issue No.	Condition	Requirement	Issue sighted	Recommendation																
NC-01	Condition A2	<p>The development may only be carried out:</p> <ul style="list-style-type: none"> <li>a) in compliance with the conditions of this consent;</li> <li>b) in accordance with all written directions of the Planning Secretary;</li> <li>c) generally in accordance with the EIS; and</li> </ul> <p>generally in accordance with the Development Layout in Appendix 2.</p>	Non-compliances with the conditions of consent have been identified in this report, resulting in a non-compliance with this condition.	It is recommended that all non-compliances identified are addressed and closed out.																
NC-02	Condition B7	<p>The Applicant must ensure that blasting on the site does not cause exceedances of the criteria at the locations in Table 3.</p> <p>Table 3: Blasting criteria</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Location</th> <th style="width: 15%;">Airblast Overpressure dB(Lin Peak)</th> <th style="width: 15%;">Ground vibration (mm/s)</th> <th style="width: 40%;">Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>Residence on privately owned land (or other sensitive receiver location (e.g. School or Hospital))</td> <td style="text-align: center;">120</td> <td style="text-align: center;">10</td> <td style="text-align: center;">0%</td> </tr> <tr> <td></td> <td style="text-align: center;">115</td> <td style="text-align: center;">5</td> <td>5% of the total number of blasts over a financial year</td> </tr> <tr> <td>All public infrastructure</td> <td style="text-align: center;">-</td> <td style="text-align: center;">50 <i>(or a limit determined to the satisfaction of the Planning Secretary by the structural design methodology in</i></td> <td style="text-align: center;">0%</td> </tr> </tbody> </table>	Location	Airblast Overpressure dB(Lin Peak)	Ground vibration (mm/s)	Allowable exceedance	Residence on privately owned land (or other sensitive receiver location (e.g. School or Hospital))	120	10	0%		115	5	5% of the total number of blasts over a financial year	All public infrastructure	-	50 <i>(or a limit determined to the satisfaction of the Planning Secretary by the structural design methodology in</i>	0%	2 blasts had exceeded the 115dB criteria (6.1%) exceeding the allowable exceedance criteria of 5%.	Subsequent to the blast exceedances, Cleary Bros has implemented processes to manage blasts and ensure compliance with blast criteria. No further exceedances have occurred. No further action required.
Location	Airblast Overpressure dB(Lin Peak)	Ground vibration (mm/s)	Allowable exceedance																	
Residence on privately owned land (or other sensitive receiver location (e.g. School or Hospital))	120	10	0%																	
	115	5	5% of the total number of blasts over a financial year																	
All public infrastructure	-	50 <i>(or a limit determined to the satisfaction of the Planning Secretary by the structural design methodology in</i>	0%																	

# Independent Environmental Audit – Cleary Bros Albion Park Quarry

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Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<p>AS2187.2-2006, or its latest version)</p>		
		<p>a The locations referred to in <u>Table 3</u> are shown in <u>Appendix 3</u>.</p>		
NC-03	B57	<p>The Applicant must implement the Historic Heritage Management Plan as approved by the Planning Secretary.</p>	<p>The site induction does not include all information required by the Historic Heritage Management Plan. Section 1.5 of the Plan requires the following to be included in the site induction:</p> <ul style="list-style-type: none"> <li>Awareness of the ‘Belmont’ homestead study area to be cleared for operational activities and procedures required to be implemented prior to disturbing heritage</li> </ul> <p>Heritage outcomes to be achieved.</p>	<p>The site induction should be amended to include the information required by the Historic Heritage Management Plan.</p>
NC-04	B67	<p>The Applicant must implement the Biodiversity Management Plan approved by the Planning Secretary.</p>	<p>The Biodiversity Management Plan Section 1.5 included information required to be covered in the induction process.</p> <ul style="list-style-type: none"> <li>While the site induction includes some information, all information required by Section 1.5 of the Biodiversity Management Plan was not covered in the site induction.</li> </ul>	<p>The site induction should be amended to include the information required by Section 1.5 of the Biodiversity Management Plan.</p>
NC-05	B95	<p>The Applicant must ensure that the storage, handling, and transport of dangerous goods is carried out in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the Dangerous Goods Code.</p>	<p>Oil drums and a fuel drum sighted on site with no spill controls</p>	<p>Appropriate controls should be implemented to prevent spillage of chemicals and hydrocarbons.</p>

## 4.2 Opportunities for Improvement

The following opportunities for improvement were presented to Cleary Bros for consideration.

- Consider completing the site audit of energy usage to explore opportunities to reduce GHG emissions.

## 4.3 Areas of compliance

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

## 5 CONCLUSIONS

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

While compliance with aspects of the conditions of the project approval and management plans was found, five (5) non-compliances were raised where compliance with requirements of the conditions of approval, water access licence, or management plans prepared for the site was not demonstrated.

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

### CIRCULATION

- ✓ Mark Hammond Cleary Bros

## **Appendix A. - Previous Audit Findings**

Issue No.	Condition	Requirement	Issue sighted	Clear Bros Response	2024 Status
	10639/2005 Sch 4 C 15	The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate emissions generated by the development do not exceed the criteria in Table 5 at any sensitive receiver or residence on privately-owned land.	“...For the audit period there was one reported exceedance of air quality criteria outlined in this condition: • 16 November 2020, PM10 (24-hour incremental impact) = 52.6 µg/m3...”	No specific action. Continue to implement Air Quality Management Plan.	One exceedance of the air quality criteria recorded during the current audit period. Exceedance was attributed to regional air quality.  <b>Closed</b>
	10639/2005 Sch 4 C 30	Surface Water Monitoring Program	“...It is noted that the WMP[Water Management Plan] still contains mention of the Sewage Treatment Plan, which is no longer active on Site and should therefore be removed from the plan...”	Cleary Bros have updated the Water Management Plan for the Stage 7 approval (SSD 10369). The revised Plan has been submitted to the Secretary for approval and no longer refers to the former STP.	Sewage Management plan removed from Water Management Plan.  <b>Closed</b>
	10639/2005 Sch 4 C 41	Within 5 years of providing the Rehabilitation Management Plan to the Secretary, and every 5 years thereafter, the Applicant must review and update the plan to the satisfaction of the Secretary	“The Rehabilitation Management Plan was revised on 18 October 2017 prior to the planned commencement date of Stage 5 and 6 (i.e. 3 May 2018) and approved by DPE as per the 2020 IEA.”	Cleary Bros are currently preparing a Rehabilitation Management Plan for the Stage 7 approval (SSD 10369). This Plan will include the areas approved under 10639/2005. The revised Plan is currently under consultation with stakeholders, and following this will be submitted to the Secretary for approval.	Current Rehabilitation Management Plan, Version 1, Revision 4 March 2024. <b>Closed</b>
	EPL299 L2.1	For each monitoring/discharge point or utilisation area specified in the table below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	“...The details of exceedances are as follows. • The 2020-2021 TSS at Point 4 highest value recorded for was 340 mg/L, which is significantly higher than the 50 mg/L EPL limit. From the Quarry Pit Discharges spreadsheet covering the audit period, Point 4 data showed that TSS exceeded EPL limits on 22 March 2021, 23 March 2021 and 7 May	No specific action. Continue to implement Water Management Plan.	No exceedances of water quality criteria during the current audit period.  <b>Closed</b>

# Independent Environmental Audit – Albion Park Quarry Stage 7

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Issue No.	Condition	Requirement	Issue sighted	Clear Bros Response	2024 Status
			<p>2021, with 340 mg/L, 252 mg/L and 322 mg/L recorded for each day respectively...</p> <ul style="list-style-type: none"> <li>The 2021-2022 highest recording for TSS at Point 4 was 74 mg/L. In the Quarry Pit Discharges spreadsheet, TSS exceedances are recorded on 2 March 2022, 3 March 2022, and 3 July 2022, with readings of 55 mg/L, 74 mg/L, and 74 mg/L respectively...</li> </ul>		
	EPL299 M6.2	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.	“The Cleary Bros website directs the public to call a hotline number displayed on the Albion Park Quarry website for enquiries regarding environmental management. The auditor tested the hotline number and found it to be working. It is noted that the phone number listed for Albion Park is named “Albion Park Quarry Blast Contact Line”, which does not entirely identify the number as the appropriate number to lodge a complaint.”	Text on website to be updated to state “For enquiries regarding environmental management or to make a complaint, please call:...”	<p>Website contained the following statement:                      “For more information or to make a complaint, please contact 02 4275 1000 or <a href="mailto:environment@clearybros.com.au">environment@clearybros.com.au</a>”</p> <p><b>Closed</b></p>

## **Appendix B. – Auditor Approval**

Department of Planning, Housing and Infrastructure



NSW Planning ref: SSD-10369-PA-22

Mr Mark Hammond  
Quality and Environment Manager  
CLEARY BROS (BOMBO) PTY LTD  
39 FIVE ISLANDS ROAD  
PORT KEMBLA New South Wales 2505  
29/10/2024

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Sent via the Major Projects Portal only

**Subject: Albion Park Quarry Expansion – Independent Environmental Audit 2023-2024 team endorsement request**

Dear Mr Hammond

Reference is made to your post approval matter, SSD-10369-PA-22, request for the Planning Secretary's approval of suitably qualified, experienced, and independent person to conduct an Independent Environmental Audit (IEA) of the Albion Park Quarry Expansion, submitted as required by Part D Condition D 11 and D 12 of SSD-10369 (the consent) to NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 28 October 2024.

NSW Planning has reviewed the independent auditor nomination and based on the information you have provided is satisfied that the proposed person is suitably qualified, experienced, and independent.

In accordance with Part D Condition D 12 (e) of the consent and the NSW Planning, *Independent Audit Post Approval Requirements* (2020), as nominee of the Planning Secretary, I endorse James Hart of James Hart Consulting to undertake the IEA and prepare the IEA report. This is conditional on Mr Hart remaining independent of the project and maintaining a current Exemplar Global accreditation.

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken, and finalised in accordance with the conditions of consent and the *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission.

NSW Planning reserves the right to request an alternate auditor or audit team for future audits.

Department of Planning, Housing and Infrastructure



Should you wish to discuss the matter further, please contact me on 0429400261 or email [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read "K. O'Reilly", enclosed in a thin black rectangular border.

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

## **Appendix C. – Audit Tables**

a. Audit Checklist – Project Approval

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #
<b>PART A – ADMINISTRATIVE CONDITIONS</b>						
<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b>						
1.	A1.	In addition to meeting the specific performance measures and criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.		Cleary Bros has implemented performance measures to prevent or minimise material harm to the environment.  No unauthorised material harm to the environment has occurred as a result of quarry operations.	Compliant	
<b>TERMS OF APPROVAL</b>						
2.	A2.	The development may only be carried out:  d) in compliance with the conditions of this consent; e) in accordance with all written directions of the Planning Secretary; f) generally in accordance with the EIS; and g) generally in accordance with the Development Layout in Appendix 2.	Current audit	Non-compliances have been identified with the conditions of consent, triggering a non-compliance with this condition.	<b>Not Compliant</b>	<b>NC-01</b>

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #
3.	A3.	<p>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:</p> <p>a) (the content of any strategy, study, system, plan, program, review, audit, notification, report, or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and</p> <p>b) have been, approved by the Planning Secretary; and the implementation of any actions or measures contained in any such document referred to in condition A3(a).</p>		<p>Cleary Bros has complied with requirements of the consent and the Planning Secretary.</p>	Compliant	
4.	A4	<p>The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document/s listed in condition A2(c). In the event of an inconsistency, ambiguity, or conflict between any of the document/s listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity, or conflict.</p>	<p>Site interview</p>	<p>No inconsistency, ambiguity or conflict has been identified or raised.</p>	Compliant	

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #
<b>LIMITS ON CONSENT</b>						
<b>Identification of Approved Extraction Area</b>						
5.	A5.	<p>One month before the commencement of quarrying operations in the Stage 7 extraction area, or other timeframe agreed by the Planning Secretary:</p> <p>a) a registered surveyor must be engaged to mark out the boundaries of the approved disturbance area and the Stage 7 extraction areas within the site (Stages 7a to 7e as set out in Appendix 2);</p> <p>b) the Planning Secretary must be provided with a survey plan of such boundaries and their GPS coordinates.</p>	<p>Site Inspection</p> <p>Albion Park Quarry - Stage 7 - Post Approval Document Received - (SSD-10369-PA-1) – Lodgement of Survey Plan, prepared by a registered surveyor. 11 December 2023.</p>	<p>Stage 7 commenced 28 May 2024.</p> <p>Survey markers installed for Stage 7a.</p> <p>Survey plan submitted via planning portal 11/12/2023.</p>	Compliant	
6.	A6.	<p>The boundaries of the approved disturbance area and the Stage 7 extraction stage being actively quarried within the site must be clearly marked in a manner that allows them to be easily identified at all times during the carrying out of quarrying operations.</p>	<p>Site Inspection</p>	<p>White markers have been installed to clearly mark boundaries.</p>	Compliant	

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #
<b>Extraction Depth</b>						
7.	A7	Extraction must not be undertaken below a level of 15 metres AHD. <i>Note: Drainage sumps may be constructed and used below this level with the approval of the Planning Secretary.</i>	Albion Pit Quarry -Pit 1 QGIS.	Reported that no extraction has occurred below 15m AHD.  Lowest level of extraction – ~60m AHD. (Stage 6).  Monthly Drone flyover to survey and determine quantity extracted, stockpiled.	Compliant	
<b>Quarrying operations</b>						
8.	A8	Quarrying operations may be carried out on the site, within the approved disturbance area, for a period of 30 years from the date of commencing quarrying operations in the Stage 7 extraction area under this consent. <i>Note: Under this consent, the Applicant is required to decommission and rehabilitate the site and carry out other requirements in relation to quarrying operations. Consequently, this consent will continue to apply in all respects other than to permit the carrying out of quarrying operations until the rehabilitation of the site and other requirements have been carried out to the required standard.</i>	Site interview	Stage 7 quarrying operations commenced May 2024.  Current year 2025.	Compliant	

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #
<b>Quarry Product Extraction and Transport</b>						
9.	A9	A maximum of 900,000 tonnes of quarry products may be extracted from the approved disturbance area in any financial year.	Albion Park Quarry Annual Review Period 01 July 2023 – 30 June 2024  December 2024 Monthly Report	Total of 668,428 tonnes of material extracted during the 2023-2024 financial year.  2024-2025 – 332,815T up to 1/01/2025	Compliant	
10.	A10	A maximum of 100,000 tonnes of VENM/ENM may be imported to the approved disturbance area for rehabilitation activities in any financial year.	Albion Park Quarry Annual Review, Period 01 July 2023 – 30 June 2024 December 2024 Monthly Report	No waste including VENM/ENM was received in the Stage 7 area during the period covered by the current audit.	Compliant	

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #						
<b>Hours of Operation</b>												
11.	A11	<p>The Applicant must comply with the operating hours set out in Table 1.</p> <p>Table 1: Operating hours</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Permissible Operating hours</th> </tr> </thead> <tbody> <tr> <td>Quarrying operations</td> <td>                     7 am to 6 pm Monday to Friday                      7 am to 1pm Saturdays within Stages 1 to 6 as shown on the development layout                      7 am to 1 pm on a maximum of 16 Saturdays per calendar year within Stage 7 as shown on the development layout                      At no time on Sundays or public holidays                 </td> </tr> <tr> <td>Blasting</td> <td>                     9 am to 5 pm Monday to Friday                      At no time on Saturdays, Sundays, or public holidays                 </td> </tr> </tbody> </table>	Activity	Permissible Operating hours	Quarrying operations	7 am to 6 pm Monday to Friday 7 am to 1pm Saturdays within Stages 1 to 6 as shown on the development layout 7 am to 1 pm on a maximum of 16 Saturdays per calendar year within Stage 7 as shown on the development layout At no time on Sundays or public holidays	Blasting	9 am to 5 pm Monday to Friday At no time on Saturdays, Sundays, or public holidays	<p>Environmental Awareness, Albion Park Quarry April 2024</p> <p>APQ_EPL_Blasting_Monitoring_2 324</p> <p>APQ_EPL_Blasting_Monitoring_2 425</p>	<p>Operating hours are communicated to workers through the site</p> <p>All blasts conducted have been undertaken between 9 am to 5 pm Monday to Friday.</p>	Compliant	
Activity	Permissible Operating hours											
Quarrying operations	7 am to 6 pm Monday to Friday 7 am to 1pm Saturdays within Stages 1 to 6 as shown on the development layout 7 am to 1 pm on a maximum of 16 Saturdays per calendar year within Stage 7 as shown on the development layout At no time on Sundays or public holidays											
Blasting	9 am to 5 pm Monday to Friday At no time on Saturdays, Sundays, or public holidays											

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #
12.	A12	<p>The following activities may be carried out outside the hours specified by condition A11.</p> <ul style="list-style-type: none"> <li>a) delivery or dispatch of materials as requested by NSW Police or other public authorities for safety reasons; and</li> <li>b) emergency work to avoid the loss of lives, property and/or to prevent environmental harm.</li> </ul> <p>In such circumstances, the Applicant must notify the Department and affected residents prior to undertaking the activities, or as soon as is practical thereafter.</p>	Site interview	No works have been required outside of hours specified in condition A11.	Not Triggered	
<b>NOTIFICATION OF COMMENCEMENT</b>						
13.	A13	<p>The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least two weeks before that date:</p> <ul style="list-style-type: none"> <li>a) commencement of development under the consent;</li> <li>b) commencement of quarrying operations under the consent;</li> <li>c) commencement of each extraction stage within the Stage 7 extraction area as shown on the development layout;</li> <li>d) cessation of quarrying operations (i.e., quarry closure); and</li> <li>e) any period of suspension of quarrying operations (i.e., care and maintenance).</li> </ul>	<p>Letter from DPHI: Albion Park Quarry Stage 7 Extension (SSD10369). 11/10/2023.</p> <p>Post Approval Form_20231211004725</p>	<p>Notification of commencement of operations in Stage 7 provided 9/10/2023. Commencement 24/10/2023.</p> <p>Notification of commencement of Stage 7A provided 28/02/2024.</p> <p>7A commenced May 2024.</p> <p>Quarrying operations have not been suspended during the period covered by the current audit</p>	Compliant	

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #
14.	A14	If the phases of the development are to be further staged, the Department must be notified in writing at least two weeks before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Post Approval Form_20231211004725	Notification of commencement of Stage 7A provided 28/02/2024.  Work in Stage 7A commenced 28 May 2024.	Compliant	
<b>SURRENDER OF EXISTING CONSENTS OR APPROVALS</b>						
15.	A15	Within 12 months of the date of commencement of development under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must surrender the existing development consent (LEC Consent No. 10639 of 2005) in accordance with the EP&A Regulation.	Letter to Planning Secretary 24/09/2024 Voluntary Surrender of LEC Consent 10639/2005	Surrendered 24/09/2024.	Compliant	
16.	A16	Upon the commencement of development under this consent, and before the surrender of existing development consents required under condition A15, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.  <i>Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under the former Part 4A of the EP&amp;A Act or Part 6 of the EP&amp;A Act as applies from 1 September 2018. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.</i>		Cleary Bros has been operating in accordance with Conditions of Consent SSD 10369.	Compliant	

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #
<b>COMMUNITY CONSULTATIVE COMMITTEE</b>						
17.	A17	<p>Within six months of commencing quarrying operations in the Stage 7 extraction area, the Applicant must establish a Community Consultative Committee (CCC) in accordance with the Department’s Community Consultative Committee Guidelines: State Significant Projects (2019). The CCC must continue to operate during the life of the development, or other timeframe agreed by the Planning Secretary.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>• <i>The CCC is an advisory committee only.</i></li> <li>• <i>In accordance with the Guidelines, the Committee must comprise an independent chair and appropriate representation from the Applicant, Council, affected stakeholder groups and the local community.</i></li> </ul>	<p>Minutes of the Meeting of the Albion Park Quarry CCC, Held on: 7/12/2023 – 12:30pm to 2:00pm</p> <p>Minutes of the Meeting of the Albion Park Quarry CCC, Held on: 11/4/2024 – 1:00pm to 2:30pm</p> <p>Minutes of the Meeting of the Albion Park Quarry CCC, Held on: 22/8/2024 – 1:00pm to 2:00pm</p>	<p>Community Consultative Committee (CCC) established and operating.</p>	<p>Compliant</p>	

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #
<b>EVIDENCE OF CONSULTATION</b>						
18.	A18	Where conditions of this consent require consultation with an identified party, the Applicant must: <ul style="list-style-type: none"> <li>a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and</li> <li>b) lodge documentary evidence and a tabulated summary of the consultation with the subject document via the Major Projects Website, or its latest version, including: <ul style="list-style-type: none"> <li>i. dates of the consultation with the identified party, copies of the party's response, and a summary of the issues raised;</li> <li>ii. the outcome of that consultation, matters resolved and unresolved; and</li> <li>iii. details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</li> </ul> </li> </ul>	Albion Park Quarry Historic Heritage Management Plan Version 5, Revision 2, March 2024 Albion Park Quarry Blast Management Plan, Version 1, Revision 4, August 2024.	Evidence of consultation with parties included in individual management plans. e.g. <ul style="list-style-type: none"> <li>• Historic Heritage Management Plan Section 1.4.</li> <li>• Blast Management Plan Section 7.1</li> </ul>	Compliant	
<b>APPLICATION OF EXISTING STRATEGIES, PLANS OR PROGRAMS</b>						
19.	A19	Prior to the approval of management plans under this consent, the Applicant must continue to implement any equivalent or similar management plan/s required under LEC Consent No. 10639 of 2005, to the satisfaction of the Planning Secretary.		All management plans for Stage 7 have been approved. Cleary Bros reported that previous management plans had been implemented until approval of the Stage 7 management plans.	Compliant	

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #
<b>STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS</b>						
20.	A20	With the approval of the Planning Secretary, the Applicant may: a) prepare and submit any strategy, plan, or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan, or program); b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).		Management plans, strategies and programs have been developed and approved in accordance with consent requirements.	Compliant	
21.	A21	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.		Minor amendments to the rehabilitation plan. Approved by Planning Secretary 3/12/2024 without further consultation.	Compliant	
22.	A22	If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.		All strategies, plans, programs address all relevant conditions.	Compliant	

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #
<b>PAYMENT OF REASONABLE COSTS</b>						
23.	A23	The applicant must pay all reasonable costs incurred by the Department to engage a suitably qualified, experienced, and independent expert(s) to review the adequacy of any strategy, plan, program, or report required under the consent.		No request for payment has been received	Not Triggered	
<b>PROTECTION OF PUBLIC INFRASTRUCTURE</b>						
24.	A24	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: a) repair, or pay the full costs associated with repairing, any public infrastructure <sup>a</sup> that is damaged by carrying out the development; and b) relocate, or pay the full costs associated with relocating, any public infrastructure <sup>a</sup> that needs to be relocated as a result of the development. <i>a This condition does not apply to any damage to roads caused as a result of general road usage</i>	Site Interview and inspection	No relocation or repairs of public infrastructure required during the period covered by the current audit.	Compliant	
<b>DEMOLITION</b>						
25.	A25	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).		Demolition of Historic Belmont residence by Work conducted by licenced demolition contractors from Rare Environmental.	Compliant	

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #
<b>OPERATION OF PLANT AND EQUIPMENT</b>						
26.	A26	All plant and equipment used on site, or in connection with the development, must be: a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner.	MEX Asset Register  Quarry Shared Employee Files	Maintenance system implemented. MEX – Records of maintenance verified. Records of operator competency sighted. E.g. SD – Wheel loader Operations	Compliant	
<b>COMPLIANCE</b>						
27.	A27	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Site Specific Induction – Quarry Induction Induction records on Quarry Share Drive/WHS/Inductions	Quarry inductions for staff and contractors sighted, e.g. Staff – JG 6/08/2024. Contractor (Daracon) RH 20/01/2025	Compliant	
<b>APPLICABILITY OF GUIDELINES</b>						
28.	A28	References in the conditions of this consent to any guideline, protocol, Australian Standard, or policy are to such guidelines, protocols, Standards, or policies in the form they are in as at the date of this consent.	Site Interview	Cleary Bros is aware and understand this requirement.	Compliant	
29.	A29	Notwithstanding condition A28, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, required compliance with an updated or revised version of such a guideline, protocol, standard or policy, or a replacement of them.		It was reported that no directions have been issued under this consent in respect of ongoing monitoring and management obligations	Compliant	

JHC No	Cond. No.	Condition	Evidence Sighted	Finding and Recommendations	Compliance rating	Issue #
<b>PRODUCTION DATA</b>						
30.	A30	Each year, from the commencement of quarrying operations, the Applicant must provide MEG with annual quarry production data, covering a full financial year, by no later than 31 October the following financial year.	Extractive Materials Return 2022-2023 Extractive Materials Return 2023-2024	Extractive Materials Return 2023-2024 Sighted submission – submitted 15/10/2024	Compliant	
31.	A31	The data must be provided using the relevant standard form and a copy of the data must be included in the Annual Review (required under condition D10).	Albion Park Quarry, Annual Review, Period 01 July 2023 – 30 June 2024,	Copy of Extractive Materials Return, Form S1 for 2023 included in Annexure A of the Annual Review.	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #																								
<b>PART B SPECIFIC ENVIRONMENTAL CONDITIONS</b>																														
<b>NOISE</b>																														
<b>Operational Noise Criteria</b>																														
32.	B1	<p>The Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 2 at any residence on privately-owned land.</p> <p>Table 2: Operational noise criteria</p> <table border="1"> <thead> <tr> <th>Residence <sup>a</sup></th> <th>Day LAeq (15 min) dB(A)</th> </tr> </thead> <tbody> <tr><td>R1</td><td>49</td></tr> <tr><td>R2</td><td>46</td></tr> <tr><td>R3</td><td>48</td></tr> <tr><td>R4</td><td>40</td></tr> <tr><td>R5</td><td>42</td></tr> <tr><td>R6</td><td>40</td></tr> <tr><td>R7</td><td>40</td></tr> <tr><td>R8</td><td>40</td></tr> <tr><td>R9</td><td>40</td></tr> <tr><td>R10</td><td>40</td></tr> <tr><td>R11</td><td>40</td></tr> </tbody> </table> <p><sup>a</sup>The receiver locations referred to in Table , are shown in Appendix 3</p>	Residence <sup>a</sup>	Day LAeq (15 min) dB(A)	R1	49	R2	46	R3	48	R4	40	R5	42	R6	40	R7	40	R8	40	R9	40	R10	40	R11	40	Albion Park Quarry June 2024 Noise Compliance Measurements, 9 July 2024.	<p>Noise monitoring conducted in accordance with the noise monitoring program.</p> <p>Noted that Cleary Bros has agreements in place with residences R1, R2 and R3 such that these criteria do not apply.</p>	Compliant	
Residence <sup>a</sup>	Day LAeq (15 min) dB(A)																													
R1	49																													
R2	46																													
R3	48																													
R4	40																													
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R6	40																													
R7	40																													
R8	40																													
R9	40																													
R10	40																													
R11	40																													
33.	B2	Noise generated by the development must be monitored and measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for	Albion Park Quarry June 2024 Noise Compliance Measurements, 9 July 2024.	Noise monitoring conducted continuously at N1.	Compliant																									

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		Industry (EPA, 2017). The noise enhancing meteorological conditions determined by monitoring at the meteorological station required under condition B30 and as defined in Part D of the NSW Noise Policy for Industry (EPA, 2017) apply to the noise criteria in Table .	Albion Park Quarry November 2024 Noise Compliance Measurements, SLR Consulting 29 November 2024.  Albion Park Quarry Surface Activities Noise Monitoring Report – December 2024	Biannual @ N1-N3 – sighted noise monitoring reports for June and November 2024.  Monthly at N1 (during surface activities) – sighted monthly noise report for December 2024.  Continuous Weather monitoring conducted.		
34.	B3	The noise criteria in Table 2 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	Email to DPHI regarding Compensation Agreement (Stage 7) 2/05/2022.	Agreements in place with Residences R1, R2 and R3  Advice to DPHI – Email to DPHI 2/05/2022 advising DPHI of execution of negotiated agreement.	Compliant	
<b>Noise Operating Conditions</b>						
35.	B4	The Applicant must: a) implement all reasonable and feasible mitigation and management measures to minimise: (i) noise from quarrying operations, including low frequency noise and other audible characteristics; (ii) the noise impacts of the development during noise-enhancing meteorological conditions; when the noise criteria in this consent do not apply (see Appendix 4);	Environmental Management Strategy, Version 1 Revision 2, 26 March 2024- Appendix 5, Noise Monitoring Program.	a) Mitigation and management measures have been identified in Noise Monitoring Program.  b) Sound power level monitoring of surface equipment (dozer and drill rig) undertaken in June 2024. Measurements showed that sound power levels for both the D11 and Drill rig were less than that used for the EIS D11	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		b) install and use noise attenuation kits on surface operating equipment undertaking quarrying operations in the approved disturbance area, including dozers and drill rigs, to reduce the sound power level of each piece of equipment, unless otherwise agreed by the Planning Secretary; c) implement acoustic screening of drill rig(s) operating within 10 metres AHD of the pre-quarrying surface within the approved disturbance area to minimise the transmission of noise to any privately-owned residence, unless otherwise agreed by the Planning Secretary; d) position the mobile crushing and screening plant operating within the approved disturbance area to achieve maximum topographic protection from any privately-owned residence; e) operate the secondary mobile crushing screening plant on the pit floor; f) fit all trucks and mobile plant operating within the approved disturbance area with broad-spectrum reversing alarms; g) operate a comprehensive noise management system that uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide day to day planning of quarrying operations and implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this consent, unless otherwise agreed by the Planning Secretary; h) assess the real-time noise monitoring data daily and modify or stop quarrying operations on the site to ensure compliance with the relevant conditions of this consent, unless otherwise agreed by the Planning Secretary;	Email from SLR Consulting 9/07/2024 RE: weather data and equipment log from 13 June 2024.  APQ Noise Exceedance Review 03.07.2024 13:00 AEST  Albion Park Quarry Daily Inspection Ver 2 Rev 1	Dozer – measured 112dB(A)-EIS 120dB(A); Drill Rig measured 114dB(A), EIS 118dB(A). c) Sighted example of use of screening to minimise noise from drill rig high on the bench. Implemented following noise exceedance identified by continuous monitor. d) Mobile crushing equipment located on the pit floor. e) Mobile crushing equipment located on the pit floor. f) broad-spectrum reversing alarms verified during site inspection. g) Noise management system established. Real time noise meter in use which alerts the environmental team when exceedances of noise criteria occur. h) Sighted records of notifications (Albion Park Quarry Dashboard). Reviewed by Environmental team who advise Quarry management of any actions required (general noise not related to quarry production). i) Daily inspection reports record site conditions and any additions measures		

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> <li>i) record daily adaptive management measures implemented on the site, including how quarrying operations were modified or stopped to comply with the noise criteria in Table 2, and make these records available at the request of the Department or the EPA;</li> <li>j) carry out attended noise monitoring on two separate occasions each financial year (unless otherwise agreed by the Planning Secretary) to determine whether the development is complying with the relevant conditions of this consent; and</li> <li>k) ensure that attended noise monitoring includes a range of quarrying operations, including quarrying operations identified by the documents listed in condition A2(c) as short-term activities, unless those activities are not undertaken during the financial year.</li> </ul>	Albion Park Quarry November 2024 Noise Compliance Measurements, SLR Consulting, 29 November 2024	<ul style="list-style-type: none"> <li>implemented – e.g. 16/12/2024 – water cart wetting down shot.</li> <li>j) Noise monitoring sighted for August 2023, June 2024, and November 2024. Conducted by SLR Consulting</li> <li>k) Noise monitoring conducted during routine operating conditions.</li> <li>l) Noted that the Noise reports do not include a summary of activities being undertaken at the quarry.</li> </ul> <p><b>Recommendation:</b> Consider including a summary of site activities in noise reports.</p>		
<b>Noise Monitoring</b>						
36.	B5	Prior to the commencement of quarrying operations in Stage 7 extraction area, the Applicant must prepare and implement a noise monitoring program for the development to identify whether the mitigation of noise emissions from the development is effective and to demonstrate compliance with the performance criteria listed in Table 2.	Environmental Management Strategy, Version 1 Revision 2, 26 March 2024	Noise Monitoring Program included in Appendix 5 of the Environmental Management Strategy.	Compliant	
37.	B6	The noise monitoring program must:	Environmental Management Strategy, Version 1 Revision 2, 26		Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #								
		a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary; b) use a combination of real-time and supplementary attended monitoring to evaluate the performance of the development, unless otherwise agreed by the Planning Secretary; c) monitor noise at locations representative of the residences with the greatest risk of experiencing impacts to noise amenity; d) include a program to calibrate and validate the real-time noise monitoring results with attended noise monitoring results over time; and e) include a protocol for collecting and using noise monitoring data to distinguish between noise emissions of the development and any neighbouring development.	March 2024- Appendix 5 Noise Monitoring Program  Letter from DPE 26/03/2024 – Subject – Noise Monitoring Program – Appointment of Suitably Qualified and Experienced Person  Albion Park Quarry – Stage 7 – Endorsement of Noise Monitoring Program Author 27/03/2024.	a) VMS Australia Pty Ltd engaged to prepare the Noise Management Program. Prepared by Yang Lui who was endorsed on 26/03/2024. b) Section 3 – Noise Monitoring Program. Includes continuous noise monitoring at N1, biannual monitoring at 3 locations. c) Monitoring conducted at 3 locations identified as representative of residences. d) 3.7 Validation of Real-Time Noise Monitor e) 3.6.2 Noise Monitoring Response Protocol  EMS Section 5.7.3 Trigger Action Response Plan										
<b>BLASTING</b>														
<b>Blasting Criteria</b>														
38.	B7	The Applicant must ensure that blasting on the site does not cause exceedances of the criteria at the locations in Table 3.  Table 3: Blasting criteria <table border="1" data-bbox="293 1265 965 1445"> <thead> <tr> <th>Location</th> <th>Airblast Overpressure dB(Lin Peak)</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>Residence on privately owned land (or other</td> <td>120</td> <td>10</td> <td>0%</td> </tr> </tbody> </table>	Location	Airblast Overpressure dB(Lin Peak)	Ground vibration (mm/s)	Allowable exceedance	Residence on privately owned land (or other	120	10	0%	APQ_EPL_Blasting_Monitoring_23 24  APQ_EPL_Blasting_Monitoring_24 25	No blasts recorded over 120dB  2 blasts (28/05/2024 – 119.1dB and 14/06/2024 – 118.1dB) recorded above 115dB.  33 blasts in 2023-2024 financial year. 2 blasts above 115 dB (6.1%) exceeds the allowable exceedance criteria of 5%.	<b>Not Compliant</b>	<b>NC-02</b>
Location	Airblast Overpressure dB(Lin Peak)	Ground vibration (mm/s)	Allowable exceedance											
Residence on privately owned land (or other	120	10	0%											

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #												
		<table border="1"> <tr> <td>sensitive receiver location (e.g. School or Hospital)</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a financial year</td> </tr> <tr> <td>All public infrastructure</td> <td>-</td> <td>50 <i>(or a limit determined to the satisfaction of the Planning Secretary by the structural design methodology in AS2187.2-2006, or its latest version)</i></td> <td>0%</td> </tr> </table> <p><i>a The locations referred to in Table 3 are shown in Appendix 3.</i></p>	sensitive receiver location (e.g. School or Hospital)					115	5	5% of the total number of blasts over a financial year	All public infrastructure	-	50 <i>(or a limit determined to the satisfaction of the Planning Secretary by the structural design methodology in AS2187.2-2006, or its latest version)</i>	0%		<p><b>Recommendation:</b></p> <p>Subsequent to the blast exceedances, Cleary Bros has implemented processes to manage blasts and ensure compliance with blast criteria. No further exceedances have occurred. No further action required.</p>		
sensitive receiver location (e.g. School or Hospital)																		
	115	5	5% of the total number of blasts over a financial year															
All public infrastructure	-	50 <i>(or a limit determined to the satisfaction of the Planning Secretary by the structural design methodology in AS2187.2-2006, or its latest version)</i>	0%															
39.	B8	The blasting criteria in Table 3 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or infrastructure to exceed the blasting criteria, and the Applicant has advised the Department in writing of the terms of this agreement.		There are no agreements in place for exceeding blast criteria.	Not Triggered													
40.	B9	The Applicant must ensure that blasting on the site does not cause exceedances of the criteria at the locations in Table 4.  <i>Table 4: Blasting criteria – heritage items</i>	APQ_EPL_Blasting_Monitoring_23 24	Blast monitoring conducted at “The Cottage” showed blast levels well below the blasting criteria.	Compliant													

JHC No	Cond. No.	Condition				Evidence	Finding and Recommendations	Compliance rating	Issue #
		Location	Airblast Overpressure dB(LinPeak)	Ground vibration (mm/s)	Allowable exceedance	APQ_EPL_Blasting_Monitoring_24 25			
		Heritage items listed in Appendix 5	120	10	0%				
			115	5	5% of the total number of blasts over a financial year				
<b>Blasting Frequency</b>									
41.	B10	The Applicant may carry out a maximum of 1 single blast event per week.				APQ_EPL_Blasting_Monitoring_23 24 APQ_EPL_Blasting_Monitoring_24 25	Records show no more than 1 blast per week has been conducted	Compliant	
42.	B11	Condition B10 does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or to blast misfires or blasts required to ensure the safety of the mine, its workers, or the general public.				APQ_EPL_Blasting_Monitoring_23 24 APQ_EPL_Blasting_Monitoring_24 25	Records show no more than 1 blast per week has been conducted	Compliant	
<b>Property Inspections</b>									
43.	B12	If the Applicant receives a written request from the owner of any privately-owned land within 1.3 kilometres of the approved disturbance area for a property inspection to establish the baseline condition of any buildings and structures on their land, or to have a previous property inspection updated, then within 2 months of receiving this request the Applicant must: a) commission a suitably qualified, experienced, and independent person, whose appointment is acceptable to both parties to:				Site inspection	No written requests have been received.	Not Triggered	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		(i) establish the baseline condition of any buildings and other structures on the land, or update the previous property inspection report; and (ii) identify measures that should be implemented to minimise the potential blasting impacts of the development on these buildings and structures; and b) give the landowner a copy of the new or updated property inspection report.				
44.	B13	If there is a dispute over the selection of the suitably qualified, experienced, and independent person, or the Applicant or the landowner disagrees with the findings of the property inspection report, either party may refer the matter to the Planning Secretary for resolution.		No written requests have been received.	Not Triggered	
<b>Property Investigations</b>						
45.	B14	If the owner of any privately-owned land within 1.3 kilometre of the approved disturbance area or any other landowner where the Planning Secretary is satisfied an investigation is warranted, claims in writing that buildings or structures on their land have been damaged as a result of blasting on the site, then within 2 months of receiving this written claim the Applicant must: a) commission a suitably qualified, experienced, and independent person, whose appointment is acceptable to both parties to investigate the claim; and b) give the landowner a copy of the property investigation report.		No investigations have been required.	Not Triggered	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
46.	B15	If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Applicant must repair the damage to the satisfaction of the Planning Secretary.		No investigations have been required.	Not Triggered	
47.	B16	If there is a dispute over the selection of the suitably qualified, experienced, and independent person, or the Applicant or the landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Planning Secretary for resolution.		No investigations have been required.	Not Triggered	
<b>Blast Operating Conditions</b>						
48.	B17	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>a) implement all reasonable and feasible mitigation and management measures to: <ul style="list-style-type: none"> <li>(i) ensure the safety of people and livestock from blasting impacts of the development;</li> <li>(ii) protect public and private infrastructure and property in the vicinity of the site from blasting damage associated with the development; and</li> <li>(iii) minimise blast-related dust and fume emissions;</li> </ul> </li> <li>b) ensure that blasting on the site does not impact the heritage values of The Hill Complex;</li> <li>c) operate a comprehensive blast management system that uses a combination of meteorological forecasts and predictive blast modelling to guide the planning of blasts to minimise blasting impacts;</li> <li>d) operate a system to enable interested members of the public to get up-to-date information on the</li> </ul>	Blast Management Plan, Version 1, Revision 4, 14 August 2024.	<ul style="list-style-type: none"> <li>a) Section 5.2 Other Blasting Objectives Section 6.4 Dust Emissions, Section 6.5 Blast Fume Emissions</li> <li>b) Section 5.1 Approved Blasting Criteria and 8.6 Property Inspections</li> <li>c) Section 6.1 Blasting Planning Procedures</li> <li>d) Section 6.2 Blast Notification Systems</li> </ul>	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<p>proposed blasting schedule on the site and any associated road closures, including notification via SMS message (or other method as agreed by the Planning Secretary) of the blasting schedule and associated road closures for that day and any variations to that schedule and closures;</p> <p>e) co-ordinate the timing of blasting at the site with any nearby quarries to minimise cumulative blasting impacts, unless otherwise agreed by the Planning Secretary; and</p> <p>f) monitor each blast undertaken for the development to determine whether the development is complying with the relevant conditions of this consent.</p>		<p>e) Section 6.2 Blast Notification Systems</p> <p>f) Section 8 Blast Monitoring</p>		
<b>Blast Management Plan</b>						
49.	B18	<p>The Applicant must prepare a Blast Management Plan for the development. The plan must:</p> <p>a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;</p> <p>b) describe the blast management system and the measures that will be implemented to ensure compliance with the blasting criteria and operating conditions of this consent;</p> <p>c) include a blast fume management strategy for minimising blast fume events, rating and recording blast fume events and reporting significant blast fume events to the Department and the EPA;</p> <p>d) include a fly rock risk management strategy. The strategy must:</p> <p>i. be prepared in consultation with the owner of any public or private land located within 250 m of a blast, unless the blast generates a</p>	<p>Blast Management Plan, Version 1, Revision 4, 14 August 2024.</p> <p>Letter from DPE 13/11/2023 - Subject: Appointment of experts for post approval management plans</p>	<p>a) Section 1.4 – Prepared by D Godson of VMS Australia Pty Ltd. Approval of Dick Godson to prepare Blast Management Plan provided 13/11/2023</p> <p>b) Section 6 – Management Procedures</p> <p>c) Section 6.5 Blast Fume Emissions                      Section 9.2 - Triggers and                      Section 10.4 Incident and Non-compliance Identification and Management</p>	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<p>vibration of 0.5 mm/s or less on the landowner's land;</p> <p>ii. include procedures to prevent access to the Dunsters Lane road reserve to ensure the safety of the public;</p> <p>iii. include procedures to ensure the safety of people and livestock on private land; and</p> <p>iv. include an adaptive management protocol if the procedures to manage the safety of people and livestock cannot be implemented;</p> <p>e) include a strategy to manage potential blast interactions with nearby quarries;</p> <p>f) include a strategy to monitor, assess, mitigate, and manage the effects of blasting on The Hill Complex, incorporating baseline a dilapidation survey and five yearly dilapidation surveys of structures identified by the heritage listing (refer to Appendix 5) (subject to landowner access arrangements);</p> <p>g) include a monitoring program for evaluating and reporting on compliance with the relevant conditions of this consent;</p> <p>h) include a protocol for identifying any blast-related exceedance, incident, or non-compliance and for notifying the Department, the EPA, and relevant stakeholders of these events; and</p> <p>i) include public notification procedures to enable members of the public, particularly surrounding residents, to get up-to-date information on the proposed blasting schedule.</p>		<p>d) Section 7 – Flyrock Risk Management Strategy</p> <p>e) Sections 6.2 Blast Notification Systems</p> <p>f) Section 6 – Management Procedures Section 8.6 – Property Inspections Section</p> <p>g) Section 8 - Monitoring</p> <p>h) Section 9 – Adaptive Management Section 10 Management of Compliance</p> <p>i) Section 6.2</p>		

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
50.	B19	Prior to the commencement of any blasting within the Stage 7 extraction area, the Applicant must submit the Blast Management Plan to the Planning Secretary for approval.	Albion Park Quarry- Stage 7 – Post Approval Document Received – (SSD10369-PA-11)	Blast Management Plan submitted 28/02/2024.	Compliant	
51.	B20	The Applicant must not undertake any blasting within the Stage 7 extraction area until the Blast Management Plan is approved by the Planning Secretary.	Letter from DPHI 13/03/2024 – Albion Park Quarry expansion (SSD-10369) Blast Management Plan	Approved 13/03/2024 Blasting commenced in Stage 7	Compliant	
52.	B21	The Applicant must implement the Blast Management Plan as approved by the Planning Secretary.	Blast Management Plan, Version 1, Revision 4, 14 August 2024.  Dilapidation Survey The Hill Farm Complex, Croom, Design 5 Architects, April 2018.	Requirements of the Blast Management Plan has been implemented.  Dilapidation survey had been completed on Figtree Hill in February 2024. Dairy and shed not surveyed at the request of the owner.  The Blast Management Plan had been updated following two blasts being recorded above 115dBA.	Compliant	
<b>AIR QUALITY AND GREENHOUSE GAS</b>						
<b>Odour</b>						
53.	B22	The Applicant must ensure that no offensive odours, as defined under the POEO Act, are emitted from the site.	Environmental Management Strategy Version 1, Revision 2, 26 March 2024.	Section 5.3.4 – Preventing Offensive Odours – identifies sources and control measures for managing offensive odours.	Compliant	


JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
				No offensive odour emissions have been recorded.		
<b>Greenhouse Gas</b>						
54.	B23	The Applicant must implement all reasonable and feasible mitigation and management measures to improve the energy efficiency of the development and to reduce greenhouse gas emissions of the development.	NGR Report FY2024. Sustainability Opportunities 2025.pptx  Environmental Management Strategy Version 1, Revision 2, 26 March 2024.	NGER report compiled from information provided by site.  Initiatives identified in the Sustainability Opportunities 2025 include: <ul style="list-style-type: none"> <li>• Carboncure</li> <li>• Electric Vehicles</li> <li>• Ap Workshop – 100kW solar</li> <li>• AP Workshop 300kW solar</li> <li>• APQ Floating Solar 500kW</li> <li>• Coniston solar 70kW</li> <li>• APQ Conveyor Haulage</li> <li>• Transport Hydrogen injection</li> </ul> Noted that the risk assessment included in the EMS identified a site audit of energy usage to explore opportunities for improvement. The site audit has not been conducted at this stage of the works.  <b>Opportunity for Improvement</b>  Consider completing the site audit of energy usage to explore	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #																
				opportunities to reduce GHG emissions																		
<b>Air Quality Criteria</b>																						
55.	B24	<p>The Applicant must ensure that all reasonable and feasible mitigation and management measures are implemented so that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 5 at any residence on privately-owned land.</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Particulate matter &lt; 10 µm (PM10)</td> <td>Annual</td> <td>a, c 25 µg/m<sup>3</sup></td> </tr> <tr> <td>24 hour</td> <td>a, c 50 µg/m<sup>3</sup></td> </tr> <tr> <td rowspan="2">Particulate matter &lt; 2.5 µm (PM2.5)</td> <td>Annual</td> <td>a, c 8 µg/m<sup>3</sup></td> </tr> <tr> <td>24 hour</td> <td>a, c 25 µg/m<sup>3</sup></td> </tr> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>a, c 90 µg/m<sup>3</sup></td> </tr> </tbody> </table> <p><i>Notes:</i></p> <p><sup>a</sup> <i>Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources).</i></p> <p><sup>b</sup> <i>Incremental impact (i.e. incremental increase in concentrations due to the development on its own).</i></p>	Pollutant	Averaging period	Criterion	Particulate matter < 10 µm (PM10)	Annual	a, c 25 µg/m <sup>3</sup>	24 hour	a, c 50 µg/m <sup>3</sup>	Particulate matter < 2.5 µm (PM2.5)	Annual	a, c 8 µg/m <sup>3</sup>	24 hour	a, c 25 µg/m <sup>3</sup>	Total suspended particulate (TSP) matter	Annual	a, c 90 µg/m <sup>3</sup>	<p>Environmental Management Strategy Version 1, Revision 2, 26 March 2024.</p> <p>APQ Air Quality Monitoring</p>	<p>Section 5.3.2 Management Measures</p> <p>Air quality monitoring results show exceedance of PM<sub>10</sub> 24 hour criterion on 2/09/2024.</p> <p>Reported as a non-compliance. Investigation and subsequent report attributed the exceedance to regional air quality issues, not site activities.</p>	Compliant	
Pollutant	Averaging period	Criterion																				
Particulate matter < 10 µm (PM10)	Annual	a, c 25 µg/m <sup>3</sup>																				
	24 hour	a, c 50 µg/m <sup>3</sup>																				
Particulate matter < 2.5 µm (PM2.5)	Annual	a, c 8 µg/m <sup>3</sup>																				
	24 hour	a, c 25 µg/m <sup>3</sup>																				
Total suspended particulate (TSP) matter	Annual	a, c 90 µg/m <sup>3</sup>																				

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<i>° Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary.</i>				
56.	B25	The air quality criteria in Table 5 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or infrastructure to exceed the air quality criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	Site Interview	There are no agreements in place for exceeding air quality criteria.	Not Triggered	
<b>Air Quality Operating Conditions</b>						
57.	B26	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>a) implement all reasonable and feasible mitigation and management measures to: <ul style="list-style-type: none"> <li>i. minimise odour, fume, and particulate matter (including PM10 and PM2.5) emissions of the development;</li> <li>ii. minimise any visible off-site air pollution generated by the development; and</li> <li>iii. minimise the extent of potential dust generating surfaces exposed on the site at any given point in time;</li> </ul> </li> <li>b) ensure that all 'non-road' mobile diesel equipment used in undertaking the development includes reasonable and feasible diesel emissions reduction technology;</li> <li>c) operate a comprehensive air quality management system that uses a combination of predictive meteorological forecasting and real-time air quality monitoring data to guide the day-to-day planning of quarrying operations and the implementation of both proactive and reactive air quality mitigation</li> </ul>	Albion Park Quarry - Air Quality Monitoring Program, Version 1 Revision 2, 29 February 2024	<ul style="list-style-type: none"> <li>a) Mitigation measures are identified in Section 5.3.2 – Management Measures</li> <li>b) Non-road mobile diesel equipment used on site fitted with diesel emissions reduction technology as provided by the supplier.</li> <li>c) Air Quality Monitoring network established, which includes real time monitoring of particulates. Real time data used to inform Quarry of potential air quality</li> </ul>	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		measures to ensure compliance with the relevant conditions of this consent; d) implement all reasonable steps to coordinate the air quality management system with the air quality management system at nearby quarries to minimise cumulative air quality impacts; e) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see Note c to Table 5 above); f) assess meteorological and air quality monitoring data daily and modify operations on the site to ensure compliance with the relevant conditions of this consent; and g) record daily adaptive management measures implemented on the site, including how operations were modified or stopped to comply with the air quality criteria in Table 5, and make these records available at the request of the Department or the EPA.	APQ Dust exceedance Review 28/11/2024, 22/01/2025	issues and allow for additional controls to be implemented where deemed appropriate. d) Managed through the real time air monitoring system which measure cumulative impacts on a regional perspective. e) Daily inspection conducted which consider weather conditions and additional controls if required. f) Daily inspection records weather conditions and additional controls if required. g) Daily inspection records weather conditions and additional controls if required.		
<b>Air quality monitoring</b>						
58.	B27	Prior to commencing quarrying operations in Stage 7 extraction area, the Applicant must prepare and implement an air quality monitoring program to identify whether the mitigation of dust emissions from the development is effective and to demonstrate compliance with the performance criteria listed in condition B24.	Environmental Management Strategy Version 1, Revision 2, 26 March 2024.	Appendix 4 – Air Quality Monitoring Program prepared and implemented.	compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
59.	B28	<p>The air quality monitoring program must:</p> <ul style="list-style-type: none"> <li>a) be prepared by a suitably qualified and experienced person/s endorsed by the Planning Secretary;</li> <li>b) be undertaken in accordance with the Approved Methods for Sampling and Analysis of Air Pollutants in NSW (EPA, 2022) and Ambient Air Monitoring Guidance Note (EPA, 2022);</li> <li>c) use air quality monitoring equipment approved by the Planning Secretary;</li> <li>d) use air quality monitors to collect data that can be used evaluate the performance of the development against the air quality criteria in this consent and guide day to day planning of quarrying operations;</li> <li>e) include a protocol for collecting and using air quality monitoring data to distinguish between the dust emissions of the development and the dust emissions of any neighbouring developments; and</li> <li>f) adequately support the air quality management system required by condition B26(c).</li> </ul>	<p>Environmental Management Strategy Version 1, Revision 2, 26 March 2024 – Appendix 4.</p> <p>Letter from Department of Planning and Environment 1 Subject: Appointment of experts for post approval management plans, 13/11/2023.</p> <p>Letter from DPHI 7/03/2024 - Subject: Albion Park Quarry Expansion (SSD-10369) - Condition B28(c) Air Quality Monitoring Equipment.</p>	<ul style="list-style-type: none"> <li>a) Prepared by VMS Pty Ltd. Approved by Mark Blake. Approval of Mark Blake to prepare program provided 13/11/2023</li> <li>b) Monitoring conducted in general accordance with the Approved Methods for Sampling and Analysis of Air Pollutants in NSW (EPA, 2022) and Ambient Air Monitoring Guidance Note (EPA, 2022).</li> <li>c) Request for approval of air quality monitoring equipment submitted 29/2/2024. Approval provided 7/03/2024</li> <li>d) Continuous and HVAS monitors used.</li> <li>e) Section 3.2 Air Quality Monitoring Locations.</li> <li>f) The air quality monitoring program supports the air quality management system.</li> </ul>	Compliant	
60.	B29	<p>The Applicant must review the air quality monitoring program annually and report any updates to the program in the annual review required by condition D10.</p>	<p>Albion Park Quarry Annual Review - Period 01 July 2023 – 30 June 2024</p>	<p>Annual Review Section 3.2.5 - Interpretation and Effectiveness of the Air Quality Management System</p>	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
<b>METEOROLOGICAL MONITORING</b>						
61.	B30	<p>Prior to the commencement of quarrying operations in Stage 7 extraction area and for the life of the development, the Applicant must operate a suitable meteorological station in close proximity to the site that:</p> <p>(a) complies with the requirements in the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007); and</p> <p>(b) is capable of measuring meteorological conditions in accordance with the NSW Noise Policy for Industry (EPA, 2017), unless a suitable alternative is approved by the Planning Secretary following consultation with the EPA.</p>	Site Inspection	<p>Continuous weather monitoring station adjacent to the development.</p> <p>The Annual Reviews outline the parameters that are monitored continuously. Monitoring data reviewed confirmed monitoring is recorded every ten minutes.</p> 	Compliant	
<b>SOIL AND WATER</b>						
<b>Water Supply</b>						
62.	B31	The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.	Water Management Plan Version 9, Revision 1, 5 March 2024	Addressed in Section 7.2.1 Operational Water Supply	Compliant	
63.	B32	The Applicant must report on water extracted from the site each year (direct and indirect) in the Annual Review, including water taken under each water licence.	Albion Park Quarry Annual Review - Period 01 July 2023 – 30 June 2024	Annual Review Section 3.7.2 Environmental Performance	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #								
		<i>Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain all necessary water licences for the development.</i>												
<b>Water Management Performance Measures</b>														
64.	B33	<p>The Applicant must ensure that the development complies with the performance measures in Table 6.</p> <p>Table 6: Water management performance measures</p> <table border="1"> <thead> <tr> <th>Feature</th> <th>performance measure</th> </tr> </thead> <tbody> <tr> <td>Water management - general</td> <td> <ul style="list-style-type: none"> <li>minimise the use of clean potable water on the site</li> <li>maximise water recycling reuse and sharing opportunities</li> <li>design install operate and maintain water management systems in a proper and efficient manner</li> <li>identify and minimise and mitigate risks to the receiving environment and downstream water users</li> </ul> </td> </tr> <tr> <td>Clean water diversions</td> <td> <ul style="list-style-type: none"> <li>design development footprint and maintain clean water diversions to prevent the inflow of water from water course 6 during a 1% a EP 72 hour rainfall event</li> <li>Maximise as far as reasonable, the diversion of clean water around disturbed areas on the site, except where clean water is captured for use on the site</li> </ul> </td> </tr> <tr> <td>Fractured rock aquifer</td> <td> <ul style="list-style-type: none"> <li>Development does not reduce the beneficial use category of the</li> </ul> </td> </tr> </tbody> </table>	Feature	performance measure	Water management - general	<ul style="list-style-type: none"> <li>minimise the use of clean potable water on the site</li> <li>maximise water recycling reuse and sharing opportunities</li> <li>design install operate and maintain water management systems in a proper and efficient manner</li> <li>identify and minimise and mitigate risks to the receiving environment and downstream water users</li> </ul>	Clean water diversions	<ul style="list-style-type: none"> <li>design development footprint and maintain clean water diversions to prevent the inflow of water from water course 6 during a 1% a EP 72 hour rainfall event</li> <li>Maximise as far as reasonable, the diversion of clean water around disturbed areas on the site, except where clean water is captured for use on the site</li> </ul>	Fractured rock aquifer	<ul style="list-style-type: none"> <li>Development does not reduce the beneficial use category of the</li> </ul>	Water Management Plan Version 9, Revision 1, 5 March 2024	<p>Control measures identified in the Water Management Plan as per below:</p> <p>7.2.2 – Potable Water Supply</p> <p>7.4 – Annual Water Balance</p> <p>5.3 Surface Water Management System</p> <p>6.3 Groundwater Management System</p> <p>Section 5.3.5 Management of Riparian Corridors and Ecosystems</p> <p>Section 5.3 Surface Water Management System</p> <p>6.3.2 Protection of Groundwater Quality</p>	Compliant	
Feature	performance measure													
Water management - general	<ul style="list-style-type: none"> <li>minimise the use of clean potable water on the site</li> <li>maximise water recycling reuse and sharing opportunities</li> <li>design install operate and maintain water management systems in a proper and efficient manner</li> <li>identify and minimise and mitigate risks to the receiving environment and downstream water users</li> </ul>													
Clean water diversions	<ul style="list-style-type: none"> <li>design development footprint and maintain clean water diversions to prevent the inflow of water from water course 6 during a 1% a EP 72 hour rainfall event</li> <li>Maximise as far as reasonable, the diversion of clean water around disturbed areas on the site, except where clean water is captured for use on the site</li> </ul>													
Fractured rock aquifer	<ul style="list-style-type: none"> <li>Development does not reduce the beneficial use category of the</li> </ul>													

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		groundwater source located more than 40 metres from the approved disturbance area		6.3.3 Protection of Beneficial Use		
		Water use <ul style="list-style-type: none"> <li>Annual take of groundwater and surface water (exempt and licensed) is measured and reported against entitlements and/or licenses held</li> </ul>		7.4 Annual Water Balance		
		Erosion and sediment control works <ul style="list-style-type: none"> <li>Design, install and maintain erosion and sediment controls in accordance with the guidance series Managing Urban Stormwater: Soils and Construction including Volume 1: Blue Book (Landcom, 2004), Volume 2A: Installation of Services (DECC, 2008), Volume 2C: Unsealed Roads (DECC,2008), Volume 2D: Main Road Construction (DECC, 2008) and Volume 2E: Mines and Quarries (DECC, 2008)</li> <li>Design, install and maintain any new infrastructure, or any approved disturbance within 40 metres of watercourses in accordance with the guidance series for Controlled Activities on Waterfront Land (DPI Water, 2012)</li> </ul>		5.3.2 Quarry Staging, Catchments and Erosion and Sediment Control 5.3.3 Surface Water Storages		
		quarry water storages <ul style="list-style-type: none"> <li>Design, install and maintain quarry water storage infrastructure to avoid unlicensed or uncontrolled discharge of dirty water</li> <li>Operational water storages designed to contain the 1% AEP 24-hour storm event</li> </ul>		5.3.3 Surface Water Storages 5.3.4 Controlled Discharge of Surface Water		

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<p>Chemical and Hydrocarbon storage</p> <ul style="list-style-type: none"> <li>Chemical and hydrocarbon products to be stored in bunded areas in accordance hydrocarbon storage with the relevant Australian Standard</li> </ul>		<p>Section 4.1 Environmental Risk Register – Surface Water</p> <p>6.3.2 Protection of Groundwater Quality</p> <p>6.3.2 Protection of Groundwater Quality - Overburden and soil materials within the Project Area are non-acid forming and, as a result, these materials do not require targeted management to prevent generation of acidic runoff.</p> <p>5.3.5 Management of Riparian Corridors and Ecosystems</p> <p>5.3.5 Management of Riparian Corridors and Ecosystems</p> <p>5.4.2 Surface Water Monitoring Criteria and Triggers</p>		
	<p>Overburden emplacement and backfill</p> <ul style="list-style-type: none"> <li>Design, install and maintain emplacements to encapsulate and prevent migration of potentially acid forming materials</li> <li>Acidic soils neutralised to prevent the production of acid during the reuse of soil resources</li> </ul>					
	<p>Riparian corridors</p> <ul style="list-style-type: none"> <li>Maintain the inner zone of vegetated riparian zones as a vegetated buffer and minimise harm to riparian corridors</li> <li>Maximise the preservation of the outer area riparian zone and where the development encroaches on the outer area riparian zone, establish an encroachment offset</li> <li>Maintain or improve baseline channel stability</li> </ul>					
	<p>Aquatic and riparian ecosystems</p> <ul style="list-style-type: none"> <li>Negligible environmental consequences beyond those predicted in document/s listed in condition A2(c)</li> <li>Develop site-specific in-stream water quality objectives in accordance with the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC &amp; ARMCANZ, 2000) and Using the ANZECC Guidelines and Water Quality Objectives in NSW (DEC, 2006) or its latest version</li> </ul>					
65.	B34	The performance measures in Table 6 apply to the entire site, including all landforms constructed under		Performance measures have been applied to the whole site.	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		previous development consents. However, these performance measures do not require any additional earthmoving works to be undertaken for landforms that have been approved and constructed under previous consents, except where those earthworks are required for the establishment of a stable and non-polluting landform.				
<b>Compensatory Water Supply</b>						
66.	B35	The Applicant must provide a compensatory water supply to any landowner of privately-owned land whose rightful water supply is adversely and directly impacted (other than an impact that is minor or negligible) as a result of the development, in consultation with DPE Water, and to the satisfaction of the Planning Secretary.		No compensatory water supply has been required to be provided.	Not Triggered	
67.	B36	The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent, in quality and volume, to the loss attributable to the development. Equivalent water supply must be provided (at least on an interim basis) as soon as practicable after the loss is identified, unless otherwise agreed with the landowner.		No compensatory water supply has been required to be provided.	Not Triggered	
68.	B37	If the Applicant and the landowner cannot agree on whether the loss of water is to be attributed to the development or the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Planning Secretary for resolution.		No compensatory water supply has been required to be provided.	Not Triggered	
69.	B38	If the Applicant is unable to provide an alternative long-term supply of water, then the Applicant must provide compensation, to the satisfaction of the Planning Secretary.		No compensatory water supply has been required to be provided.	Not Triggered	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>• The Water Management Plan (see condition B40) is required to include trigger levels for investigating potentially adverse impacts on water supplies.</li> <li>• The burden of proof that any loss of surface water or groundwater access is not due to quarrying impacts rests with the Applicant.</li> </ul>				
70.	B39	In the event of any complaint relating to a privately-owned spring fed dam or licensed groundwater bore which may, in the opinion of the Planning Secretary, have been adversely and directly impacted as a result of the development (other than an impact that is minor or negligible), the Applicant must, as soon as practicable, facilitate the provision of a temporary water supply, pending the outcome of any groundwater investigation and/or the provision of an alternative long-term supply of water as required under conditions B35 and B36, to the satisfaction of the Planning Secretary.		No complaints in relation to a privately-owned spring fed dam or licensed groundwater bore have been received.	Not Triggered	
<b>Water Management Plan</b>						
71.	B40	<p>The Applicant must prepare a Water Management Plan for the development. The plan must:</p> <p>a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;</p>	<p>Water Management Plan Version 9, Revision 1, 5 March 2024.</p> <p>Letter from Department of Planning and Environment 1 Subject: Appointment of experts for post approval management plans, 13/11/2023.</p>	<p>Water Management Plan prepared by RW Corkery &amp; Co Pty Ltd.</p> <p>Mr Paul Ryall and Mr Mitchell Bland approved to prepare the Water Management Plan.</p>	Compliant	
72.	B40b	b) be prepared in consultation with DPE Water;	Water Management Plan Version 9, Revision 1, 5 March 2024	Table 2 – Summary of Consultation – Water Management Plan shows consultation with DPE Water.	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
73.	B40c	and include a: c) Site Water Balance that includes details of: <ul style="list-style-type: none"> <li>• predicted annual inflows to and outflows from the site;</li> <li>• sources and security of water supply for the life of the development (including authorised entitlements and licences);</li> <li>• water storage, use and management on the site;</li> <li>• licenced discharges points and limits;</li> <li>• reporting procedures, including the annual preparation of an updated site water balance;</li> </ul>	Water Management Plan Version 9, Revision 1, 5 March 2024	Section 7.4 – Annual Water Balance	Compliant	
74.	B40c	(ii) Surface Water Management Plan, that includes: <ul style="list-style-type: none"> <li>• detailed baseline data on surface water flows, water quality, riparian condition and geomorphic stability in watercourses that could potentially be affected by the development;</li> <li>• a detailed description and mapping of the surface water management system required to achieve the relevant performance measures detailed in Table 6;</li> <li>• surface water performance criteria, including trigger levels for identifying and investigating potentially adverse impacts (or trends) associated with the development and any potential non-compliance with the relevant performance measures detailed in Table 6;</li> <li>• a program to monitor, evaluate and report on:</li> </ul>	Water Management Plan Version 9, Revision 1, 5 March 2024	Section 5. Surface Water Management Section 5.1 Baseline Surface Water Environment  5.3.2 Quarry Staging, Catchments and Erosion and Sediment Control and Figure 6 to Figure 10  Section 5.4.2 Surface Water Monitoring Criteria and Triggers	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> <li>- compliance with the performance measures listed in Table 6 and the performance criteria in the plan;</li> <li>- impacts on water supply for other water users;</li> <li>- surface water inflows, controlled discharges, uncontrolled discharges, and storage volumes to inform the Site Water Balance;</li> <li>- any surface water discharges;</li> </ul>		5.4 Surface Water Monitoring and Section 7.4 Annual Water Balance		
75.	B40c	(iii) Groundwater Management Plan that includes: <ul style="list-style-type: none"> <li>• detailed baseline data of groundwater levels, yield and quality for groundwater resources potentially impacted by the development, including groundwater supply for other water users;</li> <li>• a spring fed dam monitoring program to determine whether the spring fed dams identified by documents listed in condition A2(c) have been adversely and directly impacted as a result of the development (subject to landowner access arrangements). The program must include baseline and ongoing monitoring of water levels, groundwater flow and discharge volumes;</li> <li>• a detailed description of the groundwater management system required to achieve the performance measures detailed in Table 6;</li> <li>• groundwater performance criteria, including trigger levels for identifying and investigating any potentially adverse groundwater impacts (or trends) associated with the development and any potential non-</li> </ul>	Water Management Plan Version 9, Revision 1, 5 March 2024	Section 6 Groundwater Management  Section 6.1 Baseline Groundwater Environment  6.4.5 Spring-fed Dam Monitoring Program  6.3 Groundwater Management System  6.4.6 Groundwater Monitoring Triggers	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<p>compliance with the performance measures detailed in Table 6;</p> <ul style="list-style-type: none"> <li>• a program to monitor, evaluate and report on:                             <ul style="list-style-type: none"> <li>– compliance with the performance measures listed in Table 6 and the performance criteria in the plan;</li> <li>– water loss/seepage from water storages into the groundwater system, including from any final void;</li> <li>– groundwater inflows, outflows, and storage volumes, to inform the Site Water Balance;</li> <li>– impacts on groundwater supply for other water users, including spring fed dams;</li> <li>– the effectiveness of the groundwater management system;</li> </ul> </li> <li>• a protocol to obtain appropriate water licence(s) to cover the volume of any unforeseen groundwater inflows into the extraction areas; and</li> </ul>		<p>6.4 Groundwater Monitoring and 7.4 Annual Water Balance</p> <p>8.2 Groundwater Licencing</p>		
76.	B40d	(d) a protocol for identifying and investigating any non-compliance with the performance measures or exceedances of performance criteria for surface water or groundwater, and relevant stakeholders of these events	Water Management Plan Version 9, Revision 1, 5 March 2024	9.2 Trigger Action Response Plan and 10.3 Incident and Non-compliance Identification and Management	Compliant	
77.	B40e	(e) a trigger action response plan to respond to any exceedances of the performance measures or performance criteria, and repair, mitigate and/or offset any adverse surface water or groundwater impacts of the development.	Water Management Plan Version 9, Revision 1, 5 March 2024	9.2 Trigger Action Response Plan	Compliant	


JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
78.	B41	Prior to commencing quarrying operations in the Stage 7 extraction area, the Applicant must submit the Water Management Plan to the Planning Secretary for approval.	Post Approval Form _20240201030000	Water Management Plan submitted and approved 14/03/2024.	Compliant	
79.	B42	The Applicant must not commence quarrying operations in the Stage 7 extraction area until the Water Management Plan is approved by the Planning Secretary.	Post Approval Form _20240201030000	Water Management Plan approved 14/03/2024.	Compliant	
80.	B43	The Applicant must implement the Water Management Plan approved by the Planning Secretary.		Water management plan has been implemented. No non-compliances with the Water Management Plan have been identified.	Compliant	
<b>HERITAGE</b>						
<b>Protection of Aboriginal Heritage</b>						
81.	B44	If any suspected human remains are discovered and/or harmed in, on or under the land within the approved disturbance area, the Applicant must: <ul style="list-style-type: none"> <li>a) not further harm these remains;</li> <li>b) immediately cease all work at the location;</li> <li>c) secure the area to avoid further harm to the remains;</li> <li>d) notify NSW Police and NSW Heritage as soon as practicable and provide any available details of the remains and their location, and</li> <li>e) not recommence any work at the location unless authorised in writing by the Planning Secretary.</li> </ul>	Environmental Management Strategy, Version 1 Revision 2, 26 March 2024  Site interview	5.6.1 Aboriginal Cultural Heritage.  No suspected human remains have been found.	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<i>Note: NSW Heritage must be notified via the Environment Line. At the time of this consent, the Environment Line number is 131 555.</i>				
82.	B45	<p>If a suspected Aboriginal object is discovered within the approved disturbance area:</p> <ul style="list-style-type: none"> <li>a) all work in the vicinity of the suspected Aboriginal object must cease immediately and the suspected Aboriginal object must not be moved;</li> <li>b) an exclusion area around the suspected Aboriginal object must be established to prevent any further impact to the object;</li> <li>c) the suspected Aboriginal object must be assessed by a suitably qualified archaeologist as soon as practicable;</li> <li>d) the Applicant must not recommence work in the immediate vicinity of an object confirmed as an Aboriginal object by a suitably qualified archaeologist unless the Planning Secretary is satisfied with the measures to be implemented in respect of the Aboriginal object.</li> </ul>	<p>Environmental Management Strategy, Version 1 Revision 2, 26 March 2024</p> <p>Site interview</p>	<p>5.6.1 Aboriginal Cultural Heritage</p> <p>No Aboriginal objects have been discovered.</p>	Compliant	
83.	B46	The Applicant must ensure the development does not cause any direct or indirect impacts on Aboriginal objects located outside the approved disturbance area.	Site interview	<p>5.6.1 Aboriginal Cultural Heritage.</p> <p>No aboriginal objects have been discovered</p>	Compliant	
84.	B47	The Applicant must ensure that surface disturbance activities within the approved disturbance area are supervised by an employee that is trained to recognise potential Aboriginal objects. The employee must be trained by a qualified archaeologist in partnership with registered Aboriginal parties.	<p>Permit to Disturb – No 24-03 for section of Area 7a, 14/05/2024.</p> <p>Permit to Disturb – No 24-05 for section of Area 7a, 17/12/2024</p> <p>Email form Ecology Consultant 15/05/2024 – Re: Vegetation clearing – Albion Park Quarry</p>	<p>5.6.1 Aboriginal Cultural Heritage</p> <p>Permit To Disturb process implemented. Permits approved by Environmental Manager.</p>	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
				Supervision by Environmental Manager.  Sighted summary of events on 14/05/2024 from ecology consultant.		
<b>Archival recording of the Belmont Homestead</b>						
85.	B48	The Applicant must prepare an archival recording of the Belmont Homestead. The archival recording must: <ul style="list-style-type: none"> <li>a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;</li> <li>b) be prepared in consultation with Council;</li> <li>c) be prepared in accordance with the NSW Heritage Office heritage information series How to prepare archival records of heritage items 1998 and Photographic recording of heritage items using fill or digital capture 2006;</li> <li>d) include: <ul style="list-style-type: none"> <li>(i) photographic recording;</li> <li>(ii) three-dimensional virtual model required by Condition B50(c);</li> <li>(iii) recording during work on the Belmont Homestead; and</li> <li>(iv) catalogue or inventory of significant items.</li> </ul> </li> </ul>	Albion Park Quarry - Historic Heritage Management Plan, Version 5 ,Revision 2, 15 March 2024  Letter to Shell Harbour Council 22/02/2024 - Albion Park Quarry Stage 7 – Recovery of Items of Interest from the ‘Belmont’ Homestead  <a href="http://www.clearybros.com.au/belmont">www.clearybros.com.au/belmont</a>	6.2 Archival Recording <ul style="list-style-type: none"> <li>a) Jordan Wilson-Arden and Scott MacArthur approved to prepare the archival recording.</li> <li>b) Letter to Shell Harbour Council 29/02/2024 sighted showing consultation with Council.</li> <li>c) Prepared by Biosis. Report identifies it has been prepared in accordance with the NSW Heritage Office heritage information series How to prepare archival records of heritage items 1998 and Photographic recording of heritage items using fill or digital capture 2006.</li> <li>d) Website includes: <ul style="list-style-type: none"> <li>i. Photographic recording,</li> <li>ii. ‘Belmont’ 3D Interactive Model</li> <li>iii. Draft Archival Report available. Noted that the report is due within 12 months of demolition of</li> </ul> </li> </ul>	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
				Belmont (which occurred ~8 months ago). iv. xls spreadsheet – Belmont Items Recovered includes Material Inventory and contact list of interested parties.		
86.	B49	The Applicant must: a) prepare the archival recording prior to removing, during and on completion of the removal of the Belmont Homestead to capture the condition and appearance of the place prior to, during and after impact; b) publish the archival recording on the website required by Condition D15; and c) provide the archival recording to Council.	<a href="http://www.clearybros.com.au/belmont">www.clearybros.com.au/belmont</a>  Albion Park Quarry Extension “Belmont”, 207 Dunsters Lane, Croom, Archival Report, Draft Report. Prepared for Cleary Bros (Bombo) Pty Ltd 18 December 2024.	Archival recording provided prior to removing the Belmont Homestead provided on the Quarry Website.  Draft report provided by Biosis.  Final archival recording not completed at time of audit.	Compliant	
<b>Heritage Interpretation Plan</b>						
87.	B50	Prior to the commencement of demolition of the Belmont Homestead or structures identified by the heritage listing I209, the Applicant must prepare a Heritage Interpretation Plan for the Belmont Homestead and the Wentworth Hills and Dunmore Valley Dairy Farming Landscape. The plan must: a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;	<a href="http://www.clearybros.com.au/belmont">www.clearybros.com.au/belmont</a>  Letter from Department of Planning and Environment 1 Subject: Appointment of experts for post approval management plans, 13/11/2023.	Heritage Interpretation Plan for the Belmont Homestead prepared and available on project website.  Andrew Conacher and Jamie Sher endorsed by DPE to prepare the Heritage Interpretation Plan (13/11/2023)	Compliant	
88.		a) be prepared in consultation with Council, the landowner of any listed heritage item within 2 kilometres of the approved disturbance area, and local community;	<a href="http://www.clearybros.com.au/belmont">www.clearybros.com.au/belmont</a>	Section 3 and 5.1	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
89.		b) include a three-dimensional virtual model of the Belmont Homestead, to capture and share the site's heritage values with the community;	<a href="http://www.clearybros.com.au/belmont">www.clearybros.com.au/belmont</a>	'Belmont' 3D Interactive Model	Compliant	
90.		c) include an animated re-creation of the Wentworth Hills and Dunmore Valley Dairy Farming Landscape,	<a href="http://www.clearybros.com.au/belmont">www.clearybros.com.au/belmont</a>	multimedia presentation showing how 'Belmont' and the Dunmore Hills landscape has changed over time	Compliant	
91.		d) assisted by drone photogrammetry to support communication of the heritage values to the public; and be available to the community via the Cleary Bros website required by Condition D15.	<a href="http://www.clearybros.com.au/belmont">www.clearybros.com.au/belmont</a>	Heritage Interpretation Plan for the Belmont Homestead prepared and available on project website.	Compliant	
92.	B51	Prior to the commencement of demolition of the Belmont Homestead or surrounds, the Applicant must provide a copy of the Heritage Interpretation Plan to Council.	Email to Council 14/04/2024 (see photo)	Submitted 14/04/2024.	Compliant	
<b>Recovery of heritage items</b>						
93.	B52	<p>Prior to the commencement of the demolition of the Belmont Homestead, the Applicant must facilitate the recovery of items of interest from the Belmont Homestead. The Applicant must:</p> <p>a) provide relevant stakeholder(s), organisations, or neighbouring landowners with at least two reasonable opportunities to retrieve items of interest;</p> <p>b) provide notification of the dates and times available for retrieving items of interest to relevant stakeholders, organisations, and neighbouring</p>	<p>Advertisement – Illawarra Mercury 29/02/2024 – Recovery of Items of Interest from 'Belmont' Homestead, Croom.</p> <p>Letter to Shell Harbour Council 22/02/2024 - Albion Park Quarry Stage 7 – Recovery of Items of Interest from the 'Belmont' Homestead</p>	<p>Notice placed on Facebook (28/02/2024) and in local newspaper 29/02/2024.</p> <p>List of items requested and recovered maintained in Excel spreadsheet.</p> <p>Letter to Shell Harbour Council 22/02/2024 showed 2 opportunities for opportunities to view the 'Belmont' and to identify items</p>	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		landowners six weeks in advance of the first opportunity to retrieve items of interest; and support the recovery of items of interest from the Belmont Homestead under the supervision of a suitably qualified archaeologist.		which you may wish to have salvaged: <ul style="list-style-type: none"> <li>• Thursday 11th April 2024 5pm – 6pm</li> <li>• Friday 12th April 2024 10am – 11am.</li> </ul> The letter also provides the opportunity for an alternative time to be arranged if required.		
<b>Archaeological investigation</b>						
94.	B53	During the demolition and removal of the Belmont Homestead, the Applicant must undertake an archaeological investigation at the Belmont Homestead. The archaeological investigation must: a) be undertaken by a suitably qualified archaeologist who meets the NSW Heritage Council’s Excavation Director criteria; b) be supported by the archaeological assessment included in the EIS and an archaeological research design prepared in consultation with Council.	Albion Park Quarry Extension “Belmont”, 207 Dunsters Lane, Croom, Archival Report, Draft Report. Prepared for Cleary Bros (Bombo) Pty Ltd 18 December 2024.	Archaeological investigation at the Belmont Homestead conducted by Biosis.  Draft report provided by Biosis.	Compliant	
<b>Historic Heritage Management Plan</b>						
95.	B54	The Applicant must prepare a Historic Heritage Management Plan for the development, in respect of all non-Aboriginal cultural heritage items. The plan must: a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;	Albion Park Quarry - Historic Heritage Management Plan, Version 5 ,Revision 2, 15 March 2024  Letter from Department of Planning and Environment 1	Historic Heritage Management Plan prepared by and approved.  Section 1.6 shows Plan has been prepared by Jordan Wilson-Aarsen	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
			Subject: Appointment of experts for post approval management plans, 13/11/2023.	(BSc, Ba, Ma (hons) (Artefact-Heritage Consultant) and Scott MacArthur (Ba Arch, MBBS) (Artefact - Principal).  DPE approval of Jordan Wilson-Aarsen and Scott MacArthur provided 13/11/2023.		
96.		b) be prepared in consultation with Council and relevant landowners and in accordance with the relevant Heritage NSW guidelines;	Albion Park Quarry - Historic Heritage Management Plan, Version 5 ,Revision 2, 15 March 2024	Section 1.4 Consultation  Includes records of consultation	Compliant	
97.		c) include a comprehensive description of the process for the preparation of the Heritage Interpretation Plan required by Condition B50;	Albion Park Quarry - Historic Heritage Management Plan, Version 5 ,Revision 2, 15 March 2024	Section 5.1- Heritage Interpretation Plan	Compliant	
98.		d) include a detailed plan for recovering items of interest from the Belmont Homestead and property as required by Condition B52	Albion Park Quarry - Historic Heritage Management Plan, Version 5 ,Revision 2, 15 March 2024	Section 5.2.3 Recovery of Heritage Items	Compliant	
99.		e) include a comprehensive plan for the deconstruction and removal of the Belmont Homestead including archaeological works to be carried out in accordance with Condition B53;	Albion Park Quarry - Historic Heritage Management Plan, Version 5 ,Revision 2, 15 March 2024	Section 5.2.4 Demolition of 'Belmont'	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
100.		f) include a plan for the relocation and reconstruction of dry stone walls within the approved disturbance area. The plan must: (i) identify the dry stone walls planned for salvage and a new location that is publicly accessible; (ii) identify an experienced dry stone waller certified by the Dry Stone Wall Association of Australia; (iii) describe any maintenance and monitoring of the relocated dry stone walls for the life of the quarry;	Albion Park Quarry - Historic Heritage Management Plan, Version 5 ,Revision 2, 15 March 2024	Section 5.3 Relocation and Reconstruction of Dry Stone Walls	Compliant	
101.		g) summarise the monitoring and management of potential blast and visual amenity impacts on The Hill Complex with reference to the blast management plan and rehabilitation management plan;	Albion Park Quarry - Historic Heritage Management Plan, Version 5 ,Revision 2, 15 March 2024	Section 5.5 Minimising Impacts to The Hill Complex	Compliant	
102.		h) a contingency plan to manage unpredicted impacts on heritage values and their consequences and to ensure that ongoing impacts reduce to levels below the predictions of the documents listed in condition A2(c) and the requirements of this consent.	Albion Park Quarry - Historic Heritage Management Plan, Version 5 ,Revision 2, 15 March 2024	Section 4 Potential Risks Performance Indicators and Criteria  Section 5.5 Management Measures  Section 7.1 Incident and Non-Compliance Management	Compliant	
103.	B55	Prior to the commencement of quarrying operations in Stage 7a extraction area, the Applicant must submit the Historic Heritage Management Plan to the Planning Secretary for approval.	Letter from DPE 18/03/2024 – Subject: Albion Park Quarry Expansion (SSD-10369) – Historic Heritage Management Plan	Historic Heritage Management Plan submitted 5/03/2024  Approval provided 18/03/2024	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
104.	B56	The Applicant must not commence any activities associated with the removal of dry stone walls, the demolition of the Belmont Homestead and or any structures identified by the heritage listing I209 until the Historic Heritage Management Plan is approved by the Planning Secretary.	Email from Rare Environmental providing summary of demolition activities (10/04/2024)	Historic Heritage Management Plan approved 18/03/2024.  Belmont Homestead commenced 15/04/2024 (3 week duration).	Compliant	
105.	B57	The Applicant must implement the Historic Heritage Management Plan as approved by the Planning Secretary.		<p>The site induction does not include all information required by the Historic Heritage Management Plan. Section 1.5 of the Plan requires the following to be included in the site induction:</p> <ul style="list-style-type: none"> <li>Awareness of the 'Belmont' homestead study area to be cleared for operational activities and procedures required to be implemented prior to disturbing heritage</li> <li>Heritage outcomes to be achieved.</li> </ul> <p><b>Recommendation:</b></p> <p>The site induction should be amended to include the information required by the Historic Heritage Management Plan.</p>	<b>Not Compliant</b>	<b>NC-03</b>

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #																																											
<b>BIODIVERSITY</b>																																																	
<b>Biodiversity Credits Required</b>																																																	
106.	B58	<p>The Applicant must retire the biodiversity credits specified in Table 7 and Table 8 in accordance with the Biodiversity Offsets Scheme of the Biodiversity Conservation Act 2016, including the application of any ancillary rules published under clause 6.5 of the Biodiversity Conservation Regulation 2017.</p> <p><i>Table 7: Biodiversity credit requirements – ecosystem credits</i></p> <table border="1"> <thead> <tr> <th rowspan="2">Credit Type</th> <th colspan="10">Credits Required</th> </tr> <tr> <th>Area (Ha)</th> <th>Credits</th> <th>Area (Ha)</th> <th>Credits</th> <th>Area (Ha)</th> <th>Credits</th> <th>Area (Ha)</th> <th>Credits</th> <th>Area (Ha)</th> <th>Credits</th> </tr> </thead> <tbody> <tr> <td>1300-Whalebone Tree – Native Quince dry subtropical rainforest on dry fertile slopes, southern Sydney Basin Bioregion</td> <td>3.15</td> <td>53</td> <td>0.788</td> <td>8</td> <td>0</td> <td>0</td> <td>2.4</td> <td>44</td> <td>0.005</td> <td>1</td> </tr> <tr> <td>720-Bracelet Honey-myrtle –</td> <td>1.19</td> <td>9</td> <td>0</td> <td>1.19</td> <td>9</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> </tbody> </table>	Credit Type	Credits Required										Area (Ha)	Credits	Area (Ha)	Credits	Area (Ha)	Credits	Area (Ha)	Credits	Area (Ha)	Credits	1300-Whalebone Tree – Native Quince dry subtropical rainforest on dry fertile slopes, southern Sydney Basin Bioregion	3.15	53	0.788	8	0	0	2.4	44	0.005	1	720-Bracelet Honey-myrtle –	1.19	9	0	1.19	9	0	0	0	0	0	<p>Biodiversity Offsets Scheme Credits Retirement Form, signed 18/04/2024</p> <p>Credit Retirement Report 3/05/2024 – Transaction No CT-3297</p> <p>Biobanking Credit Retirement Report 2/05/2024 Transaction No 202405-RT- 944</p>	<p>Application for Biodiversity credits transfer has been submitted to DPHI.</p> <p>3/05/2024 – 7 Biodiversity credits retired for Illawarra Subtropical Rainforest in the Sydney Basin Bioregion</p> <p>2/05/2024 – 1 Biodiversity credit retired for SR662/Whalebone Tree - Native Quince dry subtropical rainforest on dry fertile slopes, southern Sydney Basin Bioregion</p>	Compliant	
Credit Type	Credits Required																																																
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720-Bracelet Honey-myrtle –	1.19	9	0	1.19	9	0	0	0	0	0																																							

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #						
		<p><i>Australian Indigo dry shrubland on volcanics, southern Sydney Basin Bioregion</i></p> <table border="1"> <tr> <td colspan="2"><i>Table 8: Biodiversity credit requirements – species credits (flora)</i></td> </tr> <tr> <td><i>Credits Type</i></td> <td><i>Credits Required Prior to impacting biodiversity values in Stage 2 impact area</i></td> </tr> <tr> <td><i>Zieria granulata</i></td> <td><i>2,074</i></td> </tr> </table>	<i>Table 8: Biodiversity credit requirements – species credits (flora)</i>		<i>Credits Type</i>	<i>Credits Required Prior to impacting biodiversity values in Stage 2 impact area</i>	<i>Zieria granulata</i>	<i>2,074</i>				
<i>Table 8: Biodiversity credit requirements – species credits (flora)</i>												
<i>Credits Type</i>	<i>Credits Required Prior to impacting biodiversity values in Stage 2 impact area</i>											
<i>Zieria granulata</i>	<i>2,074</i>											
<b>Staged retirement of biodiversity credits</b>												
107.	B59	<p>Prior to undertaking activities that would impact on biodiversity values within the:</p> <p>a) stage 1 impact area (as shown on Figure 3 in Appendix 6), the Applicant must retire the Stage 1 biodiversity credits as specified in Table 7;</p> <p>b) stage 2 impact area (as shown on Figure 3 in Appendix 6), the Applicant must retire the Stage 2 biodiversity credits as specified in Table 7 and Table 8;</p> <p>c) stage 3 impact area (as shown on Figure 3 in Appendix 6), the Applicant must retire the Stage 3 biodiversity credits as specified in Table 7;</p>	<p>Letter to Planning Secretary : Confirmation of Retirement of Stage 1 Biodiversity Credits. 3/05/2024.</p>	<p>Biodiversity credits for stage 1 retired 3/05/2024.</p> <p>Confirmation of Retirement of Stage 1 Biodiversity Credits provided to the Planning Secretary 3/05/2024.</p> <p>No work conducted in Stage 2,3 or 4.</p>	Compliant							

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		d) stage 4 impact area (as shown on Figure 3 in Appendix 6), the Applicant must retire the Stage 4 biodiversity credits as specified in Table 7.				
108.	B60	The Applicant must provide the Planning Secretary with evidence that confirms that the correct number and class of credits has been retired prior to impacting the biodiversity values associated with each stage identified by the plan included in Figure 3 in Appendix 6	Letter to Planning Secretary : Confirmation of Retirement of Stage 1 Biodiversity Credits. 3/05/2024.	Biodiversity credits for stage 1 retired 3/05/2024.  Confirmation of Retirement of Stage 1 Biodiversity Credits provided to the Planning Secretary 3/05/2024.  No work conducted in Stage 2,3 or 4.	Compliant	
<b>Biodiversity Stewardship Agreement</b>						
109.	B61	Within two years of the commencement of quarrying operations within the Stage 7 extraction area, the Applicant must establish a biodiversity stewardship agreement with a minimum area of 8.4 ha on Lot 7 DP3709 as identified on Figure 4 in Appendix 7.	Albion Park Quarry – Biodiversity Management Plan, Version 3.3, 13 March 2024	Work commenced in Stage 7 extraction area 28/05/2024.  Preliminary Site Assessment conducted by Biosis which was used to inform the preparation of the Biodiversity Stewardship Agreement, which was in development at the time of audit (required to be completed by 28/05/2026).	Compliant	
110.	B62	Within six months of the biodiversity stewardship agreement being established in accordance with condition B61, the Applicant must pay the Total Fund Deposit in full.	Albion Park Quarry – Biodiversity Management Plan, Version 3.3, 13 March 2024	Biodiversity stewardship agreement yet to be established (required by 28/05/2026).	Not Triggered	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
111.	B63	Prior to any clearing of 720-Bracelet Honey-myrtle – Australian Indigo dry shrubland on volcanics, southern Sydney Basin Bioregion associated with the development, the Applicant must retire the credits generated by the biodiversity stewardship agreement required by condition B61.	Albion Park Quarry – Biodiversity Management Plan, Version 3.3, 13 March 2024	There is no planned impact to this community as all of it is within the Stage 2 biodiversity area at the southern end of the site.	Not Triggered	
<b>Biodiversity Management Plan</b>						
112.	B64	The Applicant must prepare a Biodiversity Management Plan for the development. The Biodiversity Management Plan must: <ul style="list-style-type: none"> <li>a) be prepared: <ul style="list-style-type: none"> <li>i. by a suitably qualified and experienced person/s;</li> <li>ii. in consultation with BCS;</li> <li>iii. in accordance with the Biodiversity Assessment Method and be consistent with the avoid and minimise commitments in the Biodiversity Development Assessment Report for the development (dated July 2023); and</li> <li>iv. (iv) with reference to any relevant Biodiversity Management Plan guidance material provided by BCS;</li> </ul> </li> </ul>	Albion Park Quarry – Biodiversity Management Plan, Version 3.3, 13 March 2024	Biodiversity Management Plan prepared by Niche Environment & Heritage Pty Ltd.  Evidence of consultation included in Section 1.4	Compliant	
113.	B64	b) include a description of the measures and timeframes that would be implemented for: <ul style="list-style-type: none"> <li>i. minimising clearing and avoiding unnecessary disturbance of vegetation by the development;</li> <li>ii. minimising the impacts to flora and fauna on site and implementing fauna recovery and management protocols;</li> </ul>	Albion Park Quarry – Biodiversity Management Plan, Version 3.3, 13 March 2024	Section 4 Potential Biodiversity Impacts  Section 4.3 4.3 Actions to mitigate impacts to biodiversity  Section 5 Mitigation Measures	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> <li>iii. maximising the salvage of vegetative and soil resources within the approved disturbance area for beneficial reuse in the enhancement of rehabilitation of the site; and</li> <li>iv. (iv) controlling weeds, feral pests, and pathogens;</li> </ul>				
114.	B64	c) include a program to monitor and report on the effectiveness of avoid, minimisation and mitigation measures;	Albion Park Quarry – Biodiversity Management Plan, Version 3.3, 13 March 2024	Section 5.4.9 Monitoring & reporting	Compliant	
115.	B64	d) include an incidental threatened species finds protocol to identify the avoid and/or minimise and/or offset options to be implemented if additional threatened species are discovered on site; and	Albion Park Quarry – Biodiversity Management Plan, Version 3.3,	Section 5.2.3 Pre-clearing inspections of hollow-bearing trees and other habitat features  Section 6.5 Incidents and non-compliances	Compliant	
116.	B64	e) include details of who would be responsible for monitoring, reviewing, and implementing the plan.	13 March 2024	Monitoring – Environmental Officer  Reviewing - Quality and Environment Manager  Implementing – Quarry Manager	Compliant	
117.	B65	Prior to the commencement of quarrying operations within the Stage 7 extraction area, the Applicant must submit the biodiversity management plan to the Planning Secretary for approval.	Albion Park Quarry – Biodiversity Management Plan, Version 3.3.  Letter from DPE 14/03/2024 – Subject: Albion Park Quarry Expansion (SSD-10369) – Biodiversity Management Plan	Biodiversity Management Plan submitted 12/02/2024.  Approved 14/03/2024	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
118.	B66	The Applicant must not commence quarrying operations within the Stage 7 extraction area until the biodiversity management plan is approved by the Planning Secretary.	Site interview	Biodiversity Management Plan approved 14/03/2024. Work in Stage 7 commenced 28/05/2024	Compliant	
119.	B67	The Applicant must implement the Biodiversity Management Plan approved by the Planning Secretary.		<p>The Biodiversity Management Plan Section 1.5 included information required to be covered in the induction process.</p> <p>While the site induction includes some information, all information required by Section 1.5 of the Biodiversity Management Plan was not covered in the site induction.</p> <p><b>Recommendation:</b></p> <p>The site induction should be amended to include the information required by Section 1.5 of the Biodiversity Management Plan.</p>	<b>Not Compliant</b>	<b>NC-04</b>

**REHABILITATION**

**Rehabilitation Objectives**

120.	B68	<p>The Applicant must rehabilitate the site to the satisfaction of the Planning Secretary. Rehabilitation of the site must comply with the objectives in Table 9.</p> <p><i>Table 9: Rehabilitation objectives</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Feature</th> <th style="width: 50%;">Objective</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Feature	Objective			Albion Park Quarry - Rehabilitation Management Plan, Version 1 Revision 4, 20 March 2024	Rehabilitation objectives are addressed in Section 4 - Rehabilitation Objectives, Completion Criteria and Performance Indicators.	Compliant	
Feature	Objective									

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<p>All areas of the site affected by the development</p> <ul style="list-style-type: none"> <li>• Safe and non-polluting</li> <li>• Hydraulically and geotechnically stable</li> <li>• Fit for the intended post-quarrying land use(s)</li> <li>• Establish the final landform and post-quarrying land use/s as soon as practicable after cessation of quarrying operations</li> <li>• Minimise post-quarrying environmental impacts</li> <li>• Integrated with surrounding natural landforms and other quarry rehabilitated landforms, to the greatest extent practicable</li> <li>• Minimise visual impacts when viewed from surrounding land to the greatest extent practicable</li> <li>• Ensure safety of native fauna and stock</li> </ul>				
		<p>Areas proposed for nature conservation</p> <ul style="list-style-type: none"> <li>•Vegetation composition of rehabilitation contains species commensurate with native vegetation communities found in the local area</li> <li>• Vegetation structure of rehabilitation is similar to that of communities found in the local area</li> <li>• Levels of ecosystem function have been established that demonstrate the rehabilitation is self-sustaining</li> </ul>				
		<p>Areas proposed for agricultural land</p> <ul style="list-style-type: none"> <li>Establish grassland areas to support sustainable agricultural activities agricultural land</li> <li>• Use species found in the local area that are suitable for pasture production</li> </ul>				
		<p>Infrastructure</p> <ul style="list-style-type: none"> <li>• All infrastructure that is not to be used as part of the final land use is removed.</li> </ul>				

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> <li>All infrastructure that is to remain as part of the final land use is compatible with the intended post-quarrying land use/s, is safe and does not pose any hazard to the community.</li> </ul>				
		Water <ul style="list-style-type: none"> <li>Water retained on the site is appropriately licensed and fit for the intended post-quarrying land use/s</li> <li>Groundwater quality is consistent with, or better than the pre-disturbance water quality</li> </ul>				
		Final Void <ul style="list-style-type: none"> <li>Optimise the size and depth of the final void to ensure the final landform is stable and non-polluting</li> <li>Minimise to the greatest extent practicable:                             <ul style="list-style-type: none"> <li>the drainage catchment;</li> <li>any high wall instability risk; and</li> <li>the risk of flood interaction.</li> </ul> </li> <li>Maximise potential for beneficial reuse, where practicable</li> </ul>				
		Final void drainage pipeline and water discharge <ul style="list-style-type: none"> <li>Engineered to be hydraulically, geotechnically, and geomorphologically stable</li> <li>Water discharged from the site is suitable for receiving waters and fit for aquatic ecology and riparian vegetation</li> </ul>				
		Heritage <ul style="list-style-type: none"> <li>Minimise visual amenity impacts on heritage values of the Hill Complex (identified in Appendix 5)</li> </ul>				
		Community <ul style="list-style-type: none"> <li>Ensure public safety</li> <li>Ensure the risk of bushfire is similar to or less than the pre-quarrying environment</li> <li>Minimise adverse socioeconomic effects associated with quarry closure</li> </ul>				

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
121.	B69	The rehabilitation objectives in Table 9 apply to the entire site, including all landforms constructed under either this consent or previous consents. However, the Applicant is not required to undertake any additional earthmoving works on landforms that have been approved and constructed under previous consents, except where those earthworks are required for the establishment of a stable, non-polluting, and free-draining landform.		Cleary Bros is aware of this requirement.	Compliant	
<b>Progressive Rehabilitation</b>						
122.	B70	The Applicant must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable steps must be taken to minimise the total area exposed at any time. Interim stabilisation and temporary vegetation strategies must be employed when areas prone to dust generation, soil erosion and weed incursion cannot be permanently rehabilitated.  <i><sup>a</sup>This condition does not prevent further disturbance at some later stage of the development of areas that have been rehabilitated.</i>	Site Inspection	Rehabilitation of the site has commenced.  Stage 7a bench rehabilitation has commenced.  Pit 3 – Natural rehab of benches and pit floor.  North vegetation screen pit 3 completed	Compliant	
<b>Rehabilitation Strategy</b>						
123.	B71	The Applicant must prepare a Rehabilitation Strategy for all land disturbed by the development. The strategy must:  a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024  Letter from DPHI 8/01/2024 Subject: Appointment of Experts –	Prepared by RW Corkery and Co Pty Ltd  Endorsement of suitably qualified persons provided 8/01/2024.	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
			Albion Park Quarry Stage 7 Expansion Rehabilitation Strategy and Rehabilitation Management Plan.			
124.		b) (be prepared in consultation with DPE Water, BCD, Council, and the CCC;	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024	Section 1.2 - Consultation	Compliant	
125.		c) use a risk-based approach;	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024	Section 5 Rehabilitation Risk Assessment	Compliant	
126.		d) build upon the Rehabilitation Objectives in Table 9, describe the overall rehabilitation outcomes for the site and address all aspects of rehabilitation including quarry closure, final landform and final voids, post-quarrying land use/s and water management;	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024	Section 6 Quarry Closure Planning and Refinement	Compliant	
127.		e) align with strategic rehabilitation and quarry closure objectives and address the principles of the Strategic Framework for Mine Closure (AMZMEC and MCA, 2000);	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024	Section 5.2 Methodology	Compliant	
128.		f) describe how the rehabilitation measures would be integrated with visual mitigation measures included in the progressive and final landform designs;	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024	Section Integration of Rehabilitation and Quarry Planning	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
129.		g) describe how rehabilitation will be integrated with the quarry planning process, including a plan to address premature or temporary quarry closure;	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024	Section 6.3 Integration of Rehabilitation and Quarry Planning	Compliant	
130.		h) include indicative quarry plans and scheduling for life-of-quarry showing each rehabilitation domain;	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024	Section 6.1 Indicative Rehabilitation Scheduling	Compliant	
131.		i) include details of target vegetation communities and species to be established within proposed revegetation and tree screening areas;	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024	Section 7.2 Amenity Barrier and Tree Screen Establishment and Maintenance  7.5.2 Target Vegetation Communities and Species	Compliant	
132.		j) include a strategic plan for the refinement and improvement of the final landform and final void outcomes over time;	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024	Section 6.4 Final Landform and Land Use Optimisation	Compliant	
133.		k) include a post-quarry land use strategy to investigate and facilitate post-quarrying beneficial land uses for the site, that:  (i) align with regional and local strategic land use planning objectives and outcomes; and  (ii) support a sustainable future for the local community;	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024	Section 6.4 Final Landform and Land Use Optimisation	Compliant	
134.		l) include a stakeholder engagement plan to guide rehabilitation and quarry closure planning processes and outcomes;	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024	Section 6.2 Quarry Closure Stakeholder Engagement Plan	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
135.		m) investigate ways to minimise adverse socio-economic effects associated with rehabilitation and quarry closure;	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024	Section 6.4 Final Landform and Land Use Optimisation	Compliant	
136.		n) include a program to review and update the strategy every five years.	Albion Park Quarry Rehabilitation Strategy Version 1   Revision 4 March 2024	Section 8.3 Plan Review	Compliant	
137.	B72	Prior to the commencement of quarrying operations within the Stage 7 extraction area, the Applicant must submit the Rehabilitation Strategy to the Planning Secretary for approval.		Rehabilitation Strategy approved 28/03/2024. Stage 7 works commenced 28/05/2024	Compliant	
138.	B73	The Applicant must not commence quarrying operations in the Stage 7 extraction area until the Rehabilitation Management Plan is approved by the Planning Secretary.	Letter from DPHI 14/03/2024 Subject: Albion Park Quarry Expansion (SSD-10369) -	Rehabilitation Management Plan approved 14/03/2024. Stage 7 works commenced 28/05/2024.	Compliant	
139.	B74	The Applicant must implement the Rehabilitation Strategy approved by the Planning Secretary.		No non-compliances with the requirements of the Rehabilitation Management Plan have been identified	Compliant	
<b>Detailed feasibility study and final landform design</b>						
140.	B75	Within five years of commencing quarrying operations within the Stage 7 extraction area, the Applicant must prepare a detailed final landform feasibility assessment. The detailed feasibility assessment must:		Stage 7A commenced 28/05/2024. Detailed final landform feasibility assessment not prepared at this stage of operations.	Not Triggered	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		a) be prepared by a suitably qualified and independent expert/s in relation to geotechnical, hydrological, and rehabilitation, whose appointment has been endorsed by the Planning Secretary;				
141.		b) include a conceptual final landform study that includes but is not limited to: <ul style="list-style-type: none"> <li>(i) an assessment of alternative means of discharging water (including the option of nil release of water) from the rehabilitated quarry, including conceptual designs and cost estimates;</li> <li>(ii) an investigation and conceptual design of potential post-quarrying land use options, including opportunities to align with relevant local and regional strategic land use objectives and surrounding land uses; and</li> <li>(iii) an assessment of how the rehabilitation of the project can be proactively integrated with the rehabilitation strategies of neighbouring quarries;</li> <li>(iv) establishing in perpetuity vehicle access to the final landform that facilitates the proposed final land use;</li> </ul>		Stage 7A commenced 28/05/2024.  Detailed final landform feasibility assessment not prepared at this stage of operations.	Not Triggered	
142.		c) include a geotechnical and engineering assessment of the construction and operation of the proposed pipeline or alternative water management options, that includes but is not limited to: <ul style="list-style-type: none"> <li>(i) a geotechnical feasibility assessment that:                             <ul style="list-style-type: none"> <li>• identifies relevant risks and how these risks would be managed;</li> </ul> </li> </ul>		Stage 7A commenced 28/05/2024.  Detailed final landform feasibility assessment not prepared at this stage of operations.	Not Triggered	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> <li>• identifies geological structures that could affect the construction and operation of the proposed pipeline and how any associated risks would be managed;</li> <li>• assesses the loading conditions of tunnel boring with varying depths of cover and how this would be managed in the design of the proposed pipeline;</li> <li>• demonstrates pit walls will meet the rehabilitation objectives in Table 9;</li> </ul> <p>(ii) a detailed engineering design for the proposed pipeline and any associated infrastructure, including consideration of the lifespan of construction materials;</p> <p>(iii) an assessment of the erosion risks of the proposed pipeline during construction and operation;</p>				
143.		<p>d) include a safety assessment and maintenance strategy that provides:</p> <ul style="list-style-type: none"> <li>(i) a detailed assessment of the safety risks of the proposed pipeline and how these risks would be managed to ensure the safety of people and fauna;</li> <li>(ii) a process to manage blockages in the proposed pipeline;</li> <li>(iii) an outline of the management and maintenance responsibilities that would be placed on future landowners;</li> </ul>		<p>Stage 7A commenced 28/05/2024.</p> <p>Detailed final landform feasibility assessment not prepared at this stage of operations.</p>	Not Triggered	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
144.	B76	Within five years of commencing quarrying operations in the Stage 7 extraction area, the Applicant must submit the detailed final landform feasibility assessment to the Planning Secretary for approval.		Stage 7A commenced 28/05/2024. Detailed final landform feasibility assessment not prepared at this stage of operations.	Not Triggered	
145.	B77	The Applicant must not undertake quarrying operations within Stage 7b, 7c, 7d, or 7e of the development until the Planning Secretary has approved the detailed final landform feasibility assessment.	Site Inspection	Current operation in Stage 7a. No works have been conducted within Stage 7b, 7c, 7d, or 7e.	Compliant	
146.	B78	The Applicant must revise the Rehabilitation Strategy to incorporate the outcomes of the detailed final landform feasibility assessment as approved by the Planning Secretary.		Stage 7A commenced 28/05/2024. Detailed final landform feasibility assessment not prepared at this stage of operations.	Not Triggered	
<b>Rehabilitation Management Plan</b>						
147.	B79	The Applicant must prepare a Rehabilitation Management Plan for the development. The plan must: a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;	Albion Park Quarry Rehabilitation Management Plan - Version 1, Revision 4, Issued – March 2024  Letter from DPHI 8/01/2024 Subject: Appointment of Experts – Albion Park Quarry Stage 7 Expansion Rehabilitation Strategy and Rehabilitation Management Plan.	Section 1.3 Document Preparation. Prepared by RW Corkery & Co Pty Ltd  Endorsement of suitably qualified and experienced person/s provided 8/01/2024.	Compliant	


JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
148.		b) be prepared in consultation with the Department and Council;	Albion Park Quarry Rehabilitation Management Plan - Version 1, Revision 4, Issued – March 2024	Section 1.2 Consultation	Compliant	
149.		c) include a map of tree screens and areas of rehabilitation required as visual amenity mitigation measures for the development;	Albion Park Quarry Rehabilitation Management Plan - Version 1, Revision 4, Issued – March 2024	Section 3.3 Approved Visual Amenity Mitigation Measures	Compliant	
150.		d) include detailed quarry plans and scheduling for progressive rehabilitation to be initiated, undertaken and/or completed over the next five years, or other suitable time period as agreed with the Planning Secretary;	Albion Park Quarry Rehabilitation Management Plan - Version 1, Revision 4, Issued – March 2024	Section 5.1 Quarry Development and Rehabilitation Schedule – Years 1 to 5	Compliant	
151.		e) include a plan of water management infrastructure that is required to enable the function of the final landform after rehabilitation is complete;	Albion Park Quarry Rehabilitation Management Plan - Version 1, Revision 4, Issued – March 2024	Section 5.2 Phases of Rehabilitation and General Methodologies	Compliant	
152.		f) include detailed completion criteria for each rehabilitation objective included in Table 9, and any other rehabilitation objective identified in the rehabilitation strategy;	Albion Park Quarry Rehabilitation Management Plan - Version 1, Revision 4, Issued – March 2024	Section 4 Rehabilitation Objectives, Completion Criteria and Performance Indicators	Compliant	
153.		g) describe the measures to be implemented on the site to achieve the completion criteria;	Albion Park Quarry Rehabilitation Management Plan - Version 1, Revision 4, Issued – March 2024	Section 5.2 Phases of Rehabilitation and General Methodologies	Compliant	
154.		h) describe in detail the performance indicators to be implemented to ensure compliance with each completion criteria and the rehabilitation objectives in Table 9;	Albion Park Quarry Rehabilitation Management Plan - Version 1, Revision 4, Issued – March 2024	Section 4 Rehabilitation Objectives, Completion Criteria and Performance Indicators	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
155.		i) include a program to monitor, independently audit and report on progress against the completion criteria and the effectiveness of the measures implemented to achieve the completion criteria;	Albion Park Quarry Rehabilitation Management Plan - Version 1, Revision 4, Issued – March 2024	Section 7 Rehabilitation Monitoring Program	Compliant	
156.		j) describe an adaptive management process that will be implemented if monitoring indicates that the measures implemented to achieve the completion criteria are not effective and/or if progress against the completion criteria is not consistent with the Rehabilitation Management Plan or Rehabilitation Strategy;	Albion Park Quarry Rehabilitation Management Plan - Version 1, Revision 4, Issued – March 2024	Section 9 Intervention and Adaptive Management	Compliant	
157.		k) describe any further studies, work, research, or consultation that will be undertaken to expand the site-specific rehabilitation knowledge base, reduce uncertainty and improve rehabilitation outcomes; and	Albion Park Quarry Rehabilitation Management Plan - Version 1, Revision 4, Issued – March 2024	Section 8 Rehabilitation Research, Modelling and Trials	Compliant	
158.		l) include a program to review and update the plan every five years including any revisions to the rehabilitation of the site identified by updates to the Rehabilitation Strategy.	Albion Park Quarry Rehabilitation Management Plan - Version 1, Revision 4, Issued – March 2024	Section 10 Reporting, Publishing, Review and Continual Improvement	Compliant	
159.	B80	Prior to commencing quarrying operations in Stage 7 extraction area, the Applicant must submit the Rehabilitation Management Plan to the Planning Secretary for approval.	Letter from DPHI 26/03/2024– Subject: Albion Park Quarry Expansion (SSD10369) - Rehabilitation Management Plan	Rehabilitation Management Plan submitted and approved 26/03/2024.  Quarrying operations in Stage 7 extraction area commenced 28/05/2024.	Compliant	
160.	B81	The Applicant must not commence quarrying operations in the Stage 7 extraction area until the Rehabilitation	Letter from DPHI 26/03/2024– Subject: Albion Park Quarry	Rehabilitation Management Plan submitted and approved.	Compliant	


JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		Management Plan is approved by the Planning Secretary.	Expansion (SSD10369) - Rehabilitation Management Plan	Quarrying operations in Stage 7 extraction area commenced 28/05/2024.		
161.	B82	The Applicant must implement the Rehabilitation Management Plan as approved by the Planning Secretary.		No non-compliances have been identified in implementation of the Rehabilitation Management Plan.	Compliant	
<b>Rehabilitation Bond</b>						
162.	B83	<p>Within 6 months of the approval of the Rehabilitation Management Plan, the Applicant must lodge a Rehabilitation Bond with the Department to ensure that the rehabilitation of the site is implemented in accordance with the performance and completion criteria set out in the plan and the relevant conditions of this consent. The sum of the bond must be an amount agreed by the Planning Secretary and determined by:</p> <ul style="list-style-type: none"> <li>a) calculating the cost of rehabilitating all existing and immediately proposed disturbed areas of the site, taking into account the likely surface disturbance over the next 3 years of quarrying operations; and</li> <li>b) employing a suitably qualified, independent, and experienced person to verify the calculated costs.</li> </ul>	<p>Albion Park Quarry Stage 7 – Post Approval Document Received – (SSD-10369-PA-20). Calculation of Rehabilitation Bond, date submitted 26/07/2024.</p> <p>Email from Allison Sharpe DPGI 26/09/2024 SSD-10369 - Albion Park Quarry - Compliance with condition B83.</p>	<p>Rehabilitation Plan approved 26/03/2024.</p> <p>Acceptance of submission of the Rehabilitation Bond 30/09/2024.</p>	Compliant	
163.	B84	The calculation of the Rehabilitation Bond must be submitted to the Department for approval at least 2 months prior to the lodgement of the bond.	Email from Allison Sharpe DPGI 26/09/2024 SSD-10369 - Albion Park Quarry - Compliance with condition B83.	<p>Calculation of the Rehabilitation Bond submitted 26/07/2024.</p> <p>Acceptance of submission of the Rehabilitation Bond 30/09/2024.</p>	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
164.	B85	The Rehabilitation Bond must be reviewed and if required, an updated bond must be lodged with the Department within 3 months following:  a) any update or revision to the Rehabilitation Strategy or Rehabilitation Management Plan; b) the completion of an Independent Environmental Audit in which recommendations relating to the implementation of rehabilitation have been made; or c) a request by the Planning Secretary.		Rehabilitation Strategy or Rehabilitation Management Plan have not been updated or revised.  This is the first Independent Environmental Audit of the project under the current conditions of consent.	Not Triggered	
165.	B86	If rehabilitation is completed generally in accordance with the relevant performance and completion criteria, to the satisfaction of the Planning Secretary, the Planning Secretary will release the bond.		Not applicable at this stage of the project.	Not Triggered	
166.	B87	If rehabilitation is not completed generally in accordance with the relevant performance and completion criteria, the Planning Secretary will call in all, or part of, the bond, and arrange for the completion of the relevant works.		Not applicable at this stage of the project.	Not Triggered	
<b>Final landform infrastructure bond</b>						
167.	B88	Five years prior to the completion of quarrying operations in the approved disturbance area, unless otherwise agreed by the Planning Secretary, the Applicant must:  a) calculate the cost of maintaining any water management infrastructure incorporated in the final landform design, as identified in the Rehabilitation Management Plan required under condition B79,		Not applicable at this stage of the project.	Not Triggered	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<p>for a period of 30 years following completion of quarrying operations;</p> <p>b) outline a final landform infrastructure bond process that:</p> <p>(i) includes a covenant on the title of Lot 1 DP 858245 and Lot 7 DP3709;</p> <p>(ii) requires future landowners to maintain the water management infrastructure for a period of 30 years; and</p> <p>(iii) provides monetary funding for the maintenance of the water management infrastructure equivalent to the costing calculated in accordance with condition B88(a).</p>				
168.	B89	The Applicant must submit the final landform infrastructure bond process required by condition B88 to the Planning Secretary for approval.		Not applicable at this stage of the project.	Not Triggered	
169.	B90	The Applicant must implement the final landform infrastructure bond process as approved by the Planning Secretary prior to the completion of rehabilitation.		Not applicable at this stage of the project.	Not Triggered	
<b>VISUAL</b>						
170.	B91	<p>The Applicant must:</p> <p>a) implement all reasonable and feasible mitigation measures to:</p> <p>(i) minimise the visual and off-site lighting impacts of the development;</p>	Environmental Management Strategy Version 1, Revision 2, 26 March 2024	Section 5.10 – Visual Impact identifies controls to minimise visual impacts.	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		(ii) shield views of quarrying operations and associated equipment from users of public roads and privately-owned residences; and  b) ensure that all external lighting associated with the development complies with relevant Australian Standards including the latest version of Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting;		No external lighting used		
<b>Mitigation of visual amenity impacts to heritage values</b>						
171.	B92	Within two years of commencing quarrying operations in the Stage 7 extraction area, the Applicant must construct a tree screen between the northern extent of Stage 7d and the boundary of Lot 1 DP 858245 to mitigate the developments impact on the heritage values of The Hill Complex. The tree screen must be 10 metres of visual screening height prior to the commencement of Stage 7d and can include an amenity bund up to five metres tall if required.	Site Inspection	Tree screen in progress. Area has been demarcated, seeded.  	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
<b>WASTE</b>						
172.	B93	The Applicant must: <ul style="list-style-type: none"> <li>a) implement all reasonable mitigation and management measures to minimise the waste generated by the development;</li> <li>b) classify all waste in accordance with the Waste Classification Guidelines (EPA, 2014);</li> <li>c) dispose of all waste at appropriately licensed waste facilities;</li> <li>d) manage on-site sewage treatment and disposal in accordance with the requirements of an applicable EPL, and to the satisfaction of EPA and Council; and</li> <li>e) monitor and report on the effectiveness of waste minimisation and management measures in the Annual Review referred to in condition D10.</li> </ul>	Environmental Management Strategy Version 1, Revision 2, 26 March 2024  Letter from Environmental Consulting Services 5/03/2024 - Waste Classification – Natural Clay Topsoil 6 Stockman Road, Calderwood  Lot 1227 DP1206166	<ul style="list-style-type: none"> <li>a) Section 5.11 Waste Management</li> <li>b) Table 10 – Waste Streams and Management</li> <li>c) General waste from site</li> <li>d) Not applicable.</li> <li>e) Waste minimisation and management measures included in Section 3.12 Waste Management</li> </ul>	Compliant	
173.	B94	Except as expressly permitted in an applicable EPL, specific resource recovery order or exemption under the Protection of the Environment Operations (Waste) Regulation 2014, the Applicant must not receive waste at the site for storage, treatment, processing, reprocessing or disposal.	Letter from Environmental Consulting Services 5/03/2024 - Waste Classification – Natural Clay Topsoil 6 Stockman Road, Calderwood	No waste has been received at the site.	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
<b>DANGEROUS GOODS</b>						
174.	B95	The Applicant must ensure that the storage, handling, and transport of dangerous goods is carried out in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the Dangerous Goods Code.		Oil drums and a fuel drum sighted on site with no spill controls.  <b>Recommendation:</b> Appropriate controls should be implemented to prevent spillage of chemicals and hydrocarbons.	<b>Not Compliant</b>	<b>NC-05</b>
<b>Bushfire Management</b>						
175.	B96	The Applicant must: a) ensure that the development: (i) provides for asset protection in accordance with the relevant requirements in the Planning for Bushfire Protection (RFS, 2006) guideline; and (ii) ensure that there is suitable equipment to respond to any fires on the site; (iii) has clearly displayed plans for on-site and off-site evacuation arrangements; and b) assist the RFS and emergency services to the extent practicable if there is a fire in the vicinity of the site.	Albion Park Quarry - Environmental Management Strategy Version 1 Revision 2, 26 March 2024	a) Section 5.13.3 Bushfire Emergency Management and Evacuation Plan	Compliant	
176.	B97	The Applicant must prepare a Bush Fire Emergency Management and Evacuation Plan for the development. The plan must include:	Bush Fire Emergency Management and Evacuation Plan- Cleary Bros Albion Park Quarry, 5/02/2024	Bush Fire Emergency Management and Evacuation Plan prepared and displayed in site office	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		a) a contact person and 24 hour contact phone number; b) include provisions for the safe use of flammable fuels and/or explosives within the site; c) emergency/evacuation plan in accordance with the Guidelines for the Preparation of Emergency/Evacuation Plans (RFS) and Australian Standard AS3745 Planning for Emergencies in Facilities.				
177.	B98	Prior to commencing quarrying operations within the Stage 7 extraction area, the Applicant must provide a copy of the Bush Fire Emergency Management and Evacuation Plan to the Local Emergency Management Committee for its information.	Email to Claire Robinson 9/10/2024 - RE: Cleary Bros Albion Park Quarry - Bush Fire Emergency Management and Evacuation Plan	Bush Fire Emergency Management and Evacuation Plan provided to on Wollongong City Council on 9/10/2024. Return Email states Plans will be forwarded to NSW RFS and FRNSW for review.	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
<b>Part C Additional Procedures</b>						
<b>ADDITIONAL MITIGATION UPON REQUEST</b>						
178.	C1	Unless the Applicant has a negotiated agreement with the owners of residence R1 or R2, upon receiving a written request for noise mitigation from the owner of residence R1 or R2 identified in Appendix 3, the Applicant must implement additional mitigation measures at or in the vicinity of the residence in consultation with the landowner. These measures must be consistent with the measures outlined in the Voluntary Land Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Development (NSW Government, 2018). They must also be reasonable and feasible, proportionate to the level of predicted impact and directed towards reducing the noise impacts of the development. The Applicant must also be responsible for the reasonable costs of ongoing maintenance of these additional mitigation measures until the cessation of quarrying operations.	Email to DPHI regarding Compensation Agreement (Stage 7) 2/05/2022	Negotiated agreement in place with owners of residences	Compliant	
179.	C2	If within 3 months of receiving this request from the owner, the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Planning Secretary for resolution.	Email to DPHI regarding Compensation Agreement (Stage 7) 2/05/2022	Negotiated agreement in place with owners of residences. No requests have been received.	Compliant	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
180.	C3	Unless the Applicant has a negotiated agreement with the owners of R1 and R2, for the life of the development, the Applicant must continue to contribute to reasonable maintenance and recurrent operating costs associated with the noise mitigation measures installed at privately-owned residences under the development and as described in the documents listed in condition A2(c).	Email to DPHI regarding Compensation Agreement (Stage 7) 2/05/2022	Negotiated agreement in place with residences.	Compliant	
<b>NOTIFICATION OF EXCEEDANCES</b>						
181.	C4	As soon as practicable and no longer than 7 days after obtaining monitoring results showing an exceedance of any noise, blasting or air quality criterion in PART B of this consent, the Applicant must provide the details of the exceedance to any affected landowners and/or tenants.		No noise exceedances  Two blasts (May and June 2024) which resulted in an exceedance of the blast criteria.  Exceedance of Air Quality Criteria 2/09/2024. Final report provided 22/09/2024.	Compliant	
182.	C5	For any exceedance of any air quality criterion in PART B of this consent, the Applicant must also provide to any affected landowners and tenants a copy of the fact sheet entitled "Mine Dust and You" (NSW Health, 2017).		No exceedances of air quality criteria as a result of quarry activities.	Not Triggered	
<b>INDEPENDENT REVIEW</b>						
183.	C6	If a landowner considers the development to be exceeding any relevant noise, blasting or air quality criterion in PART B of this consent, they may ask the Planning Secretary in		No request for an independent review has been submitted.	Not Triggered	

JHC No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		writing for an independent review of the impacts of the development on their land.				
184.	C7	If the Planning Secretary is not satisfied that an independent review is warranted, the Planning Secretary will notify the landowner in writing of that decision, and the reasons for that decision, within 21 days of the request for a review.		No request for an independent review has been submitted.	Not Triggered	
185.	C8	<p>If the Planning Secretary is satisfied that an independent review is warranted, within 3 months, or as otherwise agreed by the Planning Secretary and the landowner, of the Planning Secretary's decision, the Applicant must:</p> <ul style="list-style-type: none"> <li>a) commission a suitably qualified, experienced, and independent person, whose appointment has been approved by the Planning Secretary, to:                             <ul style="list-style-type: none"> <li>i. consult with the landowner to determine their concerns;</li> <li>ii. conduct monitoring to determine whether the development is complying with the relevant criterion in PART B of this consent; and</li> <li>iii. if the development is not complying with the relevant criterion, identify measures that could be implemented to ensure compliance with the relevant criterion; and</li> </ul> </li> <li>b) give the Planning Secretary and landowner a copy of the independent review; and</li> <li>c) comply with any written requests made by the Planning Secretary to implement any findings of the review.</li> </ul>		No request for an independent review has been submitted.	Not Triggered	

JHC No	Cond. No.	Condition		Finding and Recommendations	Compliance rating	Issue #
<b>PART D ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING</b>						
<b>ENVIRONMENTAL MANAGEMENT</b>						
<b>Environmental Management Strategy</b>						
186.	D1	The Applicant must prepare an Environmental Management Strategy for the development. The strategy must:	Albion Park Quarry - Environmental Management Strategy Version 1 Revision 2, 26 March 2024	Environmental Management Strategy	Compliant	
187.		a) provide the strategic framework for environmental management of the development;	Albion Park Quarry - Environmental Management Strategy Version 1 Revision 2, 26 March 2024	2. Context for Environmental Management Whole document	Compliant	
188.		b) provide an overview of other approvals and legislation that regulate the development;	Albion Park Quarry - Environmental Management Strategy Version 1 Revision 2, 26 March 2024	Section 3 - Planning	Compliant	
189.		c) set out the role, responsibility, authority, and accountability of all key personnel involved in the environmental management of the development;	Albion Park Quarry - Environmental Management Strategy Version 1 Revision 2, 26 March 2024	Section 4 – roles and Responsibilities	Compliant	

JHC No	Cond. No.	Condition		Finding and Recommendations	Compliance rating	Issue #
190.		d) set out the procedures (including timeframes) to be implemented to: <ul style="list-style-type: none"> <li>(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;</li> <li>(ii) (receive record, handle, and respond to complaints;</li> <li>(iii) resolve any disputes that may arise during the course of the development;</li> <li>(iv) respond to any non-compliance and any incident; and</li> <li>(v) respond to emergencies;</li> </ul>	Albion Park Quarry - Environmental Management Strategy Version 1 Revision 2, 26 March 2024	Section 4.3 Stakeholder Communication and Engagement  Section 4.3.5 Community Complaints  Section 4.3.6 Dispute Resolution Section 6.4 Management of Incidents and Non-Compliances Section 5.13 Emergency Preparedness and Response	Compliant	
		e) include an environmental risk assessment and a description of the measures that will be implemented to manage the identified risks, including commitments in the document(s) listed in condition A2(c). The environmental risk assessment must: <ul style="list-style-type: none"> <li>(i) consider the environmental factors assessed in the EIS and any other environmental risks identified by the Applicant; and</li> <li>(ii) include the mitigation measures identified in the EIS and any other mitigation measure required to manage the risks identified by the environmental risk assessment;</li> </ul>		Section 3 Planning Appendix 3 Environmental Risk Assessment		
192.		f) include a process to review the environmental risk assessment annually and determine whether the measures implemented to manage the risks identified are effective;	Albion Park Quarry - Environmental Management Strategy Version 1 Revision 2, 26 March 2024	Section 3.Planning Section 3.3 Risk Review		

JHC No	Cond. No.	Condition		Finding and Recommendations	Compliance rating	Issue #
193.		g) include an adaptive management process to be implemented if the review of the risk assessment indicates that a measure implemented is not effective in managing the identified risk(s) and a process to update the strategy in accordance with condition D5 and/or condition D7	Albion Park Quarry - Environmental Management Strategy Version 1 Revision 2, 26 March 2024	Section 6.4.3 Adaptive Management Process		
194.		h) include: i. references to any strategies, plans and programs approved under the conditions of this consent; and ii. a clear plan depicting all the monitoring to be carried out under the conditions of this consent.	Albion Park Quarry - Environmental Management Strategy Version 1 Revision 2, 26 March 2024	Section 2.4 Alignment with Other Plans, and  Section 6.2 Monitoring Program		
195.	D2	Prior to the commencement of quarrying operations in the Stage 7 extraction area, the Applicant must submit the Environmental Management Strategy to the Planning Secretary for approval.	Albion Park Quarry - Environmental Management Strategy Version 1 Revision 2, 26 March 2024	Environmental Management Strategy Rev 01 submitted 11/03/2024.  Rev 2 submitted 26/03/2024, Approved 28/03/2024.	Compliant	
196.	D3	The Applicant must not commence quarrying operations in the Stage 7 extraction area until the Environmental Management Strategy is approved by the Planning Secretary.		Environmental Management Strategy Approved 28/03/2024.  Quarrying in Stage 7 commenced 28/05/2024.	Compliant	
197.	D4	The Applicant must implement the Environmental Management Strategy as approved by the Planning Secretary.		No non-conformances have been identified in implementation of the Environmental Management Strategy.	Compliant	

JHC No	Cond. No.	Condition		Finding and Recommendations	Compliance rating	Issue #
<b>Adaptive Management</b>						
198.	D5	<p>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and performance measures in this consent. Any exceedance of these criteria or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&amp;A Act or EP&amp;A Regulation.</p> <p>Where any exceedance of these criteria or performance measures has occurred, the Applicant must, at the earliest opportunity:</p> <ol style="list-style-type: none"> <li>take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;</li> <li>consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and</li> <li>implement reasonable remediation measures as directed by the Planning Secretary.</li> </ol>	<p>APQ_EPL_Blasting_Monitoring_24 25</p> <p>APQ Air Quality Monitoring                      Letter to DPHI 22/10/2024 - Detailed Report Into The Air Quality Criteria Non-Compliance Recorded On 2 September 2024.</p>	<p>Measures have been implemented to assess and manage development related risks.</p> <p>Real time monitoring implemented to assess and manage dust and noise emissions from the site.</p> <p>One exceedance of the air quality criteria was recorded on 2/09/2024, however this exceedance was attributed to regional factors, not quarry related emissions.</p> <p>Reported to DPHI 17/10/2024 following receipt of results on 16/10/2024, Report provided 22/20/2024.</p> <p>2 blasts above the 115dB(A) criteria were recorded, which (6.1%) exceeded the allowable exceedance criteria of 5%.                      Reported to DPHI</p> <p>Investigations and reports were conducted and submitted to the Department.</p> <p>No further actions were required.</p>	Compliant	

JHC No	Cond. No.	Condition		Finding and Recommendations	Compliance rating	Issue #
199.	D6	<p>Within three months of:</p> <ul style="list-style-type: none"> <li>a) the submission of an incident report under condition D8 or D9;</li> <li>b) the submission of an Annual Review under condition D10;</li> <li>c) the submission of an Independent Environmental Audit under condition D11;</li> <li>d) the approval of any modification of the conditions of this consent (unless the conditions require otherwise); or</li> <li>e) notification of a change in development phase under condition A13.</li> </ul> <p>the suitability of existing strategies, plans and programs required under this consent must be reviewed by the Applicant.</p>	<p>Blast Management Plan, Version 1, Revision 4, 14 August 2024.</p> <p>Albion Park Quarry Annual Review Period 01 July 2023 – 30 June 2024</p>	<ul style="list-style-type: none"> <li>a) Blast Management Plan updated following blast non-compliance (report submitted 14/08/2024), approved 31/10/2024. Air Quality Monitoring Program updated following submission of incident report (EMS updated and approved 3/12/2024).</li> <li>b) Section 7 of the Annual review includes review of all plans.</li> <li>c) No environmental audits completed under the current conditions of consent</li> <li>d) Not triggered</li> <li>e) Not triggered</li> </ul>	Compliant	
200.	D7	<p>If necessary, to either improve the environmental performance of the development, cater for a modification, or comply with a direction, the strategies, plans, and programs required under this consent must be revised, to the satisfaction of the Planning Secretary and submitted to the Planning Secretary for approval within six weeks of the review.</p> <p><i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</i></p>		<p>Plans have been submitted and approved.</p> <p>No further submissions have been required.</p>	Compliant	

JHC No	Cond. No.	Condition		Finding and Recommendations	Compliance rating	Issue #
<b>REPORTING AND AUDITING</b>						
<b>Incident Notification</b>						
201.	D8	The Applicant must notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing via the Department’s Major Projects Website (or other method prescribed by the Planning Secretary) and identify the development (including the development application number and name), set out the location, and nature of the incident.		No incidents have been recorded.  Air quality exceedance and blast criteria exceedance have been reported as non-compliances.	Not triggered	
<b>Non-Compliance Notification</b>						
202.	D9	<p>Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing via the Department’s Major Projects Website and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.</p> <p><i>Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</i></p>	<p>Record of lodgement of non-compliance with Blast Criteria 5/07/2024.</p> <p>Blast 12/24 Incident Investigation Form, 30/08/2024.</p> <p>Blast 15/24 Incident Investigation Form, 30/08/2024.</p> <p>Record of lodgement of Exceedance of air quality criteria 17/10/2024</p>	<p>Exceedance of Blast criteria identified 2 blasts above the Airblast Overpressure 5% Criteria (119.1 – 28/05/2024 and 118.1 – 14/06/2024).</p> <p>Reported to DPHI 5/07/2024.</p> <p>Updated Blast Management Plan, Submitted 14/08/2024</p> <p>Air Quality non-compliance recorded 2/09/2024. Cleary Bros became aware of the exceedance 16/10/2024 on receipt of results from laboratory.</p>	Compliant	

JHC No	Cond. No.	Condition		Finding and Recommendations	Compliance rating	Issue #
			Detailed Report Into The Air Quality Criteria Non-Compliance Recorded On 2 September 2024, 22/10/2024.	Non-compliance lodged 17/10/2024.  Final report provided 22/10/2024 Noted that elevated PM <sub>10</sub> results were attributed to regional conditions and not quarry dust emissions.		
<b>Annual Review</b>						
203.	D10	By the end of September in each year after the commencement of quarrying operations in the Stage 7 extraction area, or other timeframe agreed by the Planning Secretary, a report must be submitted to the Department reviewing the environmental performance of the development, to the satisfaction of the Planning Secretary. This review must:	Albion Park Quarry Annual Review Period 01 July 2023 – 30 June 2024	Date submitted 30/09/2024	Compliant	
204.		a) describe the development (including any rehabilitation) that was carried out in the previous financial year, and the development that is proposed to be carried out over the current financial year	Albion Park Quarry Annual Review Period 01 July 2023 – 30 June 2024	2. Site Description and Activities Section 3.10 Rehabilitation and Land Management	Compliant	
		b) include a comprehensive review of the monitoring results and complaints records of the development over the previous financial year, including a comparison of these results against the: <ul style="list-style-type: none"> <li>i. relevant statutory requirements, limits, or performance measures/criteria;</li> <li>ii. the environmental risk assessment prepared as part of the environmental management strategy required by condition D1;</li> </ul>	Albion Park Quarry Annual Review Period 01 July 2023 – 30 June 2024	Section 3 – Review of Environmental Performance	Compliant	

JHC No	Cond. No.	Condition		Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> <li>iii. requirements of any plan or program required under this consent;</li> <li>iv. monitoring results of previous years; and</li> <li>v. relevant predictions in the documents listed condition A2(c).</li> </ul>				
206.		c) identify any non-compliance or incident which occurred in the previous financial year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence	Albion Park Quarry Annual Review Period 01 July 2023 – 30 June 2024	Section 1.1- Statement of Compliance  Section 6 Non-compliances	Compliant	
207.		d) evaluate and report on: <ul style="list-style-type: none"> <li>i. the effectiveness of the noise and air quality management systems; and</li> <li>ii. compliance with the performance measures, criteria, and operating conditions of this consent;</li> </ul>	Albion Park Quarry Annual Review Period 01 July 2023 – 30 June 2024	3.1 Meteorological Monitoring  3.2 Air Quality  Section 3 – Review of Environmental Performance	Compliant	
208.		e) identify any trends in the monitoring data over the life of the development	Albion Park Quarry Annual Review Period 01 July 2023 – 30 June 2024	Section 3 – Review of Environmental Performance	Compliant	
209.		f) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and	Albion Park Quarry Annual Review Period 01 July 2023 – 30 June 2024	Section 3 – Review of Environmental Performance	Compliant	
210.		g) describe what measures will be implemented over the next financial year to improve the environmental performance of the development.	Albion Park Quarry Annual Review Period 01 July 2023 – 30 June 2024	Measures to improve environmental performance are included in the individual sections of the report (e.g. Section 7.4.4 Rehabilitation Management Plan – to be revised to include use of spray seeding,	Compliant	

JHC No	Cond. No.	Condition		Finding and Recommendations	Compliance rating	Issue #
				change in methodology for vegetation screens).		
<b>Independent Environmental Audit</b>						
211.	D11	<p>Within one year of commencement of quarrying operations within the Stage 7 extraction area, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:</p> <p>(a) be prepared in accordance with the Independent Audit Post Approval Requirements (NSW Government 2020); and</p> <p>(b) be submitted, to the satisfaction of the Planning Secretary, within two months of undertaking the independent audit site inspection, unless otherwise agreed by the Planning Secretary.</p>	Albion Park Quarry Extension - Post Approval Document Received - (DA466-11-2003-PA-25) - Albion Park Quarry IEA 2023, 13/02/2024	<p>Initial audit following commencement of quarrying operations within the Stage 7 extraction area commissioned 21/01/2025.</p> <p>Stage 7 quarrying commenced 28 May 2024.</p> <p>Previous independent Audit Report submitted 13/02/2024.</p>	Compliant	
212.	D12	<p>In accordance with the specific requirements of the Independent Audit Post Approval Requirements (NSW Government 2020), the Applicant must:</p> <p>a) review and respond to each Independent Audit Report prepared under Condition D11 of this consent;</p> <p>b) submit a response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations of the Independent Audit Report;</p>	Independent Environmental Audit 2023 Cleary Bros (Bombo) Pty Ltd 12 February 2024	<p>Albion Park Quarry Independent Environmental Audit 2023 – Proposed Corrective Actions</p> <p>Submitted 13/02/2024.</p> <p>Approval of auditor included in IEA.</p>	Compliant	

JHC No	Cond. No.	Condition		Finding and Recommendations	Compliance rating	Issue #
		c) implement the recommendations to the satisfaction of the Planning Secretary; and make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary. d) be led by a suitably qualified, experienced, and independent auditor whose appointment has been endorsed by the Planning Secretary.		Noted in the approval it was requested that the audit report is reviewed and signed by a lead auditor certified as a lead or principal auditor with a relevant industry body.  Lead auditor qualification of auditor subsequently provided.		
<b>Monitoring and Environmental Audits</b>						
213.	D13	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy, or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit.  For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.	Site interview	Cleary Bros is aware of this consent condition.	Compliant	

JHC No	Cond. No.	Condition		Finding and Recommendations	Compliance rating	Issue #
214.	D14	Noise, blast and/or air quality monitoring under this consent may be undertaken at suitable representative monitoring locations instead of at privately-owned residences or other locations listed in Part B, providing that these representative monitoring locations are set out in the respective management plan/s or strategies.		Monitoring has been conducted in accordance with the locations identified in the respective management plans	Compliant	
<b>ACCESS TO INFORMATION</b>						
215.	D15	<p>Prior to the commencement of quarrying operations in the Stage 7 extraction area until the completion of all rehabilitation required under this consent, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained, approved, or as otherwise stipulated within the conditions of this consent) publicly available on its website:</p> <ul style="list-style-type: none"> <li>i. the document/s listed in condition A2(c) of this consent;</li> <li>ii. all current statutory approvals for the development;</li> <li>iii. all strategies, plans and programs required under the conditions of this consent;</li> <li>iv. any strategy, plan, or program developed in accordance with the documents listed in condition A2(c) or the conditions of this consent;</li> <li>v. the proposed staging plans for the development;</li> <li>vi. (minutes of CCC meetings;</li> <li>vii. regular reporting on the environmental performance of the development in accordance with the reporting</li> </ul>	<a href="https://www.clearybros.com.au/albion-park">https://www.clearybros.com.au/albion-park</a>	Information was available on the website.	Compliant	

JHC No	Cond. No.	Condition		Finding and Recommendations	Compliance rating	Issue #
		requirements in any plans or programs required by the conditions of this consent; viii. (a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any strategies, plans and programs; ix. a summary of the current phase and progress of the development; x. contact details to enquire about the development or to make a complaint; xi. a complaints register, updated monthly; xii. the Annual Reviews of the development; xiii. audit reports prepared as part of any Independent Environmental Audit of the development and the Applicant's response to the recommendations in any audit report; xiv. any other matter required by the Planning Secretary; and				
216.		(b) keep such information up to date, to the satisfaction of the Planning Secretary.	<a href="https://www.clearybros.com.au/albion-park">https://www.clearybros.com.au/albion-park</a>	Information was available on the website, including latest monitoring information.	Compliant	

**b. Water Access Licence 45278**

JHC No	Plan Condition No	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
1.	MW8849-00001	Water must only be taken under this access licence in accordance with the conditions of any approval for a water supply work which is nominated on this access licence and is used to take the water.		Water take is via infiltration of groundwater into the quarry. No non-compliance with the conditions of the access licence have been identified.	Compliant	
2.	MW8847-00001	A. The access licence holder must record the following information in a logbook for each period of time that water is taken: i. date, start and end time when water was taken, volume of water taken, an ii. the water supply work approval number under which the water was taken, and iii. the purposes for which water was taken.	Albion Park Quarry Annual Review Period 01 July 2023 – 30 June 2024	Water take is via infiltration of groundwater into the quarry. Water take is calculated and reported in the Annual Review. Noted that for the 2023-2024 period, the site water balance suggests that the quarry sump returned an excess of 19.5 ML of surface water runoff to the groundwater system.	Not Triggered	
3.	MW8847-00001	B. This condition does not apply to this access licence if the licence nominates only water supply works that have an operational: i. meter that complies with Australian Standard AS 4747 - Meters for non-urban water supply, and ii. data logger.		Water take is via infiltration of groundwater into the quarry.	Not Triggered	
4.	MW8847-00001	C. This condition ceases to apply to this access licence on the day on which the relevant mandatory metering equipment condition applies as specified in clause 230(1) in the Water Management (General) Regulation 2018.		Water take is via infiltration of groundwater into the quarry.	Not Triggered	
5.	MW6612-00001	A logbook used to record water take information must be retained for five (5) years from the last date recorded in the logbook.		Water take is via infiltration of groundwater into the quarry.	Not Triggered	

JHC No	Plan Condition No	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
				Water infiltration is calculated and reported in the Annual Review		
6.	MW8482-00002	A. Before water is taken under this access licence, the access licence holder must confirm that cease to take conditions do not apply and water may be taken.		Site management is aware of this requirement.	Compliant	
7.	MW8482-00002	B. Where the access licence holder is required to keep a logbook, the access licence holder must record the confirmation, including the way in which the confirmation was established, in a logbook.		Logbook not required as water take is via infiltration of groundwater into the quarry	Not Triggered	
<b>Works Approval 10WA122753</b>						
8.	MW8956-00009	A. Water must not be taken from a water supply work authorised by this approval that is located on waterfront land, and under an aquifer access licence: i. unless flows in the Minnamurra River Water Source have exceeded the upper limit of the Very Low Flow Class for at least 24 consecutive hours, which means that the flow is more than 3.6 ML/day for a 24-hour period at the Minnamurra River Browns Lane gauge [No. 214010], or ii. when there is no visible flow in the river at the location closest to the work, unless that location is: a) an in-river pool at or above full capacity, or b) an in-river dam pool at or above full capacity.			Not Triggered	
9.		B. These restrictions do not apply if: i. a hydrogeological study has been submitted that, in the Minister's opinion, adequately demonstrates that the water supply work will			Not Triggered	

JHC No	Plan Condition No	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
		have no more than minimal impact on base flows in the river, or ii. the water supply work used to take the groundwater is drilled into the underlying parent material and the slotted intervals of the work commence deeper than 30m.				
	MW9092-00001	Water must only be taken using a water supply work authorised by this approval in accordance with the conditions of any access licence which nominates the water supply work and under which the water is taken.		Water take is via infiltration of groundwater into the quarry.	Not Triggered	
<b>Water management works</b>						
	MW7053-00001	The approval holder must ensure: A. the construction of the water supply work is completed within three years of the approval being granted, and B. the water supply work is not used unless construction is completed within three years of the approval being granted.		No water supply works required.	Not Triggered	
	MW8848-00001	If contaminated water is encountered during the construction of the water supply work, the approval holder must do the following: A. notify the Minister in writing within 48 hours of becoming aware of the contaminated water, B. take all reasonable steps to minimise contamination and environmental harm, C. ensure that the contaminated water is sealed off by inserting casing to a depth sufficient to exclude the contaminated water from the water supply work,		No contaminated water has been encountered.	Not Triggered	

JHC No	Plan Condition No	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
		<p>D. place an impermeable seal in the borehole annulus when and as directed by the Minister, and</p> <p>E. comply with any other requirements specified by the Minister</p> <p>This condition does not apply to a water supply work constructed for the purpose of monitoring or remediating contaminated water.</p>				
	MW8486-00001	<p>A. Before decommissioning a water bore, the approval holder must:</p> <p>holder must comply with</p> <p>i. notify the Minister in writing of the intention to decommission the water bore at least 60 days before the start of decommissioning, and</p> <p>ii. include a work plan for decommissioning the water bore in accordance with the Minimum Construction Requirements for Water Bores in Australia.</p> <p>B. The approval any direction received from the Minister within 60 days of the notice referred to in paragraph A, stating that the water bore:</p> <p>i. must not be decommissioned, or</p> <p>ii. must be decommissioned in accordance with the requirements specified in the direction.</p> <p>C. In decommissioning the water bore, the approval holder must comply with:</p> <p>i. the work plan specified in paragraph A, and</p> <p>ii. if the Minister has given a direction - the requirements referred to in the direction.</p> <p>D. The approval holder must, no later than 60 days after decommissioning the water bore, notify the</p>		Water take is via infiltration into the quarry. No water bores have been established for water take.	Not Triggered	

JHC No	Plan Condition No	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
		Minister in writing that the work has been decommissioned and provide the name of the driller who decommissioned the water bore.				
	MW8402-00001	The approval holder must ensure that the water supply work is constructed as follows: A. the water supply work must be constructed in the location authorised in this approval, B. water must be taken through the water supply work only from the water source specified in the share component of the access licence that nominates the water supply work, C. the water supply work must be sealed off from all other water sources, D. construction of the water supply work must comply with the construction standards for the type of bore, as prescribed in the Minimum Construction Requirements for Water Bores in Australia, E. construction and use of the water supply work must prevent contamination of the aquifer and between aquifers, F. construction and use of the water supply work must prevent the flow of saline water between aquifers.		Water take is via infiltration into the quarry. No water bores have been established for water take.	Not Triggered	
<b>Monitoring and recording</b>						
	MW8614-00001	A. Before water is taken through the water supply work authorised by this approval, the approval holder must confirm that cease to take conditions do not apply and water may be taken. B. Where the approval holder is required to keep a logbook, the approval holder must record the		Water take is via infiltration into the quarry. No water bores have been established for water take.	Not Triggered	

JHC No	Plan Condition No	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
		confirmation, including the way in which the confirmation was established, in a logbook. C. This condition does not apply to a water supply work that is used only for the purpose of taking water under a basic landholder right.				
	MW6612-00001	A logbook used to record water take information must be retained for five (5) years from the last date recorded in the logbook.	Albion Park Quarry Annual Review Period 01 July 2023 – 30 June 2024	Water take is via infiltration into the quarry. No water bores have been established for water take.  Water take is calculated and reported in the Annual Review. Noted that for the 2023-2024 period, the site water balance suggests that the quarry sump returned an excess of 19.5 ML of surface water runoff to the groundwater system.	Not Triggered	
	MW8481-00001	A. The approval holder must record the following information in a logbook each time that water is taken using a water supply work authorised by this approval:  i. date, start and end time when water is taken, and the volume of water taken, and ii. the access licence number or the authority (such as a licence exemption) under which the water is taken, and iii. the purposes for which water is taken, and iv. details of any cropping carried out using the water taken through the water supply work including the type of crop, area cropped, and dates of planting and harvesting, and v. where metering equipment has been installed for use in connection with the water supply work, the meter reading before water is taken, and vi. where metering equipment has not been installed for use in connection with the water	Albion Park Quarry Annual Review Period 01 July 2023 – 30 June 2024	Water take is via infiltration into the quarry. No water bores have been established for water take.  Water take is calculated and reported in the Annual Review. Noted that for the 2023-2024 period, the site water balance suggests that the quarry sump returned an excess of 19.5 ML of surface water runoff to the groundwater system.	Not Triggered	

JHC No	Plan Condition No	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
		<p>supply work, details of all pumping activities for the water supply work including pump running hours, pump power usage or pump fuel usage, pump start and stop times and pump capacity per unit of time.</p> <p>B. This condition does not apply to a water supply work that:</p> <ul style="list-style-type: none"> <li>i. is used only for the purpose of taking water under a basic landholder right, or</li> <li>ii. has both an operational meter that complies with Australian Standard AS 4747 - Meters for non-urban water supply, and data logger.</li> </ul> <p>C. This condition ceases to apply to this approval on the day that the mandatory metering equipment condition applies to this approval under the Water Management (General) Regulation 2018.</p>				
<b>Reporting</b>						
	MW7042-00001	If directed by the Minister by notice in writing, the approval holder must provide a report in the form specified in the notice detailing the quality of any water obtained using the water supply work, within the timeframe (if any) specified in the written notice.		No request to provide a report detailing the quality of the water has been requested.	Not Triggered	
	MW7052-00001	The approval holder must submit a completed Form A to the relevant licensor within 60 days: <ul style="list-style-type: none"> <li>A. of completion of the construction of the water supply work, or</li> <li>B. after the issue of the water supply work approval if the approval is for the amendment of an existing water supply work.</li> </ul>		No request to provide a report detailing the quality of the water has been requested.	Not Triggered	

JHC No	Plan Condition No	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
<b>Other Conditions</b>						
	DK8862-00001	An extraction limit of 69ML/year applies to 10WA122753, meaning the combined extraction from all works authorised by the approval cannot exceed 69 ML/year.		Water extraction is calculated and reported in the Annual Review. The site water balance for the 2023-2024 period suggests that the quarry sump returned an excess of 19.5 ML of surface water runoff to the groundwater system during the reporting period.	compliant	

## Appendix D. Consultation Records

**Tuesday, January 28, 2025 at 16:20:28 Australian Eastern Daylight Time**

**Subject:** RE: Independent Environmental Audit - Cleary Bros Albion Park Quarry  
**Date:** Wednesday 15 January 2025 at 12:28:07 pm Australian Eastern Daylight Time  
**From:** Chris Page  
**To:** James Hart  
**CC:** Russell Moule  
**Attachments:** image001.png

Hi James,

Thank you for the email. The following advice is provided:

Most of the conditions relating to biodiversity rely on stages, and as we are not aware of when these stages occur, we suggest the audit investigates if relevant stages have commenced and if any of the biodiversity conditions should have been initiated. Examples of requirements from Part B of the Development Consent:

- Staged retirement of biodiversity credits
- Biodiversity Stewardship Agreement
- Biodiversity Management Plan
- Rehabilitation Strategy
- Rehabilitation Management Plan

We have previously provided input for drafting the Biodiversity Management Plan and Rehabilitation Strategy (DOC23/908482) and detailed comments only on the draft of the Biodiversity Management Plan (DOC24/22123). Only the Biodiversity Management Plan and Rehabilitation Strategy must be prepared in consultation with us (conditions B64 and B71).

Please liaise further with Russell Moule if necessary.

Please note that our Division does not address matters relating to heritage or EPA. If you are seeking input on the audit from those stakeholders you will need to liaise directly.

Regards

**Chris Page**  
**Senior Team Leader, Planning (Illawarra)**  
**South East**  
**Biodiversity Conservation Division**

**Department of Climate Change, Energy, the Environment and Water**

T 02 4224 4180 | E [chris.page@environment.nsw.gov.au](mailto:chris.page@environment.nsw.gov.au)

[dcceew.nsw.gov.au](http://dcceew.nsw.gov.au)

Level 3, 84 Crown Street  
Wollongong NSW 2500

*My office is on Dharawal country* ●●●

# Independent Environmental Audit – Albion Park Quarry Stage 3

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**Tuesday, January 28, 2025 at 16:25:57 Australian Eastern Daylight Time**

**Subject:** Independent Environmental Audit - Cleary Bros Albion Park Quarry  
**Date:** Tuesday 14 January 2025 at 4:13:21 pm Australian Eastern Daylight Time  
**From:** James Hart  
**To:** Brian\_weir1@hotmail.com

Hi Brian,

I have been engaged to undertake the Independent Environmental audit of the Clear Bros Albion Park Quarry as required by Condition D11 of SSD10369.

As a requirement of the Independent Environmental Audit process, I am seeking feedback from various agencies, including the Community Consultative Committee, in regard to any issues that may have arisen or concerns which you may have in relation to the quarry operations. Any issues raised will be included in the audit. I understand that the quarry is not currently operating, however I still need to go through this process.

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

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

Please note that the on-site component of the audit will be conducted on 21 January 2025.

Any questions, please do not hesitate to contact me.

Regards

James Hart | Management Consultant

**James Hart Consulting**

*Certified Exemplar Global Lead OHS Auditor*

*Certified Exemplar Global Lead Environmental Auditor*

*Certified Exemplar Global Lead Quality Management System Auditor*

Mobile: 0408 238 682

Email: [james.hart59@outlook.com](mailto:james.hart59@outlook.com)

**Tuesday, January 28, 2025 at 16:21:32 Australian Eastern Daylight Time**

**Subject:** Re: Independent Environmental Audit - Cleary Bros Albion Park Quarry  
**Date:** Sunday 12 January 2025 at 1:00:47 pm Australian Eastern Daylight Time  
**From:** Georgia Dragicevic  
**To:** James Hart  
**CC:** Katrina O'Reilly

Hi James,

Thank you for consulting the NSW Department of Planning, Housing and Infrastructure on the upcoming IEA for Albion Park Quarry. Please consult following agencies, including but not limited to:

- Biodiversity & Conservation Division within the Department;
- Water Group within the Department;
- EPA; and
- Shellharbour City Council.

Thank you kindly,  
Georgia

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**From:** James Hart <[James.Hart59@outlook.com](mailto:James.Hart59@outlook.com)>  
**Sent:** Wednesday, January 8, 2025 11:55 AM  
**To:** DPE PSVC Compliance Mailbox <[compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)>  
**Cc:** Mark Hammond <[markhammond@clearybros.com.au](mailto:markhammond@clearybros.com.au)>; Katrina O'Reilly <[Katrina.OReilly@planning.nsw.gov.au](mailto:Katrina.OReilly@planning.nsw.gov.au)>  
**Subject:** FW: Independent Environmental Audit - Cleary Bros Albion Park Quarry

Hi Katrina,

I sent the below Email to the DPHI email address on 20/11/2024 but have not had any response.

Could you please respond identifying the parties with which I should consult.

Any questions, please do not hesitate to contact me.

Regards

James Hart | Management Consultant

**James Hart Consulting**

*Certified Exemplar Global Lead OHS Auditor*

*Certified Exemplar Global Lead Environmental Auditor*

*Certified Exemplar Global Lead Quality Management System Auditor*

Mobile: 0408 238 682

Email: [james.hart59@outlook.com](mailto:james.hart59@outlook.com)

**Tuesday, January 28, 2025 at 16:18:56 Australian Eastern Daylight Time**

**Subject:** RE: Independent Environmental Audit - Cleary Bros Albion Park Quarry  
**Date:** Wednesday 15 January 2025 at 12:41:03 pm Australian Eastern Daylight Time  
**From:** Jarryd Thomson  
**To:** James Hart

Hi James

Thanks for your email regarding the upcoming Independent Environmental Audit (IEA) of the Cleary Bros Albion Park Quarry.

The EPA does not currently have any major areas of concern with the operation at the Quarry, however over the past year we have received a couple of community complaints regarding dust generation and drag out onto the East West Link. We therefore recommend the following as areas of focus:

- Management of dust generation at the site and effectiveness of dust suppression measures on internal haul roads, stockpile areas and crushing plants.
- Adequacy of dust monitoring. Cleary Bros have recently commissioned a network of real-time dust monitors. It would be good to review the effectiveness of the system (locations of monitors, alert system/TARP etc)
- Adequacy of drag out controls, including the onsite wheel wash.

Other areas we would recommend particular focus on include the following:

- Adequacy of and compliance with site surface water controls and discharges
- Adequacy of controls for blasting and compliance with blast limits in the Environment Protection Licence

Please note the EPA has recently undergone a bit of a restructure, and I may not be the appropriate contact moving forward. Can the final IEA Report please be sent to [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au) so that it can be allocated to the relevant officer.

Regards

**Jarryd Thomson**  
Operations Officer  
NSW Environment Protection Authority  
D 02 4224 4143  
NSW EPA logo



[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au) @NSW\_EPA

*The EPA acknowledges the traditional custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal elders past, present and emerging.*  
Report pollution and environmental incidents 131 555 or +61 2 9995 5555

# Independent Environmental Audit – Albion Park Quarry Stage 3

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**NSW Department of Climate Change, Energy, the Environment and Water**

- The requirement to prepare and implement trigger action response plans for water source impacts which set clearly defined limits and actions. This is to be reported on within annual and exceedance-based reporting.
- Water supply availability is clearly defined for the project.
- Water take at the site via storage, diversion, interception or extraction is clearly documented and is authorised by a relevant Water Access Licence or exemption under the Water Management (General) Regulation 2018.
- Water metering at the site is in accordance with the NSW Non-Urban Metering Framework where relevant.
- Water Access Licence/s used to account for water take by the project nominates the work where the water is being taken from.
- Annual reporting clearly documents; 1) water take, use and water source impacts, 2) compares results with previous years, and 3) identifies exceedances and how these are managed/mitigated.

Should you have any further queries in relation to this submission please do not hesitate to contact DCCEE - Water Assessments at [water.assessments@dpie.nsw.gov.au](mailto:water.assessments@dpie.nsw.gov.au)

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Alistair Drew'.

Alistair Drew  
Project Officer  
Water Assessments  
NSW Department of Climate Change, Energy, the Environment and Water

---

4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150  
Locked Bag 5022, Parramatta NSW 2124  
<https://www.nsw.gov.au/departments-and-agencies/dccee>

Thursday, February 6, 2025 at 10:13:16 Australian Eastern Daylight Time

**Subject:** RE: Independent Environmental Audit - Cleary Bros Albion Park Quarry  
**Date:** Wednesday 5 February 2025 at 4:05:22 pm Australian Eastern Daylight Time  
**From:** Mark Miller  
**To:** James Hart  
**Attachments:** image001.png, image002.png, image003.png, image004.png, image005.png, image006.png, image007.jpg

Good afternoon James,

Apologies for the late response as I found your email in my Junk folder.

I'm not sure if you can factor the following into your audit:

Council has received a number of complaints in relation to the dirt being tracked out of the quarry onto the east-west link road. This has been an ongoing issue, which remains difficult to resolve, as both trucks from Cleary Bros and the adjacent Holcim quarry might be at fault.

My dealings with Cleary Bros in relation to this issue have resulted in prompt cleaning and sweeping, however a more permanent engineered response may be required, such as a designated wheel wash bay.

Other than that, no other issues or concerns are recorded by Council.

Again, apologies for the late reply.



**Mark Miller** | Regulation and Compliance Manager

Dharawal Country

76 Cygnet Avenue, Shellharbour City Centre, NSW 2529

(02) 4221 6293 0490 336 956

[www.shellharbour.nsw.gov.au](http://www.shellharbour.nsw.gov.au)

Shellharbour  
CITY COUNCIL



COLLABORATION

ACCOUNTABILITY

INTEGRITY

RESPECT

SUSTAINABILITY

**From:** James Hart <[James.Hart59@outlook.com](mailto:James.Hart59@outlook.com)>  
**Sent:** Tuesday, 14 January 2025 4:04 PM  
**To:** Mark Miller <[Mark.Miller@shellharbour.nsw.gov.au](mailto:Mark.Miller@shellharbour.nsw.gov.au)>  
**Subject:** Independent Environmental Audit - Cleary Bros Albion Park Quarry

You don't often get email from [james.hart59@outlook.com](mailto:james.hart59@outlook.com). [Learn why this is important](#)

Hi Mark,

I have been engaged to undertake the Independent Environmental audit of the Clear Bros Albion Park Quarry as required by Condition D11 of SSD10369.

As a requirement of the Independent Environmental Audit process, I am seeking feedback from various agencies in regard to any issues that may have arisen or concerns which you may have in relation to the quarry operations. Any issues raised will be included in the audit. I understand that the quarry is not currently operating, however I still need to go through this process.

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

1 of 2

## Appendix E. Site Photographs



Quarry Active work area showing water sumps.



Stage 7a work area



Vegetation Screen planted to the east of Stage 7a



Topsoil Stockpile



5m high amenity bund to the north of Stage 7a



Onsite Weather Station



Dust monitoring station



Rehabilitated area.



Work area prepared for blasting – Stage 7a