



MARULAN SOUTH LIMESTONE MINE CONTINUED OPERATIONS PROJECT INDEPENDENT ENVIRONMENTAL AUDIT 2024

Prepared for Boral Cement Limited

Prepared by EPS

Reference No. 24020 April 2024

EPS

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Contact Information and Declaration

Declaration: The opinions and declarations in this Independent Environmental Audit (IEA) are ascribed to Environmental Property Services (EPS) and are made in good faith and trust that such statements are neither false nor misleading. In preparing this IEA, EPS has considered and relied upon information obtained from Boral Cement Limited and the public domain, supplemented by discussions between key EPS staff, representatives from governing agencies and independents.

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Quality Assurance and Version Control Table

Project	Marulan South Limestone Mine Continued Operations Project			
Client	Boral Cement Limited			
Rev No.	Date	Reference	Author	Reviewer
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EXECUTIVE SUMMARY

This Independent Environmental Audit (IEA) has been prepared in accordance with Part D, Condition D13 for SSD 7009 for Marulan South Limestone Mine Continued Operations Project. The quarry is owned and operated by Boral Cement Limited. Part D, Condition D13 includes requirements for assessment of compliance with the development consent, environmental protection licence (EPL), water licences and mining leases. It also provides for assessment of environmental performance of the site and, where applicable, issuing recommendations for improvement.

This audit has been conducted and prepared with consideration of the *AS/NZS 19011:2019 Guidelines for auditing management systems*.

Close-out of Previous Audit

This site has not been subject to an IEA previously, therefore there are no close-out actions from previous audits.

Compliance with Development Consent 2024 Audit

The findings of assessment against the conditions in Part A - D of the Development Consent is presented below. Of the 153 conditions, 129 were assessed as compliant, 2 non-compliant (conditions A19 & D17), 22 N/A and Nil not able to be determined.

Schedule	Audit Finding				Total
	Compliant	Non-compliant	N/A	Not Able to Determine	
A	26	1	10	0	37
B	84	0	8	0	92
C	3	0	4	0	7
D	16	1	0	0	17
Total	129	2	22	0	153

Compliance with EPL 944 - 2024 Audit

For the audit period no non-compliances were recorded.



Compliance with Water Licences – 2024 Audit

For the audit period no non-compliances were recorded.

Compliance with Mining Leases – 2024 Audit

For the audit period no non-compliances were recorded.

Adequacy of Strategies, Plans and Programs 2024 Audit

Overall documents are considered adequate for the purposes as they meet the conditioned requirements, follow a relatively consistent structure and are operational documents.

Opportunities for Improvement 2024 Audit

A total of 8 opportunities to promote improvement in terms of regulatory compliance and environmental performance are included in the audit report for Boral's consideration and action.

Overall Assessment of Environmental Performance 2024 Audit

The overall environmental performance based on the observed condition of the site, the 2 non-compliance and nil incidents, and no complaints, is considered '**satisfactory**'.



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1. INTRODUCTION

1.1. BACKGROUND

Environmental Property Services (EPS) was approved by the former Department of Planning and Environment (DPE), which has been renamed Department of Planning, Housing and Infrastructure (DPHI), effective from 1 January 2024, to complete the Independent Environmental Audit (IEA) of the Marulan South Limestone Mine Continued Operations Project. The mine is owned and operated by Boral Cement Limited (Boral). The mine is located in Marulan South, 10km south-east of Marulan village and 35km east of Goulburn adjacent to Boral's Peppertree Quarry. The mine landholding covers 650 hectares and produces limestone-based products for the cement, steel, agricultural, construction and commercial markets. The mine operates 24 hours per day, 7 days per week.


The mine received development consent under State Significant Development Approval (SSD) 7009 issued by DPIE on 19 August 2021. SSD 7009 overrides the previous five development consents issued by Goulburn Mulwarree Council. Boral's Annual Review 2022-2023 states the pre-commencement conditions associated with SSD 7009 were satisfied in the 2022 annual review reporting period allowing commencement of the new consent. Mining operations commenced under the SSD 7009 consent on 1 January 2023. SSD 7009 has been the subject of one (1) modification in July 2022. A summary of the approved modification is as follows:

- Modification 1 – The amendment is required to properly identify the land to which the consent relates.

At the time of writing no further modifications are lodged or under assessment.

The current consolidated SSD 7009 consent is attached in **Appendix 1**.

This inaugural audit has been completed to satisfy Part D, Condition D13 of the current SSD 7009 Mod 1 consent.



The site has not been subject to an IEA previously, therefore there are no close-out actions from previous audits. Boral also prepared the first Marulan South Limestone 2022-2023 Annual Review in accordance with Condition D11 of SSD7009. As such, there are no specific actions required from previous Annual Review reporting and it is also noted that no specific actions were required by the Resources Regulator following submission of the 2021-2022 Annual Environmental Management Review.

1.2. AUDIT SCOPE AND SCHEDULE

1.2.1. Audit Scope


This audit is designed to address the requirements of Part D, Condition D13 of SSD 7009 as amended by Modification 1. The requirements are as follows:

- a. be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Planning Secretary;
- b. be conducted by a suitably qualified, experienced and independent team of experts (including any expert in field/s specified by the Planning Secretary) whose appointment has been endorsed by the Planning Secretary;
- c. be carried out in consultation with the relevant agencies and the Community Consultative Committee (CCC);
- d. assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licences and mining leases for the development (including any assessment, strategy, plan or program required under these approvals);
- e. review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent;
- f. recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent; and
- g. be conducted and reported to the satisfaction of the Planning Secretary.

1.2.2. Audit Timeframe

The audit period for the 2023 IEA is 1 January 2023 to 31 December 2023.

EPS recommends Boral request the Planning Secretary's approval for the next IEA, scheduled for 2026, for the audit period to align with the Annual Review period which are configured with financial year reporting periods of July – June. Alignment with the Annual Review



period ensures the audit is consistent with Annual Review reporting for accurate assessment and information across the audit period.

Opportunity for Improvement [BML01/24] - Boral request the Planning Secretary's approval for the next IEA, scheduled for 2026, for the audit period to align with the Annual Review period which are configured with financial year reporting periods of July – June.

1.3. REPORT STRUCTURE

This report has been structured as follows:

- Executive Summary
- Section 1 – Introduction: background, scope, timeframe and contextual information.
- Section 2 – Audit Methodology: overview of the methodology used to conduct and deliver the audit and the terminology used within the audit report.
- Section 3 – Compliance with the Development Consent: review of compliance with the development consent SSD 7009 as amended by Modification 1.
- Section 4 – Compliance with the EPL: review of compliance with EPL 944.
- Section 5 - Compliance with Water Licences: Review of compliance with water licences conditions.
- Section 6 – Compliance with Mining Leases: Review of compliance with mining lease conditions.
- Section 7 – Adequacy of Strategies, Plans and Programs: review of adequacy of approved strategies, plans or programs required under the consent.
- Section 8 – Audit Conclusions.

2. AUDIT METHODOLOGY

This audit has been conducted and prepared with consideration of the *AS/NZS 19011:2019 Guidelines for auditing management systems*. The method used to conduct the audit can be summarised as follows:

Document Review

The following documents were reviewed as part of the document review process:

- The project Environmental Impact Statement (EIS), SSD 7009 Consent and Modification;
- EPL 944, Water Licences and Mining Leases;
- Annual Review 2022-2023 and Annual Environmental Management Review 2021-2022;
- Management strategies, plans and programs;
- Monitoring records and reports;
- Boral documentation and records;
- Correspondence between Boral and relevant agencies; and

- Guidelines and standards.

Consultation

The following government agencies, Local Aboriginal Land Council (LALC) and Community Consultative Committee members (stakeholders) were contacted as part of the audit:

Table 2-1: Stakeholders Consultation

Stakeholder	Contact Person	Provided a response Yes/No
DPHI (Planning)	Katrina O'Reilly	Yes
Goulburn Mulwaree Council	Scott Martin	Yes
Environmental Protection Agency	Janine Goodwin	Yes
DCCEEW (Biodiversity and Conservation Division)	Allison Treweek	No
Biodiversity Conservation Trust	Jedda Lemmon	Yes
Pejar LALC	Delise Freeman	No
DPHI (Crown lands)	David Baber	Yes
Marulan RFS	Jim Divall	Yes
DCCEEW (Water Licensing)	Tim Baker	Yes
DCCEEW (Heritage)	Nicole Davis & Corey O'Driscoll	Yes
Department of Primary Industries (Fisheries)	Scott Carter & Carla Gannasin	No
Transport for NSW	Nathan Boscaro	Yes
Federal DCCEEW (EPBC Audit section)	Chris Kerin	Yes
Community Consultative Committee	Gordon Kirby and Geoff Clark	Yes

All stakeholder's received correspondence was provided to Boral for review/comment. Boral's proposed and/or implemented actions to each of the stakeholder's correspondence is sufficient.

Interview/Meeting

A site visit interview/meeting with the following relevant Boral staff members were completed as part of the audit:

- Therese Thomas – Environment and Stakeholder Advisor - Marulan South Limestone;
- Les Longhurst – Program Manager - Marulan South Limestone;
- Jamie Whittaker – Site Manager - Marulan South Limestone; and
- Greg Johnson – Senior Environmental Business partner – Boral.

Site Inspection/Visual Verification

The site was inspected, and interviews undertaken on 20 March 2024 by the Lead Auditor (Steve McCall) and one of the Audit Assistants (Simon Duffy). Audit evidence obtained during the site visit is attached as **Appendix 5**.

2.1. TERMINOLOGY


The terminology listed in Table 2-2 has been applied when assessing compliance with the Development Consent, Environment Protection Licence (EPL), Water Licences, Mining Leases and the adequacy of other strategies, plans and programs.

Table 2-2: Terminology

Term	Definition
Compliant	Processes have been established and implemented that are consistent with the requirement.
Non-compliant	Failure to develop and/or implement processes to meet the requirement to an effective standard.
Opportunity for improvement (recommendation)	Identification of an opportunity to improve processes or implement changes to add value or clarify compliance with requirements.
N/A, Non-applicable	Requirement not applicable to this audit. May have been updated in previous audit.
Not able to determine	Compliance not able to be assessed as the information available was not sufficient.
Complete	Non-compliances from the previous audit have been addressed and finalised.
Incomplete	Non-compliances and recommendations from the previous audit have not been finalised.
Satisfactory	The actions implemented in response to non-compliances and recommendations from the previous audit are sufficient or for the assessment and compliance with the current audit.

2.2. AUDITOR QUALIFICATIONS

Part D, Condition D13 specifies the audit “be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Planning Secretary”.



Correspondence, from the Department of Planning and Environment, dated 08/11/2023, confirmed the Planning Secretary endorsement of Steve McCall as lead auditor. A copy of the correspondence is attached in **Appendix 2**.

EPS has not had any previous association or involvement with Boral's Marulan South Limestone Mine.

2.3. AUDIT RESPONSE AND CLOSE-OUT

Boral was provided the opportunity to respond to the recommendations and provide evidence of implementation of actions prior to the audit close out. Where applicable, these responses are presented in the compliance tables as evidence or commitments. Where the response was deemed sufficient to close-out the audit finding an assessment of 'satisfactory' or 'complete' has been provided in parentheses.

2.4. RISK ASSESSMENT

In accordance with *AS/NZS 19011:2019 Guidelines for auditing management systems*, each non-compliance has been assigned as risk rating.

Table 2-3: Risk Rating

Risk Rating	Definition
Low	Minor/administrative risk.
Medium	Significant risk that can cause an impact but not considered serious or major.
High	Serious major risk to environment and project.

3. COMPLIANCE WITH DEVELOPMENT CONSENT

An assessment of compliance with the conditions contained within Part A - D of SSD 7009 Development Consent has been completed and presented in Table 3-2. The assessment lists the conditions, evidence and information sources considered and an assessment against compliance. Where applicable, opportunities for improvement have been identified.

Modifications of the Development Consent since it was issued in 2021 have been included in Table 3-2. Changes are noted in coloured highlighted as follows:

- Modification 1 – Red.

3.1. SUMMARY OF FINDINGS

A summary of findings is presented in Table 3-1.

Table 3-1: Summary of Findings

Schedule	Audit Finding				Total
	Compliant	Non-compliant	N/A	Not Able to Determine	
A	26	1	10	0	37
B	84	0	8	0	92
C	3	0	4	0	7
D	16	1	0	0	17
Total	129	2	22	0	153

The 2 non-compliances (conditions A19 & D17) are considered low risk. The non-compliance and associated risk are noted in Table 3-2.

Table 3-2: Table of Compliance with Development Consent

Number	Details	Evidence Sources/Questions	Audit Findings
SCHEDULE 2 - PART A: ADMINISTRATIVE CONDITIONS			
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT			
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.	Site interview, site inspection and Boral written response.	Compliant
TERMS OF CONSENT			
A2	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) generally in accordance with the EIS; and (d) generally in accordance with the Development Layout in Appendix 2.	Site interview, site inspection and Boral written response.	Compliant
A3	If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.	Site interview and Boral written response.	N/A
A4	The Applicant must comply with any requirement/s of the Planning Secretary arising from the Department's assessment of: (a) any strategies, plans or correspondence that are submitted in accordance with this consent; (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and (c) the implementation of any actions or measures contained in these documents.	Planning secretary has not issued any requirements in accordance with this condition	N/A
LIMITS OF CONSENT			
Mining Operations			
A5	Mining operations may be carried out on the site, within the approved disturbance area, until 31 August 2051.	Site interview, site inspection and Boral written response.	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
<p>Notes:</p> <ul style="list-style-type: none"> Under this consent, the Applicant is required to decommission and rehabilitate the site and carry out other requirements in relation to mining operations. Consequently, this consent will continue to apply in all respects other than to permit the carrying out of mining operations until the rehabilitation of the site and other requirements have been carried out to the required standard. Mining operations and rehabilitation are also regulated under the Mining Act 1992. 			
<p>Extraction and Transportation</p>			
<p>A6</p>	<p>A maximum of 4 million tonnes of limestone may be extracted from the site in any financial year.</p>	<p>Table 4.1 of Annual Review 2022-2023 confirms mine limestone production for the financial year as 2,705,200 tonnes.</p>	<p>Compliant</p>
<p>A7</p>	<p>A maximum of 200,000 tonnes of clay/shale may be extracted from the site in any financial year.</p>	<p>Table 4.1 of Annual Review 2022-2023 confirms clay/shale extraction for the financial year as 46,709 tonnes.</p>	<p>Compliant</p>
<p>A8</p>	<p>A maximum of 4.2 million tonnes of limestone and clay/shale (combined) may be processed on the site in any financial year.</p>	<p>Summary of above results for Table 4.1 shows a total extraction of limestone and clay/shale at 2,751,909 for the FY. Table 4.2 of Annual Review 2022-2023 confirms limestone and clay/shale processing combined for the financial year as 128,872 tonnes of mineral production. The total processed tonnes of limestone and clay/shale is compliant with the maximum of 4.2 million tonnes.</p>	<p>Compliant</p>

Number	Details	Evidence Sources/Questions	Audit Findings
A9	A maximum of 1 million tonnes of manufactured sand may be transported to Peppertree Quarry in any financial year.	Table 4.3 of Annual Review 2022-2023 confirms the transportation tonnage as 462,205 tonnes. Site interview.	Compliant
A10	A maximum of 150,000 tonnes of quarry products may be transported from Peppertree Quarry to the shared road sales stockpiling area ^a in any financial year. <ul style="list-style-type: none"> ^aThe shared road sales stockpiling area is shown in Figure 1 in Appendix 2. 	Table 4.3 of Annual Review 2022-2023 confirms the transportation tonnage as 33,448 tonnes. Site interview.	Compliant
A11	A maximum of 720,000 tonnes of limestone, clay/shale and quarry products (combined) may be transported from the site by road in any financial year.	Table 4.3 of Annual Review 2022-2023 confirms the transportation tonnage as 331,768 tonnes. Site interview.	Compliant
A12	A maximum of 133 laden trucks may be dispatched from the site ^{a,b} in any 24-hour period. <ul style="list-style-type: none"> ^aExcludes any truck movements to or from the Peppertree Quarry authorised under conditions A9 and A10 or for the transportation of overburden as described in the EIS ^bExcludes any truck movements which may be authorised under separate development consent/s for the Peppertree Quarry 	Table 4.4 of Annual Review 2022-2023 confirms the truck movements comply with condition A12. Site interview.	Compliant
A13	A maximum of six laden trains may leave the site in any 24-hour period.	Table 4.4 of Annual Review 2022-2023 confirms the train movements comply with condition A13.	Compliant
Hours of Operation			
A14	The Applicant may undertake mining operations 24 hours a day, 7 days a week. <i>Notes:</i> <ul style="list-style-type: none"> For limitations on blasting operations see condition B13. 	Annual Review 2022-2023 confirms the mine operations are undertaken 24hours per day, 7 days per week.	Compliant
Mining Depth			
A15	The Applicant must not carry out any extraction or excavation below 335 m AHD.	Site interview, site inspection and Boral written response.	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
Identification of Approved Disturbance Area			
A16	Within three months of commencement of development under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must provide to the Department a survey plan of the boundaries of the approved disturbance areas.	Site interview and Boral written response.	Compliant
NOTIFICATION OF COMMENCEMENT			
A17	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: (a) commencement of development under the consent; (b) commencement of construction under the consent; (c) commencement of mining operations under the consent; (d) cessation of mining operations (i.e. mine closure); and (e) any period of suspension of mining operations (i.e. care and maintenance).	Site interview and Boral written response.	Compliant
A18	If the phases of the development are to be further staged, the Department must be notified in writing at least two weeks prior to the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Site interview and Boral written response.	N/A
SURRENDER OF EXISTING CONSENTS OR APPROVALS			
A19	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 consents dated 21 February 1972, 16 October 1974, 13 February 1995 and 22 May 1997, April 2008, 20 June 2006 and 1 March 2012 as detailed in Section 3.3.4 of the EIS, and any existing or continuing use rights for the site, in accordance with the EP&A Regulation.	Boral written response	Non-Compliant Low Risk Opportunity for Improvement [BML02/24] Boral seek alternative timeframe from the Planning Secretary to surrender



Number	Details	Evidence Sources/Questions	Audit Findings
			consents and existing or continuing use rights.
A20	<p>Upon the commencement of development under this consent, and before the surrender of existing development consents required under condition A19, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.</p> <p><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&A Act or Part 6 of the EP&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></p>	Site interview and Boral written response.	N/A
DIVISION 7.1 CONTRIBUTIONS TO COUNCIL			
A21	Under section 7.11 of the EP&A Act, an annual financial contribution must be paid to Council to be put toward the maintenance of Marulan South Road used for haulage of mining and quarry products. The contribution is to be calculated in accordance with the Goulburn Mulwaree Section 94 Development Contributions Plan 2009 or its latest version (adjusted on a quarterly basis to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW).	Annual Review 2022-2023 confirms calculation of contribution will be in accordance with Goulburn Mulwaree Section 94 Development Contributions Plan 2009. Boral confirmed at site visit interview annual financial contribution is paid quarterly and quarterly financial contribution was paid for quarterly period/s covered by the audit period.	Compliant
A22	The contribution must be paid to Council within 12 months of the date notified for the commencement of development under this consent and in the same month each year and be reported in the Annual Review required under condition D11.	Annual Review 2022-2023 confirms the contribution will be paid annually with the first payment period ending	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
		31/12/2023. Site interview and Boral written response.	
A23	With the approval of the Planning Secretary, the contribution required under condition A21 may be waived or reduced in lieu of road upgrading works, or other means, as may be agreed by Council.	Site interview and Boral written response.	Compliant
COMMUNITY CONSULTATIVE COMMITTEE			
A24	Before the commencement of development under this consent, a Community Consultative Committee (CCC) must be established for the development 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. Notes: <ul style="list-style-type: none"> The CCC is an advisory committee only. In accordance with the Guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, Council and the local community. 	Consultation with CCC members and review of CCC presentations.	Compliant
A25	With the approval of the Planning Secretary, the Applicant may combine the CCC required by this consent with any similar CCC required by a consent or approval for any adjoining mine or quarry subject to common, shared or related ownership or management.	Site interview and Boral written response.	Compliant
EVIDENCE OF CONSULTATION			
A26	Where conditions of this consent require consultation with an identified party, the Applicant must: <ol style="list-style-type: none"> consult with the relevant party prior to submitting the subject document; and provide details of the consultation undertaken, including: <ol style="list-style-type: none"> the outcome of that consultation, matters resolved and unresolved; and details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved. 	Site interview and Boral written response.	Compliant
STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS			



Number	Details	Evidence Sources/Questions	Audit Findings
A27	<p>With the approval of the Planning Secretary, the Applicant may:</p> <p>(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);</p> <p>(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);</p> <p>(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); and</p> <p>(d) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required by an adjoining mining consent or approval, in common ownership or management.</p>	Marulan South revised Environmental Management Plans	Compliant
A28	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.	Site interview and Boral written response.	N/A
A29	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.	Site interview and Boral written response.	N/A
PROTECTION OF PUBLIC INFRASTRUCTURE			
A30	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure^a that is damaged by carrying out the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure^a that needs to be relocated as a result of the development.</p> <ul style="list-style-type: none"> ^aThis condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by condition A21 or to damage that has been compensated under the Mining Act 1992. 	Site interview and Boral written response.	N/A

DEMOLITION

Number	Details	Evidence Sources/Questions	Audit Findings
A31	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).	Site interview and Boral written response.	N/A
STRUCTURAL ADEQUACY			
A32	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. Notes: <ul style="list-style-type: none"> Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the development. 	Site interview and Boral written response.	N/A
OPERATION OF PLANT AND EQUIPMENT			
A33	All plant and equipment used on site, or to monitor the performance of the development must be: <ul style="list-style-type: none"> (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner. 	Site interview, site inspection and Boral written response.	Compliant
COMPLIANCE			
A34	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 interview confirmed and gave examples how Boral ensures all 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	Compliant
APPLICABILITY OF GUIDELINES			

Number	Details	Evidence Sources/Questions	Audit Findings
A35	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 inclusion (or later update) in the condition.	Site interview and Boral written response.	N/A
A36	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, in respect of ongoing monitoring and management obligations, agree to or require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Site interview and Boral written response.	N/A
CROWN LAND			
A37	The Applicant must consult with DPE – Crown Lands prior to undertaking any development on Crown Land or Crown Roads. Notes: <ul style="list-style-type: none"> Under section 265 of the Mining Act 1992, the Applicant is required to enter into a compensation agreement with DPE – Crown Lands prior to undertaking any mining operations or related activities on Crown land or Crown roads within a mining lease. Under section 141 of the Mining Act 1992, the Applicant is required to enter into an access arrangement with DPE – Crown Lands prior to undertaking any prospecting operations on Crown land or Crown roads within an exploration licence. 	Site interview and Boral written response.	Compliant
PART B: SPECIFIC ENVIRONMENTAL CONDITIONS			
NOISE			
Noise Criteria			
B1	The Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 1 at any residence on privately-owned land. Table 1: Noise criteria dB(A)	Boral Cement Marulan POELA Act 2011 Monitoring Data - January 2024 Report confirmed compliance with limits. No noise complaints are listed in the 2023 Complaints register.	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings															
	<table border="1"> <thead> <tr> <th>Noise Assessment Location^a</th> <th>Day L_{Aeq} (15 min)</th> <th>Evening L_{Aeq} (15 min)</th> <th>Night L_{Aeq} (15 min)</th> <th>Night L_{AFmax}</th> </tr> </thead> <tbody> <tr> <td>R9</td> <td>40</td> <td>36</td> <td>36</td> <td>52</td> </tr> <tr> <td>Other privately-owned residences</td> <td>40</td> <td>35</td> <td>35</td> <td>52</td> </tr> </tbody> </table>	Noise Assessment Location ^a	Day L _{Aeq} (15 min)	Evening L _{Aeq} (15 min)	Night L _{Aeq} (15 min)	Night L _{AFmax}	R9	40	36	36	52	Other privately-owned residences	40	35	35	52		
Noise Assessment Location ^a	Day L _{Aeq} (15 min)	Evening L _{Aeq} (15 min)	Night L _{Aeq} (15 min)	Night L _{AFmax}														
R9	40	36	36	52														
Other privately-owned residences	40	35	35	52														
	^a The Noise Assessment Locations referred to in Table 1, are shown in Appendix 3.																	
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 Industry (EPA, 2017).	Section 4.1 of the Noise Management Plan	Compliant															
B3	The noise criteria in Table 1 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.	Boral advised no agreements have been made.	Compliant															
Temporary Construction Noise Limits																		
B4	With the written agreement of the Planning Secretary, the Applicant may seek temporary construction noise limits above the noise criteria in Table 1, including for construction works outside of standard hours. In order to seek a temporary construction noise limit, the Applicant must develop a Construction Noise Protocol to the satisfaction of the Planning Secretary. This protocol must: (a) be prepared in consultation with the EPA and any residents who may be affected by the noise generated by these works; (b) specify the construction works to which the temporary construction noise limits would apply and provide justification for these limits; and (c) address the relevant requirements of the <i>Interim Construction Noise Guideline</i> (DECC, 2009).	Section 4.2 of the Noise Management Plan outlines temporary construction noise limits shown in Table 4.2 are derived in accordance with the Interim Construction Noise Guideline.	Compliant															
B5	The Applicant must continue to operate in accordance with the noise criteria in Table 1 until and unless a Construction Noise Protocol for the specified construction works is approved by the Planning Secretary.	Section 5.1 of the Noise Management Plan confirms mine operations will be managed to meet the criteria presented in Table 1	Compliant															

Number	Details	Evidence Sources/Questions	Audit Findings
B6	The Applicant must implement any Construction Noise Protocol approved by the Planning Secretary.	Section 5.2.1 of the Noise Management Plan confirms the Construction Noise Protocol – the Noise Management Plan. Boral written response confirmed protocol has been approved by the Planning Secretary	Compliant
Noise Operating Conditions			
B7	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) take all reasonable steps to minimise noise from construction and operational activities, including low frequency noise and other audible characteristics, as well as road and on-site rail noise associated with the development; (b) implement reasonable and feasible noise attenuation measures on all plant and equipment that will operate in noise sensitive areas; (c) take all reasonable steps to minimise the noise impacts of the development in noise sensitive areas during the evening and night; (d) operate a noise management system to guide the day to day planning of mining operations, and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this consent; (e) take all reasonable steps to minimise the noise impacts of the development during noise-enhancing meteorological conditions; (f) only use locomotives and rolling stock that are approved to operate on the NSW rail network in accordance with the noise limits in any relevant rolling stock operator’s EPL and use reasonable endeavours to ensure that rolling stock is selected to minimise noise; (g) carry out regular attended noise monitoring (at least once a month, unless otherwise agreed by the Planning Secretary) to determine whether the development is complying with the relevant conditions of this consent; and (h) regularly assess the noise monitoring data and modify operations on the site to ensure compliance with the relevant conditions of this consent. 	<p>Sections 4, 5, 6, 7 & 8 of the Noise Management Plan, Boral Cement Marulan POELA Act 2011 Monitoring Data - January 2024 Report contains monitoring dates and summary of results. Site interview confirmed live feed is actively monitored. Sends e-mail to relevant site management if exceedance is triggered. There is also Induction/toolbox/checklists/ daily and monthly reporting plus monitoring system is automated. Boral written response confirmed compliance with clauses (a – (f).</p>	Compliant
Noise Management Plan			



Number	Details	Evidence Sources/Questions	Audit Findings
B8	<p>The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary; (b) describe the measures to be implemented to ensure: <ul style="list-style-type: none"> (i) compliance with the noise criteria and operating conditions of this consent; (ii) best practice management is being employed; and (iii) noise impacts of the development are minimised during noise-enhancing meteorological conditions; (c) describe the measures to minimise development related road traffic noise generated on public roads; (d) describe the noise management system in detail; and (e) include a monitoring program that: <ul style="list-style-type: none"> (i) uses a combination of attended and unattended monitoring to evaluate the performance of the development; (ii) monitors noise at locations representative of the most affected residences; (iii) adequately supports the noise management system; (iv) includes a protocol for distinguishing noise emissions of the development from any neighbouring developments; and (v) includes a protocol for identifying any noise-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of any such event. 	<p>Noise Management Plan 2022 and Boral written responses confirmed plan has been approved by the Planning Secretary and site interview and Boral written response confirmed Quarterly environmental inspection checklists shows that all management practices listed in this plan were implemented.</p>	<p>Compliant</p>
B9	<p>The Noise Management Plan must be approved by the Planning Secretary within 3 months of the date of this consent, unless otherwise agreed by the Planning Secretary.</p>	<p>Boral written response to confirms NMP approved by the Planning Secretary on 02/09/22.</p>	<p>Compliant</p>
B10	<p>The Applicant must implement the Noise Management Plan as approved by the Planning Secretary.</p>	<p>Site interview and Boral written response confirms implementation of NMP.</p>	<p>Compliant</p>
BLASTING			
Blasting Criteria			



Number	Details	Evidence Sources/Questions	Audit Findings																											
B11	<p>The Applicant must ensure that blasting on the site does not cause exceedances of the criteria at the locations in Table 2.</p> <p>Table 2: Blasting Criteria</p> <table border="1"> <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 rowspan="2">Residence on privately-owned land^a</td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a financial year</td> </tr> <tr> <td>Commercial receiver^a</td> <td>133</td> <td>25</td> <td>0%</td> </tr> <tr> <td>Electricity Transmission Lines</td> <td></td> <td>50</td> <td>0%</td> </tr> <tr> <td>Public Roads</td> <td></td> <td>100</td> <td>0%</td> </tr> <tr> <td>All other infrastructure</td> <td></td> <td>50 (or a limit determined by the structural design methodology in AS 2187.2 - 2006, or its latest version, or other alternative limit for public infrastructure, to the satisfaction of the Planning Secretary)</td> <td>0%</td> </tr> </tbody> </table> <p>^a The locations referred to in Table 2 are shown in Appendix 3.</p>	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Residence on privately-owned land ^a	120	10	0%	115	5	5% of the total number of blasts over a financial year	Commercial receiver ^a	133	25	0%	Electricity Transmission Lines		50	0%	Public Roads		100	0%	All other infrastructure		50 (or a limit determined by the structural design methodology in AS 2187.2 - 2006, or its latest version, or other alternative limit for public infrastructure, to the satisfaction of the Planning Secretary)	0%	<p>Boral Cement Marulan POELA Act 2011 Monitoring Data - January 2024 Report confirmed compliance.</p>	<p>Compliant</p>
Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance																											
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All other infrastructure		50 (or a limit determined by the structural design methodology in AS 2187.2 - 2006, or its latest version, or other alternative limit for public infrastructure, to the satisfaction of the Planning Secretary)	0%																											
B12	<p>The blasting criteria in Table 2 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.</p>	<p>Boral written response confirms not agreements with adjacent residents has been established.</p>	<p>Compliant</p>																											
Blasting Hours																														
B13	<p>The Applicant must only carry out blasting on the site between 9 am and 5 pm (Monday to Friday inclusive). No blasting is allowed on weekends, public holidays or any other time without the prior written approval of the Planning Secretary.</p>	<p>Boral Cement Marulan POELA Act 2011 Monitoring Data - January 2024 Report confirms blast dates and times.</p>	<p>Compliant</p>																											

Number	Details	Evidence Sources/Questions	Audit Findings
Blasting Frequency			
B14	The Applicant may carry out a maximum of 1 single blast event ^a per day.	Boral Cement Marulan POELA Act 2011 Monitoring Data - January 2024 Report confirms blast dates and times.	Compliant
B15	Condition B14 does not apply to single blast events ^a 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. <i>^a Within conditions B14 and B15, 'single blast event' means a blast which involves either a single detonation or a number of individual blasts fired in quick succession in a discrete area of the development. Should an additional blast be required after a blast misfire, this additional blast and the blast misfire are counted as a single blast event.</i>	Boral written response confirms Boral only plan one blast per day and out blasts rarely exceed 0.2mm/s.	Compliant
Property Inspections			
B16	If the Applicant receives a written request from the owner of any privately-owned land within 2 kilometres of any approved open cut mining pit on the site 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: (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.	Boral written response confirmed no requests have been received and baseline monitoring was offered to all neighbours prior to commencement.	Compliant
B17	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.	Site interview and Boral written response confirms N/A	N/A
Property Investigations			

Number	Details	Evidence Sources/Questions	Audit Findings
B18	If the owner of any privately-owned land within 2 kilometres of any approved open cut mining pit on the site 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.	Site interview and Boral written response confirms N/A	N/A
B19	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.	Site interview and Boral written response confirms N/A	N/A
B20	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.	Site interview and Boral written response confirms N/A	N/A
Blast Operating Conditions			
B21	The Applicant must: (a) take all reasonable steps to: (i) ensure the safety of people and livestock from blasting impacts of the development; (ii) protect public and private infrastructure and property in the vicinity of the site from blasting damage associated with the development; and (iii) minimise blast-related dust and fume emissions; (b) ensure that blasting on the site does not damage heritage items ^a , except in accordance with predictions in the document/s listed in condition A2(c), and develop specific measures to protect heritage items from any blasting damage associated with the development; (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; (d) operate a suitable system to enable interested members of the public to get up-to-date information on the proposed blasting schedule on the site and any associated road closures,	Blast Management Plan and site interview and Boral written response confirms blast management system covers (a) – (f) mitigation steps and no damage has occurred to heritage items referred to in (b).	Compliant

Number	Details	Evidence Sources/Questions	Audit Findings
	<p>including notification via SMS message of the blasting schedule and any variations to that schedule;</p> <p>(e) use all reasonable efforts to co-ordinate the timing of blasting at the site with Peppertree Quarry to minimise cumulative blasting impacts; and</p> <p>(f) carry out regular blast monitoring to determine whether the development is complying with the relevant conditions of this consent.</p> <p><i>^aThe locations of the heritage items referred to in paragraph (b) are shown in Appendix 5.</i></p>		
B22	<p>The Applicant must not undertake blasting on the site within 500 metres of any public road or any land outside the site not owned by the Applicant, unless the Applicant has:</p> <p>(a) a written agreement with the relevant infrastructure owner or landowner to allow blasting to be carried out closer to the public road or land, and the Applicant has advised the Department in writing of the terms of this agreement; or</p> <p>(b) demonstrated, to the satisfaction of the Planning Secretary, that the blasting can be carried out closer to the public road or land without compromising the safety of people or livestock or damaging the road or other buildings and structures, and updated the Blast Management Plan to include specific mitigation measures to be implemented while blasting is being carried out within 500 metres of the road or land.</p>	<p>Blast Management Plan, the permit from the Department of Planning and Environment (Crown Lands) granted by the Minister Crown Land /Management Act 2016 and Boral written response confirms Boral has written agreement with Crown Lands to blast within 500m of Crown Land.</p>	Compliant
Blast Management Plan			
B23	<p>The Applicant must prepare a Blast Management Plan for the development to the satisfaction of the Planning Secretary. This 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 conditions of this consent;</p> <p>(c) include a Blast Fume Management Strategy for:</p> <ul style="list-style-type: none"> (i) minimising blast fume emissions; (ii) rating and recording blast fume events; and (iii) reporting significant blast fume events to the Department and the EPA; <p>(d) identify any agreed alternative ground vibration limits for public or private infrastructure in the vicinity of the site (if relevant);</p>	<p>Blast Management Plan 2023. Site interview and Boral written response confirms BMP approved by the Planning Secretary 06/12/23.</p>	Compliant

Number	Details	Evidence Sources/Questions	Audit Findings
	<p>(e) include a strategy to monitor, mitigate and manage the effects of blasting on heritage items^a;</p> <p>(f) include a monitoring program for evaluating and reporting on compliance with the relevant conditions of this consent;</p> <p>(g) 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;</p> <p>(h) include public notification procedures to enable members of the public, particularly surrounding residents, to get up-to-date information on the proposed blasting schedule; and</p> <p>(i) include a protocol for investigating and responding to blast-related complaints.</p> <p>^aThe locations of the heritage items are shown in Appendix 5.</p>		
B24	The Applicant must not undertake any blasting under this consent until the Blast Management Plan is approved by the Planning Secretary.	Boral written response confirms BMP approved by the Planning Secretary 06/12/23.	Compliant
B25	The Applicant must implement the Blast Management Plan as approved by the Planning Secretary.	Site interview and site inspection.	Compliant
AIR QUALITY AND GREENHOUSE GAS			
Odour			
B26	The Applicant must ensure that no offensive odours, as defined under the POEO Act, are emitted from the site.	Site interview and Boral written response confirms no offensive odours have been emitted.	Compliant
Air Quality Criteria			
B27	The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Table 3 at any residence on privately-owned land.	Boral Cement Marulan POELA Act 2011 Monitoring Data - January 2024 Report confirms compliance.	Compliant
Table 3: Air quality criteria			



Number	Details	Evidence Sources/Questions	Audit Findings
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Pollutant	Averaging period	Criterion
Particulate matter < 10 µm (PM ₁₀)	Annual	^{a, c} 25 µg/m ³
	24 hour	^b 50 µg/m ³
Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a, c} 8 µg/m ³
	24 hour	^b 25 µg/m ³
Total suspended particulate (TSP) matter	Annual	^{a, c} 90 µg/m ³

Notes:

^a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources).

^b Incremental impact (i.e. incremental increase in concentrations due to the development on its own).

^c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary.

B28	The air quality criteria in Table 3 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the air quality criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	Site interview and Boral written response confirms no agreements have been established.	Compliant
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Mine-owned Land

B29	Particulate matter emissions generated by the development must not exceed the criteria listed in Table 3 at any occupied residence on mine-owned land (including land owned by another mining or quarry company) unless: (a) the tenant and landowner (if the residence is owned by another mining or quarry company) have been notified of any health risks associated with such exceedances in accordance with the notification requirements under PART C of this consent; (b) the tenant of any land owned by the Applicant can terminate their tenancy agreement without penalty at any time, subject to giving 14 days' notice;	Site interview and Boral written response confirmed particulate matter emissions generated by the development have not exceeded the criteria listed in Table 3 at any occupied residence on mine-owned land or the alternate conditions are in place. Monitoring results reported in POELA report published online.	Compliant
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Number	Details	Evidence Sources/Questions	Audit Findings
	<p>(c) air quality monitoring is regularly undertaken to inform the tenant and landowner (if the residence is owned by another mining company) of the likely particulate matter emissions at the residence; and</p> <p>(d) data from this monitoring is presented to the tenant and landowner in an appropriate format for a medical practitioner to assist the tenant and landowner in making informed decisions on the health risks associated with occupying the property.</p>		
Air Quality Operating Conditions			
B30	<p>The Applicant must:</p> <p>(a) take all reasonable steps to:</p> <ul style="list-style-type: none">(i) minimise odour, fume and particulate matter (including PM₁₀ and PM_{2.5}) emissions of the development, paying particular attention to minimising wheel-generated haul road emissions;(ii) improve energy efficiency and reduce greenhouse gas emissions of the development;(iii) minimise any visible off-site air pollution generated by the development; and(iv) minimise the extent of potential dust generating surfaces exposed on the site at any given point in time; <p>(b) ensure that all 'non-road' mobile diesel equipment used in undertaking the development includes reasonable and feasible diesel emissions reduction technology;</p> <p>(c) operate an air quality management system to guide the day to day planning of mining operations and implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this consent;</p> <p>(d) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see Note c to Table 3 above);</p> <p>(e) use all reasonable efforts to co-ordinate air quality management on the site with the air quality management at Peppertree Quarry to minimise cumulative air quality impacts;</p> <p>(f) carry out regular air quality monitoring to determine whether the development is complying with the relevant conditions of this consent; and</p> <p>(g) regularly assess meteorological and air quality monitoring data, and modify operations on the site to ensure compliance with the relevant conditions of this consent.</p>	<p>Air Quality and Greenhouse Gas Management Plan 2022.</p> <p>Site interview, site inspection and Boral response confirms reasonable steps have been taken to comply with this condition.</p>	<p>Compliant</p>
Air Quality and Greenhouse Gas Management Plan			

Number	Details	Evidence Sources/Questions	Audit Findings
B31	<p>The Applicant must prepare an Air Quality and Greenhouse Gas Management Plan for the development to the satisfaction of the Planning Secretary. This 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) be prepared in consultation with the EPA;</p> <p>(c) describe the measures to be implemented to ensure:</p> <p>(i) compliance with the air quality criteria and operating conditions of this consent;</p> <p>(ii) best practice management is being employed to:</p> <ul style="list-style-type: none"> • minimise the development’s air quality impacts; • minimise the development’s Scope 1 and 2 greenhouse gas emissions; and • improve the development’s energy efficiency; and <p>(iii) the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events;</p> <p>(d) describe the air quality management system in detail; and</p> <p>(e) include an air quality monitoring program, undertaken in accordance with the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007), that:</p> <p>(i) uses monitors to evaluate the performance of the development against the air quality criteria in this consent and to guide day to day planning of mining operations;</p> <p>(ii) adequately supports the air quality management system; and</p> <p>(iii) includes a protocol for identifying any air quality-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of these events.</p>	Air Quality and Greenhouse Gas Management Plan 2022.	Compliant
B32	The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Planning Secretary.	Boral written response confirmed AQGGMP approved 01/09/22. Boral Cement Marulan POELA Act 2011 Monitoring Data - January 2024 Report confirms plan is approved.	Compliant
B33	The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Planning Secretary.	Site interview and Boral written response confirm the AQGGMP	Compliant

Number	Details	Evidence Sources/Questions	Audit Findings
		plan is implemented. Checklist also sited at site interview.	
METEOROLOGICAL MONITORING			
B34	<p>Prior to the commencement of development under this consent, and for the life of the development, the Applicant must ensure that there is a suitable meteorological station operating in the vicinity of 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>	Boral Cement Marulan POELA Act 2011 Monitoring Data - January 2024 Report confirms new weather station was installed 7/12/2022 to meet this condition.	Compliant
WATER			
Water Supply			
B35	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.	Site interview and Boral written response confirms Boral has sufficient water.	Compliant
B36	<p>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.</p> <p><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, including during rehabilitation and post mine closure.</i></p>	Boral Cement Marulan POELA Act 2011 Monitoring Data - January 2024 Report – Section 7.4.	Compliant
Compensatory Water Supply			
B37	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.	Site interview and Boral written response confirmed no compensatory water supply required in accordance with condition.	Compliant

Number	Details	Evidence Sources/Questions	Audit Findings
B38	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 should be provided (at least on an interim basis) as soon as practicable after the loss is identified, unless otherwise agreed with the landowner.	Site interview and Boral written response confirmed no compensatory water supply required in accordance with condition.	Compliant
B39	If the Applicant and the landowner cannot agree on whether the loss of water is 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.	Site interview and Boral written response confirmed no compensatory water supply required in accordance with condition.	Compliant
B40	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. Notes: <ul style="list-style-type: none"> The Water Management Plan (see condition B45) is required to include trigger levels for investigating potentially adverse impacts on water supplies. 	Site interview and Boral written response confirmed no compensatory water supply required in accordance with condition.	Compliant
Water Discharges			
B41	The Applicant must ensure that all surface discharges from the site comply with: (a) discharge limits (both volume and quality) set for the development in any EPL; or (b) relevant provisions of the POEO Act.	Boral Cement Marulan POELA Act 2011 Monitoring Data - January 2024 Report – Section 4.	Compliant
Groundwater Management			
B42	Within 12 months of the commencement of development under this consent, or other timeframe as agreed by the Planning Secretary, the Applicant must install a groundwater level and quality monitoring network within and adjacent to the Mt Frome Middle Limestone, or a suitable alternative location, in consultation with DPE Water and to the satisfaction of the Planning Secretary.	Site interview and Boral written response confirms compliance with this condition including Quarterly and Biannual ground water monitoring takes place (levels and laboratory testing) as per the Ground Water Management Plan.	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
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Water Management Performance Measures

B43 The Applicant must ensure that the development complies with the performance measures in Table 4.

Site interview, site inspection and Boral response confirms compliance with this condition and water monitoring is undertaken as per water management plan.

Compliant

Table 4: Water management performance measures

Feature	Performance Measure
Water management – General	<ul style="list-style-type: none"> Maintain separation between clean, dirty (i.e. sediment-laden) and mine water management systems Minimise the use of clean and potable water on the site Maximise water recycling, reuse and sharing opportunities Minimise the use of make-up water from external sources Design, install, operate and maintain water management systems in a proper and efficient manner Minimise risks to the receiving environment and downstream water users
Barbers Creek, Bungonia Creek and Shoalhaven River alluvial aquifers	<ul style="list-style-type: none"> Negligible impacts to alluvial aquifers as a result of the development, beyond those predicted in the document/s listed in condition A2(c), including: <ul style="list-style-type: none"> negligible change in groundwater levels; negligible change in groundwater quality; and negligible impact to other groundwater users
Groundwater springs	<ul style="list-style-type: none"> Negligible impacts to groundwater springs as a result of the development, beyond those predicted in the document/s listed in condition A2(c), including: <ul style="list-style-type: none"> negligible change in groundwater supply; and negligible change in groundwater quality
Aquatic and riparian ecosystems	<ul style="list-style-type: none"> Negligible environmental consequences beyond those predicted in the document/s listed in condition A2(c) Negligible decline in baseline channel stability Develop site-specific in-stream water quality objectives in accordance with the <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality</i> (ANZECC & ARMCANZ, 2000) and <i>Using the ANZECC Guidelines and Water Quality Objectives in NSW</i> (DEC, 2006)
Marulan Creek Dam	<ul style="list-style-type: none"> Negligible impacts on the quality and quantity of downstream flows and geomorphic processes in Marulan Creek and Barbers Creek as a result of the development, beyond those predicted in the document/s listed in condition A2(c) Design, install and maintain dam infrastructure in accordance with the guidance series for <i>Controlled Activities on Waterfront Land</i> (DPI Water, 2012)



Number	Details	Evidence Sources/Questions	Audit Findings										
	<table border="1"> <tr> <td>Erosion and sediment control works</td> <td> <ul style="list-style-type: none"> Design, install and maintain erosion and sediment controls in accordance with the guidance series <i>Managing Urban Stormwater: Soils and Construction</i> including <i>Volume 1: Blue Book (Landcom, 2004)</i>, <i>Volume 2A: Installation of Services (DECC, 2008)</i>, <i>Volume 2C: Unsealed Roads (DECC, 2008)</i>, <i>Volume 2D: Main Road Construction (DECC, 2008)</i> and <i>Volume 2E: Mines and Quarries (DECC, 2008)</i> Design, install and maintain any creek crossings in accordance with the <i>Fisheries NSW Policy and Guidelines for Fish Habitat Conservation and Management (DPI, 2013)</i> and <i>Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries 2003)</i> Design, install and maintain any new infrastructure within 40 metres of watercourses in in accordance with the guidance series for <i>Controlled Activities on Waterfront Land (DPI Water, 2012)</i> </td> </tr> <tr> <td>Clean water diversions and storage infrastructure</td> <td> <ul style="list-style-type: none"> Design, install and maintain the clean water system to capture and convey the 100 year ARI flood 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 </td> </tr> <tr> <td>Sediment dams</td> <td> <ul style="list-style-type: none"> Design, install and maintain sediment dams in accordance with the guidance series <i>Managing Urban Stormwater: Soils and Construction – Volume 1 (Landcom, 2004)</i> and <i>2E Mines and Quarries (DECC, 2008)</i> and the requirements under the POEO Act </td> </tr> <tr> <td>Chemical and hydrocarbon storage</td> <td> <ul style="list-style-type: none"> Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standard </td> </tr> <tr> <td>Overburden emplacements</td> <td> <ul style="list-style-type: none"> Design, install and maintain emplacements to encapsulate and prevent migration of acid forming and potentially acid forming materials, and saline and sodic material Design, install and maintain out-of-pit emplacements to prevent and/or manage long term saline seepage </td> </tr> </table>	Erosion and sediment control works	<ul style="list-style-type: none"> Design, install and maintain erosion and sediment controls in accordance with the guidance series <i>Managing Urban Stormwater: Soils and Construction</i> including <i>Volume 1: Blue Book (Landcom, 2004)</i>, <i>Volume 2A: Installation of Services (DECC, 2008)</i>, <i>Volume 2C: Unsealed Roads (DECC, 2008)</i>, <i>Volume 2D: Main Road Construction (DECC, 2008)</i> and <i>Volume 2E: Mines and Quarries (DECC, 2008)</i> Design, install and maintain any creek crossings in accordance with the <i>Fisheries NSW Policy and Guidelines for Fish Habitat Conservation and Management (DPI, 2013)</i> and <i>Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries 2003)</i> Design, install and maintain any new infrastructure within 40 metres of watercourses in in accordance with the guidance series for <i>Controlled Activities on Waterfront Land (DPI Water, 2012)</i> 	Clean water diversions and storage infrastructure	<ul style="list-style-type: none"> Design, install and maintain the clean water system to capture and convey the 100 year ARI flood 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 	Sediment dams	<ul style="list-style-type: none"> Design, install and maintain sediment dams in accordance with the guidance series <i>Managing Urban Stormwater: Soils and Construction – Volume 1 (Landcom, 2004)</i> and <i>2E Mines and Quarries (DECC, 2008)</i> and the requirements under the POEO Act 	Chemical and hydrocarbon storage	<ul style="list-style-type: none"> Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standard 	Overburden emplacements	<ul style="list-style-type: none"> Design, install and maintain emplacements to encapsulate and prevent migration of acid forming and potentially acid forming materials, and saline and sodic material Design, install and maintain out-of-pit emplacements to prevent and/or manage long term saline seepage 		
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B44	The performance measures in Table 4 do not apply to water management structures which were lawfully constructed prior to the commencement of development under this consent.	Boral aware of condition.	N/A										
Water Management Plan													
B45	The Applicant must prepare a Water Management Plan for the development to the satisfaction of the Planning Secretary. This plan must: <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary; (b) be prepared in consultation with WaterNSW, DPE Water, Fisheries NSW and the EPA; 	Water Management Plan 2022.	Compliant										



Number	Details	Evidence Sources/Questions	Audit Findings
	<p>(c) describe the measures to be implemented to ensure that the Applicant complies with the water management performance measures (see Table 4);</p> <p>(d) utilise existing local data and build on existing monitoring programs, where practicable;</p> <p>(e) include a:</p> <ul style="list-style-type: none">(i) Site Water Balance that includes details of:<ul style="list-style-type: none">• predicted annual inflows to and outflows from the site;• sources and security of water supply for the life of the development (including authorised entitlements and licences);• water storage capacity;• water use and management on the site, including any water transfers or sharing with neighbouring mines;• licensed discharge points and limits; and• reporting procedures, including the annual preparation of an updated site water balance; (ii) Erosion and Sediment Control Plan that:<ul style="list-style-type: none">• is consistent with the requirements of Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) and Volume 2E: Mines and Quarries (DECC, 2008);• identifies activities that could cause soil erosion, generate sediment or affect flooding;• includes a program to periodically review sheet, rill and gully erosion risks, particularly in relation to emplacement areas;• includes a program to monitor the geomorphological stability of emplacement areas, in consultation with WaterNSW;• describes measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, and manage flood risk;		



Number	Details	Evidence Sources/Questions	Audit Findings
	<ul style="list-style-type: none">• describes the location, function, and capacity of erosion and sediment control structures; and• describes what measures would be implemented to maintain (and if necessary, decommission) the structures over time; <p>(iii) Surface Water Management Plan that includes:</p> <ul style="list-style-type: none">• detailed baseline data on surface water flows and quality of watercourses and/or water bodies potentially impacted by the development, including:<ul style="list-style-type: none">- stream and riparian vegetation health;- channel stability (geomorphology); and- water supply for other surface water users;• a detailed description of the surface water management system, including consideration of mitigation measures to manage downstream risks associated with alkalinity, TSS and settling agents;• details of the water licensing requirements for all water storages (i.e. exempt, harvestable rights or licenced);• detailed plans, design objectives and performance criteria for water management infrastructure, including:<ul style="list-style-type: none">- water run-off diversions and catch drains;- water storages (excluding Marulan Creek Dam) and sediment dams;- emplacement areas; and- backfilled pits and any final voids for the development;• surface water performance criteria, including trigger levels for identifying and investigating any potentially adverse impacts (or trends) associated with the development, for:<ul style="list-style-type: none">- water supply for other water users;- downstream surface water flows and quality, including (but not limited to) specific trigger levels for TSS, metals, alkalinity, bicarbonate alkalinity and		



Number	Details	Evidence Sources/Questions	Audit Findings
	<p>settling agents, which are informed by baseline data, having regard to the sensitivity of downstream waters;</p> <ul style="list-style-type: none">- downstream flooding impacts;- stream and riparian vegetation health; and- post-mining water pollution from rehabilitated areas of the site; <ul style="list-style-type: none">• a program to monitor and evaluate:<ul style="list-style-type: none">- compliance with the relevant performance measures listed in Table 4 and the performance criteria in this plan;- controlled and uncontrolled discharges and seepage/leachate from the site;- impacts on water supply for other water users;- surface water inflows, outflows and storage volumes, to inform the Site Water Balance; and- the effectiveness of the surface water management system and the measures in the Erosion and Sediment Control Plan;• reporting procedures for the results of the monitoring program, including notifying other water users of any elevated results; and• a trigger action response plan to respond to any exceedances of the relevant performance measures or performance criteria, and repair, mitigate and/or offset any adverse surface water impacts of the development; <p>(iv) Marulan Creek Dam Management Plan that includes:</p> <ul style="list-style-type: none">• detailed plans, design objectives and performance criteria for the dam infrastructure;• detailed measures to ensure compliance with the relevant performance measures in Table 4;• performance criteria, including trigger levels for identifying and investigating any potentially adverse impacts (or trends) associated with the development with respect to:<ul style="list-style-type: none">- downstream geomorphic processes;- sediment transmission;		



Number	Details	Evidence Sources/Questions	Audit Findings
	<ul style="list-style-type: none">- ecological function; and- water quality;• a program to monitor and evaluate compliance with the relevant performance measures in Table 4, including justification for proposed monitoring frequencies and parameters;• reporting procedures for the results of the monitoring program;• a remediation and rehabilitation strategy for areas of Marulan Creek both above and below the dam up to the entry to the Barber’s Creek gorge, which has been prepared by a suitably qualified and experienced fluvial geomorphologist, having regard to A Rehabilitation Manual for Australian Streams (Land and Water Resources Research and Development Corporation, 2000); and• a trigger action response plan to respond to any exceedances of the relevant performance measures or performance criteria, and repair, mitigate and/or offset any adverse impacts on downstream flows and/or ecological processes; <p>(v) Groundwater Management Plan that includes:</p> <ul style="list-style-type: none">• detailed baseline data of groundwater levels, yield and quality for groundwater resources and groundwater dependent ecosystems potentially impacted by the development, including groundwater supply for other water users;• a detailed description of the groundwater management system;• groundwater performance criteria, including trigger levels for identifying and investigating any potentially adverse groundwater impacts (or trends) associated with the development, on:<ul style="list-style-type: none">- regional and local aquifers (alluvial and hardrock);- groundwater springs; and- groundwater supply for other water users such as licensed privately-owned groundwater bores;• a program to monitor and evaluate:		



Number	Details	Evidence Sources/Questions	Audit Findings
	<ul style="list-style-type: none"> - compliance with the relevant performance measures listed in Table 4 and the performance criteria in this plan; - water loss/seepage from water storages into the groundwater system, including from any final voids; - groundwater inflows, outflows and storage volumes, to inform the Site Water Balance; - the hydrogeological setting of any nearby alluvial aquifers and the likelihood of any indirect impacts from the development; - impacts on groundwater dependent ecosystems; - impacts on groundwater supply for other water users; - the effectiveness of the groundwater management system; <ul style="list-style-type: none"> • reporting procedures for the results of the monitoring program, including notifying other water users of any elevated results; • a trigger action response plan to respond to any exceedances of the relevant performance measures and groundwater performance criteria, and repair, mitigate and/or offset any adverse groundwater impacts of the development; • a program to periodically validate the groundwater model for the development, including an independent review of the model every 3 years (unless otherwise agreed by the Planning Secretary), and comparison of monitoring results with modelled predictions; and <p>(vi) a protocol to report on the measures, monitoring results and performance criteria identified above, in the Annual Review referred to in condition D11.</p>		
B46	The Water Management Plan must be approved by the Planning Secretary within 3 months from the date of this consent, unless otherwise agreed by the Planning Secretary.	Boral written response confirms WMP approved 29/09/22. Boral Cement Marulan POELA Act 2011 Monitoring Data - January 2024 Report – Section 7.	Compliant

Number	Details	Evidence Sources/Questions	Audit Findings
B47	The Applicant must implement the Water Management Plan as approved by the Planning Secretary.	Site interview. Boral Cement Marulan POELA Act 2011 Monitoring Data - January 2024 Report – Section 4.	Compliant
B48	The Applicant must commission an independent audit of the long-term geomorphological stability of the WOE and SOE. This audit must: (a) be conducted by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary; (b) be carried out in consultation with WaterNSW; (c) be undertaken within three months of the completion of the surface water management systems for the WOE and SOE in Stage 4 of the development, or other timeframe agreed by the Planning Secretary; (d) assess whether the surface water management system has been constructed in accordance with the conditions of this consent and is geomorphologically stable; (e) recommend appropriate measures or actions to ensure the long-term stability of the WOE and SOE (if required); and (f) be conducted and reported to the satisfaction of the Planning Secretary.	For Stage 4 (After year 19 of operations)	N/A
B49	Within three months of commissioning the independent audit required under condition B48, or other timeframe agreed by the Planning Secretary, the Applicant must submit a copy of the Audit Report to the Planning Secretary and to WaterNSW, together with its response to any recommendations contained in the audit report and a timetable for the implementation of its recommendations.	For Stage 4 (After year 19 of operations)	N/A
B50	The Applicant must implement the recommendations of the Audit Report to the satisfaction of the Planning Secretary.	For Stage 4 (After year 19 of operations)	N/A
BIODIVERSITY			
Biodiversity Credits Required			
B51	Prior to commencing construction under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must retire the biodiversity credits specified in Table 5. The	Site interview and Boral written response confirms all biodiversity credits have been retired.	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings																				
	retirement of credits must be carried out in consultation with BCD and in accordance with the Biodiversity Offsets Scheme of the BCT Act, to the satisfaction of the BCT.																						
B52	<p>The retirement of credits must be carried out in consultation with BCD and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.</p> <p>Table 5: Biodiversity credit requirements</p> <table border="1"> <thead> <tr> <th>Credit Type</th> <th>Credits Required</th> </tr> </thead> <tbody> <tr> <td colspan="2">Ecosystem Credits</td> </tr> <tr> <td>PCT 1334 Yellow Box – Blakely’s Red Gum grassy woodland on the tablelands, South Eastern Highlands^{a, b}</td> <td>1,038</td> </tr> <tr> <td>PCT 778 Coast Grey Box – stringybark dry woodland on slopes of the Shoalhaven Gorges – Southern Sydney Basin</td> <td>885</td> </tr> <tr> <td>PCT 1150 – Silvertop Ash – Blue-leaved Stringybark shrubby open forest on ridges, north east South Eastern Highlands Bioregion</td> <td>260</td> </tr> <tr> <td>PCT 731 Broad-leaved Peppermint – Red Stringybark grassy open forest on undulating hills, South Eastern Highlands Bioregion</td> <td>325</td> </tr> <tr> <td colspan="2">Species Credits</td> </tr> <tr> <td><i>Solanum celatum</i></td> <td>2</td> </tr> <tr> <td>Koala^b</td> <td>2,454</td> </tr> <tr> <td>Large-eared Pied Bat^b</td> <td>3,836</td> </tr> </tbody> </table> <ul style="list-style-type: none"> ^aCommensurate with White Box-Yellow Box-Blakely’s Red Gum Grassy Woodland and Derived Native Grassland CEEC under the EPBC Act ^bUnder clause 6.6A of the Biodiversity Conservation Regulation 2017, variation rules do not apply to the identified species or community and the required credits must be retired on a like-for-like basis 	Credit Type	Credits Required	Ecosystem Credits		PCT 1334 Yellow Box – Blakely’s Red Gum grassy woodland on the tablelands, South Eastern Highlands ^{a, b}	1,038	PCT 778 Coast Grey Box – stringybark dry woodland on slopes of the Shoalhaven Gorges – Southern Sydney Basin	885	PCT 1150 – Silvertop Ash – Blue-leaved Stringybark shrubby open forest on ridges, north east South Eastern Highlands Bioregion	260	PCT 731 Broad-leaved Peppermint – Red Stringybark grassy open forest on undulating hills, South Eastern Highlands Bioregion	325	Species Credits		<i>Solanum celatum</i>	2	Koala ^b	2,454	Large-eared Pied Bat ^b	3,836	Site interview and Boral written response confirms all biodiversity credits have been retired.	Compliant
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Large-eared Pied Bat ^b	3,836																						
B53	The Applicant must implement the Biodiversity Offset Strategy in consultation with BCD, the BCT and MEG. ^a	Site interview and Boral response confirmed Boral implementing	Compliant																				



Number	Details	Evidence Sources/Questions	Audit Findings
	<p>^a Consultation with MEG is only required in respect of land-based biodiversity offsets</p>	<p>BOS in accordance with consultation with BCD, the BCT and MEG.</p>	
Biodiversity Management Plan			
B54	<p>The Applicant must prepare a Biodiversity Management Plan to the satisfaction of the Planning Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary; (b) be prepared in consultation with BCD; (c) describe the short, medium, and long-term measures to be undertaken to manage the remnant vegetation and fauna habitat on the site and within the offset areas; (d) describe how biodiversity management would be integrated with similar measures within other management plans, including the Rehabilitation Management Plan referred to in condition B82; (e) include detailed performance and completion criteria for evaluating the performance of the Biodiversity Offset Strategy and include triggers for remedial action, where these performance or completion criteria are not met; (f) describe how the Biodiversity Offset Strategy will be implemented and secured; (g) describe the measures to be implemented within the approved disturbance areas to: <ul style="list-style-type: none"> (i) minimise the amount of clearing; (ii) minimise impacts on fauna, including undertaking pre-clearance surveys and measures to minimise the risk of vehicle strike; (iii) provide for the salvage, transplanting and/or propagation of any threatened flora found during preclearance surveys, in accordance with the Guidelines for the Translocation of Threatened Plants in Australia (Vallee et al., 2004); and (iv) maximise the salvage of resources, including tree hollows, vegetation and soil resources, for beneficial reuse, including fauna habitat enhancement; (h) describe the measures to be implemented on the site to: 	<p>Biodiversity Management Plan 2022.</p>	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
	<ul style="list-style-type: none">(i) minimise impacts to White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC including potential edge effects within identified buffer zones, and contribute to conservation strategies for this CEEC;(ii) minimise impacts on fauna habitat resources such as hunting and foraging areas, habitat trees, fallen timber and hollow-bearing trees;(iii) enhance the quality of vegetation, vegetation connectivity and wildlife corridors including through the assisted regeneration and/or targeted revegetation of appropriate canopy, sub-canopy, understorey and ground strata;(iv) introduce naturally scarce fauna habitat features such as nest boxes and salvaged tree hollows and promote the use of these introduced habitat features by threatened fauna species;(v) manage any potential conflicts with Aboriginal heritage values;(vi) protect vegetation and fauna habitat outside of the approved disturbance areas;(vii) manage the collection and propagation of seed from the local area;(viii) control weeds, including measures to avoid and mitigate the spread of weeds;(ix) control feral pests and diseases with consideration of actions identified in relevant threat abatement plans;(x) control erosion;(xi) manage any grazing and agriculture;(xii) control access to vegetated or revegetated areas; and(xiii) manage bushfire hazards; <p>(i) include a seasonally-based program to monitor and report on the effectiveness of the above measures, progress against the detailed performance indicators and completion criteria, and identify improvements that could be implemented to improve biodiversity outcomes;</p> <p>(j) identify the potential risks to the successful implementation of the Biodiversity Management Plan, and include a description of the contingency measures to be implemented to mitigate against these risks; and</p> <p>(k) include details of who would be responsible for monitoring, reviewing, and implementing the plan.</p>		

Number	Details	Evidence Sources/Questions	Audit Findings
B55	The Applicant must not clear any vegetation described in the document/s listed in condition A2(c) until the Biodiversity Management Plan is approved by the Planning Secretary.	Boral written response confirms BMP approved 9/11/22.	Compliant
B56	The Applicant must implement the Biodiversity Management Plan as approved by the Planning Secretary.	Annual Review 2022-2023. Site interview, site inspection and Boral written response confirms compliance with this condition.	Compliant
HERITAGE			
Protection of Aboriginal Heritage			
B57	The Applicant must ensure that the development does not cause any direct or indirect impact on any identified heritage items located outside the approved disturbance area, beyond those predicted in the document/s listed in condition A2(c). <i>Note: Identified heritage items are shown in the figures in Appendix 5.</i>	Site interview, site inspection and Boral written response confirms no direct or indirect impacts outside the approved disturbance areas has occurred.	Compliant
B58	If suspected human remains are discovered on the site, then all work surrounding the area must cease, and the area must be secured. The Applicant must immediately notify NSW Police Force and Heritage NSW, and work must not recommence in the area until authorised by NSW Police Force and Heritage NSW.	Part of Aboriginal Cultural Heritage Management Plan.	Compliant
B59	The Applicant must ensure that all known Aboriginal objects or Aboriginal places on the site and within the offset areas are properly recorded, and those records are kept up to date, in the Aboriginal Heritage Information Management System (AHIMS) Register.	Annual Environmental Management Review 2022-2023 – Section 6.7 Boral written response confirmed EMM have updated the records in AHIMS.	Compliant
B60	The Applicant must prepare an Aboriginal Cultural Heritage Management Plan for the development. The plan must: (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Planning Secretary; (b) be prepared in consultation with Heritage NSW and Registered Aboriginal Parties; (c) describe the measures to be implemented on the site or within the offset areas to: (i) comply with the heritage-related operating conditions of this consent;	Aboriginal Cultural Heritage Management Plan 2022. Boral written response confirmed works along Marulan Creek are not currently proposed.	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
	<ul style="list-style-type: none"> (ii) ensure all workers receive suitable Aboriginal cultural heritage training/inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions; (iii) protect, monitor and manage identified Aboriginal objects and Aboriginal places (including any proposed archaeological investigation of potential subsurface objects, collection and salvage of objects within the approved disturbance area) in accordance with the commitments made in the document/s listed in condition A2(c); (iv) protect Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development; (v) manage the discovery of suspected human remains and any new Aboriginal objects or Aboriginal places, including provisions for burials, over the life of the development; (vi) maintain and manage reasonable access for relevant Aboriginal stakeholders to Aboriginal objects and Aboriginal places (outside of the approved disturbance area); and (vii) facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site; (d) include a strategy for the care, control and storage of Aboriginal objects salvaged on the site, both during the life of the development and in the long term; and (e) in relation to the women’s cultural heritage site along Marulan Creek, include: <ul style="list-style-type: none"> (i) an assessment of the potential impacts of the Marulan Creek dam and associated flow regime on the site, prepared by an intangible cultural heritage specialist in consultation with the identified knowledge holders; and (ii) assessment of whether mitigation to any negative impacts should occur through periodic cultural flows. 		
B61	The Applicant must not disturb any heritage item until the Aboriginal Cultural Heritage Management Plan is approved by the Planning Secretary.	Boral written response confirm no disturbance to any heritage item prior to March 2022	Compliant
B62	The Applicant must implement the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary.	Site interview. Annual Environmental Management Review 2022-2023 – Section 6.7 & 12.2	Compliant

Historic Heritage Management Plan

Number	Details	Evidence Sources/Questions	Audit Findings
B63	<p>The Applicant must prepare a Historic Heritage Management Plan for the development, in respect of all non- Aboriginal cultural heritage items, to the satisfaction of the Planning Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary; (b) be prepared in consultation with Council and in accordance with the relevant Heritage NSW guidelines; (c) describe how the historic heritage values of the site would be recorded and preserved; (d) identify all heritage items in the vicinity of the site and include a statement of significance for each item; (e) describe the measures to be implemented on the site or within the offset areas to: <ul style="list-style-type: none"> (i) ensure all workers on the site receive suitable heritage training/inductions prior to carrying out any activities which may cause impacts to historic heritage, and that suitable records are kept of these inductions; (ii) protect heritage items located outside the approved disturbance area from impacts of the development, beyond those predicted in the document/s listed in condition A2(c); (iii) undertake photographic/archival recording of any items of heritage significance predicted to be impacted by the development, prior to disturbance; and (iv) manage any new heritage items discovered during the life of the development; and (f) include a strategy for the care, control and storage of heritage relics salvaged from the site. 	Historic Management Plan 2022.	Compliant
B64	The Applicant must not disturb any heritage item until the Historic Heritage Management Plan is approved by the Planning Secretary.	Boral written response confirms HHMP approved 13/10/22. Annual Environmental Management Review 2022-2023 – Section 12.1	Compliant
B65	The Applicant must implement the Historic Heritage Management Plan as approved by the Planning Secretary.	Site interview. Annual Environmental Management Review 2022-2023 – Section 12.1	Compliant

VISUAL

Number	Details	Evidence Sources/Questions	Audit Findings
Visual Amenity and Lighting			
B66	<p>The Applicant must:</p> <p>(a) take all reasonable steps to minimise the visual and off-site lighting impacts of the development;</p> <p>(b) take all reasonable steps to minimise views of mining operations and associated equipment from privately owned residences, public roads and the Bungonia Lookdown;</p> <p>(c) ensure no fixed outdoor lights shine directly above the horizontal or above the building line or any illuminated structure;</p> <p>(d) ensure no in-pit mobile lighting rigs shine directly above the pit wall and other mobile lighting rigs do not shine directly above the horizontal (except where required for emergency safety purposes);</p> <p>(e) 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;</p> <p>(f) ensure that the visual appearance of any new buildings, structures, facilities or works (including paint colours and specifications) is aimed at blending as far as possible with the surrounding landscape.</p>	<p>Site interview, site inspection and Boral written response including lighting installed in the plant is compliant with Australian Standards, was not excessive with Lux and had no impact on the community and environment (staff attended Tallong to view the light from a distance to ensure it was not pointing above the horizon).</p>	Compliant
B67	<p>The Applicant must take all reasonable steps to minimise the night lighting impacts associated with road transport along Marulan South Road. This may include, but not be limited to, the construction of earth bunds within the realigned Marulan South Road reserve, in consultation with Council.</p>	<p>Site interview and Boral written response confirmed Marulan South Rd realignment is due end June 2025 and Northern noise bund emplacement clearing has commenced in consultation with Council.</p>	Compliant
WASTE			
B68	<p>The Applicant must:</p> <p>(a) take all reasonable steps to minimise the waste generated by the development;</p> <p>(b) classify all waste in accordance with the Waste Classification Guidelines (EPA, 2014);</p> <p>(c) dispose of all waste at appropriately licensed waste facilities;</p>	<p>Annual Environmental Management Review 2022-2023 – Section 4.4</p> <p>Site inspection reviewed waste separation dumpsters, oil &</p>	Compliant

Number	Details	Evidence Sources/Questions	Audit Findings
	(d) manage on-site sewage treatment and disposal in accordance with the requirements of Council; and (e) monitor and report on the effectiveness of the waste minimisation and management measures in the Annual Review referred to in condition D11.	grease separator and oil, fluke, grease storage.	
B69	Except as expressly permitted in an applicable EPL, specific resource recovery order or exemption under the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> , the Applicant must not receive waste at the site for storage, treatment, processing, reprocessing or disposal.	Boral written response confirmed no waste has been received on site as per condition.	Compliant
B70	Prior to commencing development under this consent, the Applicant must prepare a Contaminated Materials Protocol to the satisfaction of the Planning Secretary. This protocol must describe the procedures to be implemented in the event that potentially contaminated material is identified during construction, including: (a) procedures for the testing, removal and disposal of potentially contaminated material; and (b) measures to ensure compliance with the requirements of SafeWork NSW and relevant guidelines.	EMS Appendix K – Contaminated Materials Protocol	Compliant
B71	The Applicant must implement the Contaminated Materials Protocol as approved by the Planning Secretary.	Annual Environmental Management Review 2022-2023 – Section 12.1	Compliant
DANGEROUS GOODS			
B72	The Applicant must ensure that the storage, handling, and transport of: (a) dangerous goods is done in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the Dangerous Goods Code; and (b) explosives are managed in accordance with the requirements of the Resources Regulator.	Annual Environmental Management Review 2022-2023 – Section 4.6 & site inspection	Compliant
BUSHFIRE MANAGEMENT			
B73	The Applicant must: (a) ensure that the development: (i) provides for asset protection in accordance with the relevant requirements in the <i>Planning for Bushfire Protection</i> (RFS, 2019) guideline; and (ii) ensure that there is suitable equipment to respond to any fires on the site; and	Bushfire Management Plan 2022 & site inspection Annual Environmental Management Review 2022-2023 – Section 6.9	Compliant

Number	Details	Evidence Sources/Questions	Audit Findings
	(b) assist the RFS and emergency services to the extent practicable if there is a fire in the vicinity of the site.	and site inspection	
B74	<p>Prior to commencing development under this consent, the Applicant must prepare a Bushfire Management Plan for the development, in consultation with RFS. This plan must include a:</p> <p>(a) contact person and 24-hour contact phone number;</p> <p>(b) schedule and description of proposed bushfire mitigation works, including:</p> <ul style="list-style-type: none"> (i) location of managed and unmanaged vegetation within the site; (ii) location of water supply; and (iii) internal access roads; <p>(c) plan identifying the location and storage of bulk flammable liquids and materials;</p> <p>(d) 'hot works' management plan, including:</p> <ul style="list-style-type: none"> (i) circumstances when 'hot works' are limited or prohibited; and (ii) safety measures to be implemented when 'hot works' are being conducted; and <p>(e) emergency/evacuation plan in accordance with the <i>Guidelines for the Preparation of Emergency/Evacuation Plans (RFS)</i> and Australian Standard <i>AS3745 Planning for Emergencies in Facilities</i>.</p>	<p>Bushfire Management Plan 2022. Environmental Management Strategy 2022 – Appendix O – Emergency Response Procedure. Site interview and Boral written response confirmed schedule/plan showing of proposed bushfire mitigation works, including location of managed and unmanaged vegetation within the site is covered by the BMP.</p>	Compliant
B75	The Applicant must implement the Bushfire Management Plan in consultation with RFS.	Annual Environmental Management Review 2022-2023 – Section 12.1	Compliant
REHABILITATION			
Rehabilitation Objectives			
B76	<p>The Applicant must rehabilitate the site in accordance with the conditions imposed on the mining lease(s) associated with the development under the <i>Mining Act 1992</i>. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in documents listed in condition A2(c) and shown in Appendix 6, and must comply with the objectives in Table 6.</p> <p>Table 6: Rehabilitation objectives</p>	<p>Rehabilitation Strategy 2022. Annual Environmental Management Review 2022-2023 – Section 8.4. Site interview and site inspection confirmed Byrce Gully area rehabilitation area works still progressing with removal of overburden and soil from above the slope to</p>	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings														
	<table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>All areas of the site affected by the development</td> <td> <ul style="list-style-type: none"> • Safe, stable and non-polluting • Fit for the intended post-mining land use/s • Establish the final landform and post-mining land use/s as soon as practicable after cessation of mining operations • Minimise post-mining environmental impacts </td> </tr> <tr> <td>Areas proposed for native ecosystem re-establishment</td> <td> <ul style="list-style-type: none"> • Establish/restore self-sustaining native woodland ecosystems • Establish local plant community types, with a particular focus on species commensurate with <i>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC</i> • Establish: <ul style="list-style-type: none"> - riparian habitat within any retained water features; - habitat, feed and foraging resources for threatened fauna species (including the Koala); and - vegetation connectivity and wildlife corridors, as far as is reasonable and feasible </td> </tr> <tr> <td>Final Landform</td> <td> <ul style="list-style-type: none"> • Stable and sustainable for the intended post-mining land use/s • Integrated with surrounding natural landforms and other mine rehabilitated landforms, to the greatest extent practicable • Incorporate micro-relief and drainage features that mimic natural topography and mitigate erosion, to the greatest extent practicable • Maximise surface water drainage to the natural environment i.e. free draining (excluding final void catchment) • Minimise visual impacts, where practicable </td> </tr> <tr> <td>Final void</td> <td> <ul style="list-style-type: none"> • Designed as long term groundwater sink to prevent the release of saline water into the surrounding environment, unless further mine planning and final landform design processes identify a more suitable outcome for the final void (see condition B79) • Minimise to the greatest extent practicable: <ul style="list-style-type: none"> - the size and depth; - the drainage catchment; - any high wall instability risk; and - the risk of flood interaction • Maximise potential for beneficial reuse, where practicable </td> </tr> <tr> <td>Surface infrastructure of the development (excluding Marulan Creek Dam)</td> <td> <ul style="list-style-type: none"> • To be decommissioned, removed and rehabilitated, unless the Resources Regulator agrees otherwise </td> </tr> <tr> <td>Water quality</td> <td> <ul style="list-style-type: none"> • Water retained on the site is fit for the intended post-mining land use/s • Water discharged from the site is suitable for receiving waters and fit for aquatic ecology and riparian vegetation </td> </tr> </tbody> </table>	Feature	Objective	All areas of the site affected by the development	<ul style="list-style-type: none"> • Safe, stable and non-polluting • Fit for the intended post-mining land use/s • Establish the final landform and post-mining land use/s as soon as practicable after cessation of mining operations • Minimise post-mining environmental impacts 	Areas proposed for native ecosystem re-establishment	<ul style="list-style-type: none"> • Establish/restore self-sustaining native woodland ecosystems • Establish local plant community types, with a particular focus on species commensurate with <i>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC</i> • Establish: <ul style="list-style-type: none"> - riparian habitat within any retained water features; 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Number	Details	Evidence Sources/Questions	Audit Findings
	Community <ul style="list-style-type: none"> • Ensure public safety • Minimise adverse socio-economic effects associated with mine closure 		
B77	<p>The rehabilitation objectives in Table 6 apply to the entire site, including all landforms which were lawfully constructed prior to the commencement of development under this consent. The Applicant is not required to retrospectively incorporate micro-relief and drainage features that mimic natural topography and mitigate erosion on landforms that have been approved and constructed under the previous consents, however, further erosion control works may be required to these landforms to address long term stability issues (if identified).</p>	Rehabilitation Strategy 2022. Annual Environmental Management Review 2022-2023 – Section 8.4. Site interview and site inspection confirmed Byrce Gully area rehabilitation area works still progressing with removal of overburden and soil from above the slope to ameliorate potential for further slips and assist with stabilisation.	Compliant
Progressive Rehabilitation			
B78	<p>The Applicant must rehabilitate^a 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.</p> <p><i>^aThis condition does not prevent further disturbance at some later stage of the development of areas that have been rehabilitated.</i></p>	Site interview, site inspection and Boral written response to confirmed Boral hydromulch roughly 5Ha per year and infill tree plant 3Ha per year.	Compliant
Rehabilitation Strategy			
B79	<p>The Applicant must prepare a Rehabilitation Strategy for all land disturbed by the development to the satisfaction of the Planning Secretary. This strategy 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) be prepared in consultation with DPE Water, BCD, Resources Regulator and Council;</p> <p>(c) build upon the Rehabilitation Objectives in Table 6, describe the overall rehabilitation outcomes for the site, and address all aspects of rehabilitation including mine closure, final landform (including final voids), postmining land use/s and water management;</p>	Rehabilitation Strategy 2022.	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
	<p>(d) align with strategic rehabilitation and mine closure objectives and address the principles of the <i>Strategic Framework for Mine Closure</i> (ANZMEC and MCA, 2000);</p> <p>(e) describe how the rehabilitation measures would be integrated with the measures in the Biodiversity Management Plan referred to in condition B54;</p> <p>(f) describe how rehabilitation will be integrated with the mine planning process, including a plan to address premature or temporary mine closure;</p> <p>(g) include indicative mine plans and scheduling for life-of-mine rehabilitation showing each rehabilitation domain;</p> <p>(h) include details of target vegetation communities and species to be established within the proposed revegetation areas;</p> <p>(i) investigate opportunities to refine and improve the final landform and final void outcomes over time;</p> <p>(j) include a post-mining land use strategy to investigate and facilitate post-mining beneficial land uses for the site (including the final void), that:</p> <ul style="list-style-type: none"> (i) align with regional and local strategic land use planning objectives and outcomes; (ii) support a sustainable future for the local community; (iii) utilise existing mining infrastructure, where practicable; and (iv) avoid disturbing self-sustaining native ecosystems, where practicable; <p>(k) include a stakeholder engagement plan to guide rehabilitation and mine closure planning processes and outcomes;</p> <p>(l) investigate ways to minimise adverse socio-economic effects associated with rehabilitation and mine closure; and</p> <p>(m) include a program to periodically review and update this strategy at least every three years.</p>		
B80	The Rehabilitation Strategy must be approved by the Planning Secretary within 6 months from the date of this consent, unless otherwise agreed by the Planning Secretary.	Annual Environmental Management Review 2022-2023 – Section 12.1 & Boral written response	Compliant
B81	The Applicant must implement the Rehabilitation Strategy approved by the Planning Secretary.	Site interview. Annual Environmental Management Review 2022-2023 – Section 8.4	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
Rehabilitation Management Plan			
B82	<p>The Applicant must prepare a Rehabilitation Management Plan for the development, in accordance with the conditions imposed on the mining lease(s) associated with the development under the Mining Act 1992. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with the Department and Council; (b) be prepared in accordance with any relevant Resources Regulator Guidelines; (c) include detailed performance indicators and completion criteria for each rehabilitation domain, and triggers for remedial actions; (d) include an overview of the identified risks to achieving successful rehabilitation; (e) describe the measures to be implemented on the site to achieve the Rehabilitation Objectives in Table 6, the requirements of the Rehabilitation Strategy referred to in condition B79 and the criteria in paragraph (c); (f) include detailed mine plans and scheduling for progressive rehabilitation to be initiated, undertaken and/or completed over the next three years, or other suitable time period as agreed with the Resources Regulator; (g) include a program to monitor, independently audit and report on progress against the criteria in paragraph (c) and the effectiveness of the measures in paragraph (e); (h) 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 (i) outline intervention and adaptive management techniques to ensure rehabilitation remains on a trajectory of achieving the Rehabilitation Objectives, Rehabilitation Completion Criteria and the Final Landform in the Rehabilitation Management Plan as soon as reasonably practical. 	Rehabilitation Management Plan 2023 and review of plan	<p>Compliant</p> <p>Opportunity for Improvement [BML03/24]: Correct “Error” references throughout the document.</p>
TRANSPORT			
Monitoring of Product Transport			
B83	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) keep accurate records⁹ of the: <ul style="list-style-type: none"> (i) amount of mining products and quarry products transported from the site (on a daily basis); and 	<p>Annual Environmental Management Review 2022-2023 – Section 4.3 & lead auditor during site inspection viewed</p>	<p>Compliant</p> <p>Opportunity for</p>



Number	Details	Evidence Sources/Questions	Audit Findings
	<p>(ii) date and time of each laden train and truck movement generated by the development; and</p> <p>(b) publish these records in the Annual Review.</p> <p>^a <i>Records must contain sufficient details to demonstrate compliance with conditions A6 to A13 of this consent.</i></p>	<p>product transport records data on computer. Boral demonstrated how information is input into the system and actively monitored. Source data from automated weighbridge measuring. No traffic non-compliances post 2022-2023 Annual Review reporting between 30/06/23 to 31/12/23.</p>	<p>improvement [BML 04/24] – include in Annual Review maximum truck movements per day (currently only train movements per day shown (Table 4.4 of Annual Review 2022-2023))</p>
Transport Operating Conditions			
B84	<p>Until such time as the eastern end of Marulan South Road is de-proclaimed, the Applicant must:</p> <p>(a) make suitable arrangements to ensure the safety of public road users (including traffic signals, signage or other traffic control measures), to the satisfaction of Council; and</p> <p>(b) ensure that any traffic signals on public roads are designed, installed and operated to the satisfaction of TfNSW.</p>	<p>Boral written response confirmed eastern end of Marulan South Road has been de-proclaimed and is private.</p>	<p>Compliant</p>
B85	<p>The Applicant must:</p> <p>(a) ensure that all laden trucks entering or exiting the site have their loads covered;</p> <p>(b) ensure that all laden trucks exiting the site are cleaned of material that may fall from vehicles, before leaving the site;</p> <p>(c) take all reasonable steps to minimise traffic safety issues and disruption to local road users; and</p> <p>(d) take all reasonable steps to ensure that appropriate signage is displayed on all trucks used to transport quarry products from the development so they can be easily identified by other road users.</p>	<p>Site inspection confirmed loads are covered, trucks are clean (wheel wash), signage on trucks for transporting quarry product to distinguish from other road users.</p>	<p>Compliant</p>



Number	Details	Evidence Sources/Questions	Audit Findings
Road Realignment			
B86	<p>Unless otherwise agreed by Council, the Applicant must construct the new alignment of Marulan South Road as described in the documents listed in A2 (c), to the following standard:</p> <p>(a) 7 m wide sealed carriageway, comprising two 3.5 m wide travel lanes;</p> <p>(b) 1.5 m wide shoulders (1 m sealed) on both sides of the road;</p> <p>(c) 3 m wide cleared zone; and</p> <p>(d) Wide Centre Line Treatment, with retroreflective pavement markers, edge-line markers and guideposts as agreed by Council, in accordance with relevant Austroads guidelines and to the satisfaction of Council.</p> <p>Notes:</p> <ul style="list-style-type: none"> The upgrade works identified above include all road furniture and safety requirements required to meet relevant road standards, to the satisfaction of the relevant roads authority. If there is a dispute between the relevant parties about the implementation of this condition, then any party may refer the matter to the Planning Secretary for resolution. 	Boral written response confirmed re-alignment works are due mid-June 2025, plans are completed and are with TfNSW for approval.	Compliant
B87	The Applicant must ensure that public access is maintained along the existing alignment of Marulan South Road until the new alignment (as required under condition B86) is constructed and dedicated to Council.	Boral written response confirmed construction has not commenced and therefore no impact on public access.	Compliant
Road Restrictions			
B88	<p>Unless otherwise agreed by Council, the Applicant must not dispatch more than 75 laden trucks per day or 5 laden trucks per hour from the site, until Marulan South Road is upgraded as described in the documents listed in A2 (c), to the following standard:</p> <p>(a) 7 m wide sealed carriageway, comprising two 3.5 m wide travel lanes;</p> <p>(b) 1.5 m wide shoulders (1 m sealed) on both sides of the road;</p> <p>(c) 3 m wide cleared zone; and</p> <p>(d) Wide Centre Line Treatment, with retroreflective pavement markers, edge-line markers and guideposts as agreed by Council, in accordance with relevant Austroads guidelines and to the satisfaction of Council. The requirements of condition B88 do not apply to the section of road which is to be realigned under condition B86 above.</p>	Boral written response confirmed Council agreed to 15 per hour in the day, 5 per hour during school times and at night and Boral are complying with these requirements.	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
<p>Notes:</p> <ul style="list-style-type: none"> The upgrade works identified above include all road furniture and safety requirements required to meet relevant road standards, to the satisfaction of the relevant roads authorities. If there is a dispute between the relevant parties about the implementation of this condition, then any party may refer the matter to the Planning Secretary for resolution. 			
B89	The design standard required under condition B88 may be varied with the agreement of Council.	Boral written response confirmed Council agreed to 15 per hour in the day, 5 per hour during school times and at night and Boral are complying with these requirements.	Compliant
<p>Traffic Management Plan</p>			
B90	<p>The Applicant must prepare a Traffic Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary; (b) be prepared in consultation with TfNSW and Council; (c) include details of all transport routes and traffic types to be used for development-related traffic; (d) describe the measures to be implemented to ensure compliance with conditions B84 and B85 above; (e) include details of the measures to be implemented to minimise traffic safety issues and disruption to local road users, including minimising potential for conflict with school buses and stock movements; (f) include a Drivers' Code of Conduct that includes procedures to ensure that drivers: <ul style="list-style-type: none"> (i) adhere to posted speed limits or other required travelling speeds; (ii) adhere to designated transport routes; and (iii) implement safe and quiet driving practices; 	Traffic Management Plan 2022 Annual Environmental Management Review 2022-2023 – Section 12.1 & review of plans.	<p>Compliant</p> <p>Opportunity for Improvement [BML05/24]: Appendices A, B, C, D to be included in the TMP on Boral's website. If currently not applicable, then note this on the Appendix page</p>

Number	Details	Evidence Sources/Questions	Audit Findings
	(g) describe the measures to be put in place to ensure compliance with the Drivers' Code of Conduct; and (h) propose measures to minimise the transmission of dust and tracking of material onto the surface of public roads from vehicles exiting the site.		until Appendix is available.
B91	The Traffic Management Plan must be approved by the Planning Secretary within 3 months from the date of this consent, unless otherwise agreed by the Planning Secretary.	Boral written response confirms TMP approved 13/08/22. Annual Environmental Management Review 2022-2023 – Section 12.1.	Compliant
B92	The Applicant must implement the Traffic Management Plan as approved by the Planning Secretary	Site interview. Annual Environmental Management Review 2022-2023 – Section 4.3	Compliant
PART C: ADDITIONAL PROCEDURES			
NOTIFICATION OF LANDOWNERS/TENANTS			
C1	Within one month of the date of this consent, the Applicant must: (a) notify in writing the owner of any privately-owned land within 2 kilometres of any approved open cut mining pit on the site that they are entitled to ask the Applicant for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated; (b) notify the tenants of any mine-owned land of their rights under this consent; and (c) send a copy of the fact sheet entitled "Mine Dust and You" (NSW Health, 2017) to the owners and/or existing tenants of any land (including mine-owned land) where the predictions in the document/s listed in condition A2(c) identify that dust emissions generated by the development are likely to be greater than the relevant air quality criteria identified in condition B27 at any time during the life of the development.	Boral written response confirmed all neighbours have been invited to the site, but no neighbours interested in attending the site.	Compliant
C2	Prior to entering into any tenancy agreement for any land owned by the Applicant that is predicted to experience exceedances of the recommended dust and/or noise criteria, the Applicant must:	Boral written response confirmed this condition. N/A at this stage.	N/A

Number	Details	Evidence Sources/Questions	Audit Findings
	<p>(a) advise the prospective tenants of the potential health and amenity impacts associated with living on the land, and give them a copy of the fact sheet entitled “Mine Dust and You” (NSW Health, 2017); and</p> <p>(b) advise the prospective tenants of the rights they would have under this consent, to the satisfaction of the Planning Secretary.</p>		
NOTIFICATION OF EXCEEDANCES			
C3	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, tenants and the CCC.	Annual Environmental Management Review 2022-2023 – Section 1 Statement of Compliance and relevant reporting sections.	Compliant
C4	For any exceedance of any air quality criterion in PART B of this consent, the Applicant must also provide to any affected land owners and/or tenants a copy of the fact sheet entitled “ <i>Mine Dust and You</i> ” (NSW Health, 2017).	Annual Environmental Management Review 2022-2023 – Section 1 Statement of Compliance and relevant reporting sections.	Compliant
INDEPENDENT REVIEW			
C5	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 writing for an independent review of the impacts of the development on their residence or land.	Boral written response confirmed no neighbouring landowners have requested an independent review.	N/A
C6	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.	Boral written response confirmed no neighbouring landowners have requested an independent review.	N/A
C7	If the Planning Secretary is satisfied that an independent review is warranted, within 3 months, or other timeframe agreed by the Planning Secretary and the landowner, of the Planning Secretary’s decision, the Applicant must: (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Planning Secretary, to:	Boral written response confirmed no neighbouring landowners have requested an independent review.	N/A



Number	Details	Evidence Sources/Questions	Audit Findings
	<ul style="list-style-type: none"> (i) consult with the landowner to determine their concerns; (ii) conduct monitoring to determine whether the development is complying with the relevant criterion in PART B of this consent; and (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 <p>(b) give the Planning Secretary and landowner a copy of the independent review; and</p> <p>(c) comply with any written requests made by the Planning Secretary to implement any findings of the review.</p>		
PART D ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING ENVIRONMENTAL MANAGEMENT			
ENVIRONMENTAL MANAGEMENT			
Environmental Management Strategy			
D1	<p>The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must:</p> <ul style="list-style-type: none"> (a) provide the strategic framework for environmental management of the development; (b) identify the statutory approvals that apply to the development; (c) set out the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (d) set out the procedures to be implemented to: <ul style="list-style-type: none"> (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii) receive record, handle and respond to complaints; (iii) resolve any disputes that may arise during the course of the development; (iv) respond to any non-compliance and any incident; (v) respond to emergencies; and (e) include: <ul style="list-style-type: none"> (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. 	Environmental Management Strategy 2022.	<p>Compliant</p> <p>Opportunity for Improvement [BML06/24]: Include Appendices not already on the website and for Appendices on the website include a note under each Appendix see website for Appendix”.</p>

Number	Details	Evidence Sources/Questions	Audit Findings
D2	The Environmental Management Strategy must be approved by the Planning Secretary within 3 months from the date of this consent, unless otherwise agreed by the Planning Secretary	Boral written response confirmed EMS approved 13/10/22.	Compliant
D3	The Applicant must implement the Environmental Management Strategy as approved by the Planning Secretary.	Site interview. Annual Environmental Management Review 2022-2023 – Section 1 Statement of Compliance, Section 6 and relevant reporting sections.	Compliant
Adaptive Management			
D4	<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&A Act or EP&A Regulation. Where any exceedance of these criteria or performance measures has occurred, the Applicant must, at the earliest opportunity:</p> <p>(a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;</p> <p>(b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and</p> <p>(c) implement reasonable remediation measures as directed by the Planning Secretary.</p>	Annual Environmental Management Review 2022-2023 – Section 1 Statement of Compliance, Section 6 and relevant reporting sections. Site interview and inspection.	Compliant
Management Plan Requirements			
D5	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <p>(a) summary of relevant background or baseline data;</p> <p>(b) details of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>(ii) any relevant limits or performance measures and criteria; and</p>	Annual Environmental Management Review 2022-2023 – Section 12 and review of the management plans and approval of plans by the Planning Secretary.	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
	<ul style="list-style-type: none"> (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; (c) any relevant commitments or recommendations identified in the document/s listed in condition A2(c); (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; (e) a program to monitor and report on the: <ul style="list-style-type: none"> (i) impacts and environmental performance of the development; and (ii) effectiveness of the management measures set out pursuant to condition D4(c); (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; (g) a program to investigate and implement ways to improve the environmental performance of the development over time; (h) a protocol for managing and reporting any: <ul style="list-style-type: none"> (i) incident, non-compliance or exceedance of any impact assessment criterion or performance criterion); (ii) complaint; or (iii) failure to comply with other statutory requirements; (i) public sources of information and data to assist stakeholders in understanding environmental impacts of the development; and (j) a protocol for periodic review of the plan. <p><i>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>		
D6	The Applicant must ensure that management plans prepared for the development are consistent with the conditions of this consent and any EPL issued for the site.	Review of all management plans.	Compliant
REVISION OF STRATEGIES, PLANS AND PROGRAMS			
D7	Within three months of: <ul style="list-style-type: none"> (a) the submission of an incident report under condition D9; 	Boral written response confirmed a review of all plans occurred	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
	<p>(b) the submission of an Annual Review under condition D11; (c) the submission of an Independent Environmental Audit under condition D12; (d) the approval of any modification of the conditions of this consent (unless the conditions require otherwise); or (e) notification of a change in development phase under condition A17; the suitability of existing strategies, plans and programs required under this consent must be reviewed by the Applicant.</p>	<p>prior to end of Dec 2023 following the submission of the Annual Review 2022-2023. This review was submitted to the DPE with no changes.</p>	
<p>D8</p>	<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. Where revisions are required, the revised document must be 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>Boral written response confirmed all reviewed and updated documents were submitted to the DPE within 6 weeks together with a summary of plans reviewed with no changes.</p>	<p>Compliant</p> <p>Opportunity for Improvement BML07/24 – all strategies, plans and programs should update the document control table to include review of document, the trigger for the review, dates of review and whether Planning Secretary approval has been received or is not</p>



Number	Details	Evidence Sources/Questions	Audit Findings
			required. Date of Planning Secretary approval should also be included.
REPORTING AND AUDITING			
Incident Notification			
D9	The Applicant must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing through the Department’s Major Projects Website and identify the development (including the development application number and name) and set out the location and nature of the incident.	Boral written response confirmed there were no incidents during the audit period and specifically post the Annual Review 2022-2023 period.	Compliant
Non-Compliance Notification			
D10	<p>Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the noncompliance. The notification must be in writing through 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>Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance</p>	Site interview and Boral written response confirmed during the audit period and specifically post the Annual Review 2022-2023 period one PM2.5 non-compliance was notified and following investigation, was deemed not to be a non-compliance.	Compliant
Annual Review			
D11	By the end of July each year after the commencement of development, 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:	Annual Environmental Management Review 2022-2023.	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
	<p>(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;</p> <p>(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:</p> <ul style="list-style-type: none"> (i) relevant statutory requirements, limits or performance measures/criteria; (ii) requirements of any plan or program required under this consent; (iii) monitoring results of previous years; and (iv) relevant predictions in the document/s listed in condition A2(c); <p>(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</p> <p>(d) evaluate and report on:</p> <ul style="list-style-type: none"> (i) the effectiveness of the noise and air quality management systems; and (ii) compliance with the performance measures, criteria and operating conditions of this consent; <p>(e) identify any trends in the monitoring data over the life of the development;</p> <p>(f) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(g) describe what measures will be implemented over the next financial year to improve the environmental performance of the development.</p>		
D12	Copies of the Annual Review must be submitted to Council and made available to the CCC and any interested person upon request.	Boral written response confirmed copies of the Annual Review were provided to Council and CCC and posted on its website.	Compliant
Independent Environmental Audit			
D13	Within one year of commencement of development under this consent, 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:	Appointment of Expert (8/11/2023) DPIE correspondence &	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
	<p>(a) be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Planning Secretary;</p> <p>(b) be conducted by a suitably qualified, experienced and independent team of experts (including any expert in field/s specified by the Planning Secretary) whose appointment has been endorsed by the Planning Secretary;</p> <p>(c) be carried out in consultation with the relevant agencies and the CCC;</p> <p>(d) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licences and mining leases for the development (including any assessment, strategy, plan or program required under these approvals);</p> <p>(e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent;</p> <p>(f) recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent; and</p> <p>(g) be conducted and reported to the satisfaction of the Planning Secretary.</p>	Independent Environmental Audit.	
D14	<p>Within three months of commencing an Independent Environmental Audit, or other timeframe agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.</p>	Independent Environmental Audit to be provided to Planning secretary prior to 30 May 2024 as agreed with DPHI.	Compliant
Monitoring and Environmental Audit			
D15	<p>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.</p> <p>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</p>	Site interview, site inspection and Boral’s written responses confirm Boral is complying with this condition.	Compliant



Number	Details	Evidence Sources/Questions	Audit Findings
	documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.		
D16	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.	Management Plans as approved by Planning Secretary, site interview and Boral’s written responses confirm Boral is complying with this condition.	Compliant
ACCESS TO INFORMATION			
D17	<p>Before the commencement of development under this consent 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"> (i) the documents listed in condition A2(c); (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) minutes of CCC meetings; (v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; (vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (vii) a summary of the current phase and progress of the development; (viii) contact details to enquire about the development or to make a complaint; (ix) a complaints register, updated monthly; (x) the Annual Reviews of the development; (xi) 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; <p>and</p>	Review of Boral Marulan South Limestone Mine website and linked websites.	<p>Non-Compliant Low Risk</p> <p>Opportunity for Improvement BML08/24 –</p> <ol style="list-style-type: none"> 1. Water licences made available on website or link to relevant website where water licences can be accessed. 2. EIS (see definition of EIS under heading “Definitions” in



Number	Details	Evidence Sources/Questions	Audit Findings
	<p>(xii) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>		<p>the conditions of consent) to be on website or link to relevant website where EIS can be accessed. 3. All minutes of CCC meetings made available on website or link to the Peppertree Quarry website for combined minutes.</p>

4. COMPLIANCE WITH THE ENVIRONMENT PROTECTION LICENCE

This section assesses compliance against the relevant requirements of the Environmental Protection Licence (EPL) 994. Information about the EPL was sourced from the NSW Environmental Protection Authority (EPA) website located at the following link:

<https://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=944&id=944&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued>

The EPA website was accessed 12 March 2024.

The current licence is attached at **Appendix 3**.

For the EPL audit, a review was conducted of one (1) annual return period, 28/01/22 – 28/01/23. At the time of this Audit the annual return for the period 28/01/23 – 28/01/24 was not completed and was due at the end of March 2024. At the 20/03/24 site visit Boral representatives confirmed there were no non-compliances for the period 28/01/23 – 28/01/24. A record of key EPL condition questions and Boral responses is provided in Table 4-1.

Table 4-1: EPL Questions and Boral Responses

Evidence Sources/Question	Boral Response
Please confirm the attached 14/03/23 EPL conditions is the version Boral is currently operating under?	Yes. Boral 13/03/24 e-mail confirmed the 14/03/23 EPL conditions is the version Boral is currently operating under.
Has Boral lodged an application to vary any conditions after the 14/03/24?	No.
Please provide the annual return documents specified in condition R1.1 for the period 28/01/22 – 28/01/23.	Yes. EPL944 Annual Return document for 28/01/22 – 28/01/23 provided via 16/03/24 e-mail.
Please provide the annual return documents specified in condition R1.1 for the period 28/01/23 – 28/01/24.	No. The upcoming annual return for the period 28/01/23 – 28/01/24 has not yet been completed because it is due at the end of March 2024.



4.1. SUMMARY OF FINDINGS

There were no non-compliances during the audit period.

5. COMPLIANCE WITH WATER LICENCES

This section assesses compliance against the relevant requirements of the water licences. Information about the water licences was sourced from NSW Water website located at the following link:

<https://waterregister.waternsw.com.au/water-register-frame>

The EPA website was accessed 13 March 2024.

The current water licences are attached at **Appendix 4**.

Boral staff were interviewed on the 20/03/24 regarding the water licences. A record of key water licence condition questions and Boral responses is provided in Table 5-1. At the 20/03/24 site visit Boral representatives confirmed there were no non-compliances for the audit period.

Table 5-1: Water Licence Questions & Boral Responses

Evidence Sources/Questions	Boral Response
24697 Aquifer – Bore 10WA115141 & 10WA116142	Not operating.
Was the authorised supply works constructed with 3 years of date of approval?	N/A. issue not relevant to audit period. Bore was decommissioned prior to audit period. Need to update relevant management plans and note this in the next Annual Environmental Management Review.
Has the water supply work been abandoned or replaced during the audit period?	No. Bore was decommissioned prior to audit period.
Is work metered and fitted with a data logger? If not has a logbook been kept during the audit period?	N/A
If a logbook has been kept & does it comply with information that must be recorded for audit period?	N/A
41976 Aquifer – Bore 10CA122907	Operating.

Evidence Sources/Questions	Boral Response
Was the authorised supply works constructed with 3 years of date of approval?	N/A. Issue not relevant to audit period.
Has the water supply work been abandoned or replaced during the audit period?	No.
Is work metered and fitted with a data logger? If not has a logbook been kept during the audit period?	Yes. Work metered and fitted with a data logger. Data reported on a monthly basis. Metered online.
If a logbook has been kept does it comply with information that must be recorded for audit period?	N/A.
Were any Aboriginal sites uncovered during the construction of the water supply work(s) authorised by this approval?	No.
Did DPI water request you stop extraction of water for industrial purposes (road construction and dust suppression) because of significant impacts on the groundwater table during the audit period?	No.
25207 Unregulated river – Pump & overshot dam 10WA102352	Operating.
Is work metered and fitted with a data logger? If not has a logbook been kept during the audit period? If a logbook has been kept does it comply with information that must be recorded for audit period?	Yes. Work metered and fitted with a data logger. Data reported on a monthly basis. Metered online. Main water supply.
If a logbook has been kept does it comply with information that must be recorded for audit period?	N/A
25373 Unregulated river – Pump 10WA102377	Not operating.
Is work metered and fitted with a data logger? If not has a logbook been kept during the audit period?	N/A. Pump removed and not operating. Licence not relinquished.
If a logbook has been kept does it comply with information that must be recorded for audit period?	N/A. Pump removed and not operating. Licence not relinquished.
25352 Domestic and Stock (domestic) 10WA102352	Operating
Is work metered and fitted with a data logger? If not has a logbook been kept during the audit period?	Yes. Work metered and fitted with a data logger. Data reported on a monthly basis. Metered online.



Evidence Sources/Questions	Boral Response
If a logbook has been kept does it comply with information that must be recorded for audit period?	N/A

5.1. SUMMARY OF FINDINGS

There were no non-compliances during the audit period.



6. COMPLIANCE WITH MINING LEASES

The Annual Environmental Management Review 01/07/22 – 30/06/23 Section 3.2 provides commentary on current and relinquished mining leases.

Boral staff were interviewed on the 20/03/24 regarding the mining leases. In the interview Boral representatives confirmed:

- CML 16 is mostly relinquished;
- Remnant areas are still covered by CML 16, renewed in February 2023. Boral are aiming to fully relinquish CML 16 during 2024;
- ML 1857, granted 14/07/23, covers the new mining activity covered by SSD7009; and
- There were no non-compliances for the audit period.

6.1. SUMMARY OF FINDINGS

There were no non-compliances during the audit period.



7. ADEQUACY OF STRATEGIES, PLANS AND PROGRAMS

This section reviews the adequacy of the project's strategies, plans and programs and provides recommendations for measures or actions to improve the documents, where applicable.

7.1. CRITERIA FOR ASSESSING ADEQUACY

The adequacy of strategies, plans and programs have been assessed in accordance with the following criteria:

- **Compliance with review/revision requirements:** understand if documents are maintained as current and effective.
- **Compliance with conditions of consent:** ensure documents are consistent with the conditions of consent.
- **Clear objectives, defined actions and performance criteria:** determine whether the document is structured in a manner that clearly communicates the objectives, actions and performance criteria.
- **Align with best practice and/or relevant guidelines.**
- **Implementation and monitoring:** determine if the document outlays implementation processes and monitoring requirements.
- **Assigned responsibilities:** identify whether clear responsibilities and accountabilities have been assigned.
- **Integration:** as many environmental aspects and impacts are interrelated, it is crucial documents are linked to enable holistic environmental site management.

7.2. DOCUMENT REVIEW AND REVISION

The consent condition regarding review and revision of plans is Part D, Condition D7- D8:

D7. Within three months of:

- (a) *the submission of an incident report under condition D9;*
- (b) *the submission of an Annual Review under condition D11;*
- (c) *the submission of an Independent Environmental Audit under condition D12;*
- (d) *the approval of any modifications to this consent (unless the conditions require otherwise); or*
- (e) *notification of a change in development phase under condition A17;*

the suitability of existing strategies, plans, programs required under this consent must be reviewed by the applicant.

D8. 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. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

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

7.3. ADEQUACY REVIEW

Opportunity for Improvement BML07/24 – all strategies, plans and programs should update the document control table to include review of document, the trigger for the review, dates of review and whether Planning Secretary approval has been received or is not required. Date of Planning Secretary approval should also be included.

7.3.1. Noise Management Plan

Assessment Against Consent Requirements

Table 7-1: Assessment of Noise Management Plan Against Consent Requirements

Condition	Condition Requirement	Section Addressed
Noise Management Plan 2022		
Sc2/B8	The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:	
	(a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;	Section 1
	(b) describe the measures to be implemented to ensure:	Sections
	(i) compliance with the noise criteria and operating conditions of this consent;	2.4.1,4.2,5.1
	(ii) best practice management is being employed; and	5.1, 5.1.6
(iii) noise impacts of the development are minimised during noise-enhancing meteorological conditions;	5.1.5	
(c) describe the measures to minimise development related road traffic noise generated on public roads;	Section 5.1.3	
(d) describe the noise management system in detail; and	Sections 5, 6	
(e) include a monitoring program that:		
(i) uses a combination of attended and unattended monitoring to evaluate the performance of the	Sections 5.1.5, 5.1.6, 6.3,	

Condition	Condition Requirement	Section Addressed
	development; (ii) monitors noise at locations representative of the most affected residences; (iii) adequately supports the noise management system; (iv) includes a protocol for distinguishing noise emissions of the development from any neighbouring developments; and (v) includes a protocol for identifying any noise-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of any such event.	5.1.6 6 Section 6.3.3, 6.3.4 Section 6.3.3, 6.3.4
Sc2/B9	The Noise Management Plan must be approved by the Planning Secretary within 3 months of the date of this consent, unless otherwise agreed by the Planning Secretary.	NMP approved by Planning Secretary 02/09/22
Sc2/B10	The Applicant must implement the Noise Management Plan as approved by the Planning Secretary.	Section 1.5 & Site interview and Boral written response confirms implementation of NMP.

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Purpose and scope are listed in Section 1.4, actions are described throughout the document and performance criteria is defined in plan including Section 4.
- **Align with best practice and/or relevant guidelines:** Plan aligns with best practice and relevant guidelines including Boral internal standards.
- **Implementation and monitoring:** Plan outlays implementation processes and monitoring requirements including in Sections 1.5, 5 & 6. Noise monitoring assessment results have been reported in the Annual Environmental Management Report 01/07/22 to 30/06/23.
- **Assigned responsibilities:** Responsibilities are clearly defined in Section 1.5.
- **Integration:** Integration with other relevant plans and approvals is referenced in the document e.g. 1.3.1 & 1.3.2.

Assessment of Adequacy

This plan is adequate for its purpose.

7.3.2. Blast Management Plan

Assessment Against Consent Requirements

Table 7-2: Assessment of Blast Management Plan Against Consent Requirements

Condition	Condition Requirement	Section Addressed
Blast Management Plan 2023		
Sc2/B23	The Applicant must prepare a Blast Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:	Section 1.1
	(a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;	
	(b) describe the blast management system and the measures that will be implemented to ensure compliance with the blasting criteria and conditions of this consent;	Sections 3,4,6
	(c) include a Blast Fume Management Strategy for: i. minimising blast fume emissions; ii. rating and recording blast fume events; and iii. reporting significant blast fume events to the Department and the EPA;	Section 5
	(d) identify any agreed alternative ground vibration limits for public or private infrastructure in the vicinity of the site (if relevant);	Section 3.1
	(e) include a strategy to monitor, mitigate and manage the effects of blasting on heritage items;	N/A
	(f) include a monitoring program for evaluating and reporting on compliance with the relevant conditions of this consent;	Section 6
	(g) 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;	Section 8.3, 8.4, 8.5, 8.6
	(h) include public notification procedures to enable members of the public, particularly surrounding residents, to get up to-date information on the proposed blasting schedule; and	Section 4.3
(i) include a protocol for investigating and responding to blast-related complaints.	Section 8.8.1	
Sc2/B24	The Applicant must not undertake any blasting under this consent until the Blast Management Plan is approved by the Planning Secretary	BMP approved by Planning Secretary 16/12/23
Sc2/B25	The Applicant must implement the Blast Management Plan as approved by the Planning Secretary	Section 2.1 & site interview and site inspection.

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Purpose and scope are listed in Section 1.4, actions are described throughout the document and performance criteria is defined in plan including Sections 3 & 7.
- **Align with best practice and/or relevant guidelines:** Plan aligns with best practice and relevant guidelines including Boral internal standards.

- **Implementation and monitoring:** Plan outlays implementation processes and monitoring requirements including in Sections, 1.5, 3, 4, 5, 6 & 8. Blast monitoring assessment results have been reported in the Annual Environmental Management Report 01/07/22 to 30/06/23.
- **Assigned responsibilities:** Responsibilities are clearly defined in Section 1.5.
- **Integration:** Integration with other relevant plans and approvals is referenced in the document e.g. Section 1.3.2.

Assessment of Adequacy

This plan is adequate for its purpose.

7.3.3. Air Quality and Greenhouse Gas Management Plan

Assessment Against Consent Requirements

Table 7-3: Assessment of Air Quality and Greenhouse Gas Management Plan Against Consent Requirements

Condition	Condition Requirement	Section Addressed
Air Quality and Greenhouse Gas Management Plan 2022		
Sc2/B31	The Applicant must prepare an Air Quality and Greenhouse Gas Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:	
	(a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;	Section 1.1
	(b) be prepared in consultation with the EPA;	Section 2.3
	(c) describe the measures to be implemented to ensure:	
	(i) compliance with the air quality criteria and operating conditions of this consent;	Sections 4.3, 5
	(ii) best practice management is being employed to:	Section 4.3, 5, 9
	- minimise the development's air quality impacts;	
- minimise the development's Scope 1 and 2 greenhouse gas emissions; and		
- improve the development's energy efficiency; and		
(iii) the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events;	Sections 5 & 6	
(d) describe the air quality management system in detail; and	Section 6	
(e) include an air quality monitoring program, undertaken in accordance with the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007), that:	Section 6	
(i) uses monitors to evaluate the performance of the development against the air quality criteria in this	Section 6	

Condition	Condition Requirement	Section Addressed
	consent and to guide day to day planning of mining operations; (ii) adequately supports the air quality management system; and (iii) includes a protocol for identifying any air quality-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of these events.	Section 6 Section 8
Sc2/B32	The Air Quality and Greenhouse Gas Management Plan must be approved by the Planning Secretary within 3 months of the date of this consent, unless otherwise agreed by the Planning Secretary.	AQGGMP approved by Planning Secretary 01/09/22
Sc2/B33	The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Planning Secretary.	Section 1.5 & site interview and Boral written response confirm AQGGMP plan is implemented. Checklist also sited at site interview.

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Purpose and scope are listed in Section 1.4, actions are described throughout the document and performance criteria is defined in plan including Sections 4 & 7.
- **Align with best practice and/or relevant guidelines:** Plan aligns with best practice and relevant guidelines including Boral internal standards.
- **Implementation and monitoring:** Plan outlays implementation processes and monitoring requirements including in Sections, 1.5, 3 & 6. Air quality monitoring assessment results have been reported in the Annual Environmental Management Report 01/07/22 to 30/06/23.
- **Assigned responsibilities:** Responsibilities are clearly defined in Section 1.5.
- **Integration:** Integration with other relevant plans and approvals is referenced in the document e.g. Sections 1.3.1 & 1.3.2.

Assessment of Adequacy

The plan is adequate for its purpose.

7.3.4. Water Management Plan

Assessment Against Consent Requirements

Table 7-4: Assessment of Water Management Plan Against Consent Requirements

Condition	Condition Requirement	Section Addressed
Water Management Plan 2022		
Sc2/B45	The Applicant must prepare a Water Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:	
	(a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary	Section 1.1
	(b) be prepared in consultation with WaterNSW, DPIE Water, Fisheries NSW and the EPA	Section 2.2 & Appendix E
	(c) describe the measures to be implemented to ensure that the Applicant complies with the water management performance measures (see Table 4)	Sections 2.1, 4, 5,6,7,8
	(d) utilise existing local data and build on existing monitoring programs, where practicable;	Section 3
(e) include a:		
(i) Site Water Balance that includes details of:		Sections 5.2,6.3 and 8.1
<ul style="list-style-type: none"> • predicted annual inflows to and outflows from the site; • sources and security of water supply for the life of the development (including authorised entitlements and licences); water storage capacity; • water use and management on the site, including any water transfers or sharing with neighbouring mines; • licenced discharge points and limits; and • reporting procedures, including the annual preparation of an updated site water balance; 		Section 5.3 Appendix B and Appendix D
(ii) Erosion and Sediment Control Plan that:		
<ul style="list-style-type: none"> • is consistent with the requirements of Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) and Volume 2E: Mines and Quarries (DECC, 2008) • identifies activities that could cause soil erosion, generate sediment or affect flooding • includes a program to periodically review sheet, rill and gully erosion risks, particularly in relation to emplacement areas • includes a program to monitor the geomorphological stability of emplacement areas, in consultation with WaterNSW • describes measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, and manage flood risk; • describes the location, function, and capacity of erosion and sediment control structures; and 		Sections 3, 4, 5

Condition	Condition Requirement	Section Addressed
	<ul style="list-style-type: none"> • describes what measures would be implemented to maintain (and if necessary, decommission) the structures over time <p>(iii) Surface Water Management Plan that includes:</p> <ul style="list-style-type: none"> • detailed baseline data on surface water flows and quality of watercourses and/or water bodies potentially impacted by the development, including: <ul style="list-style-type: none"> - stream and riparian vegetation health; - channel stability (geomorphology); and - water supply for other surface water users; • a detailed description of the surface water management system, including consideration of mitigation measures to manage downstream risks associated with alkalinity, TSS and settling agents • details of the water licensing requirements for all water storages (i.e. exempt, harvestable rights or licenced); • detailed plans, design objectives and performance criteria for water management infrastructure, including: <ul style="list-style-type: none"> - water run-off diversions and catch drains; - water storages (excluding Marulan Creek Dam) and sediment dams; - emplacement areas; - backfilled pits and any final voids for the development; • surface water performance criteria, including trigger levels 	Section 4.2
	<p>for identifying and investigating any potentially adverse impacts (or trends) associated with the development, for:</p> <ul style="list-style-type: none"> - water supply for other water users; - downstream surface water flows and quality, including (but not limited to) specific trigger levels for TSS, metals, alkalinity, bicarbonate alkalinity and settling agents, which are informed by baseline data, having regard to the sensitivity of downstream waters; - downstream flooding impacts; - stream and riparian vegetation health; and - post- mining water pollution from rehabilitated areas of the site; 	Section 6
	<ul style="list-style-type: none"> • a program to monitor and evaluate: <ul style="list-style-type: none"> - Compliance with the relevant performance measures listed in Table 4 and the performance criteria in this plan; - controlled and uncontrolled discharges and seepage/leachate from the site; - impacts on water supply for other water users; - surface water inflows, outflows and storage volumes, to inform the Site Water Balance; and 	Section 8, 9 and Appendix C Section 7.1 and Appendix C

Condition	Condition Requirement	Section Addressed
	<ul style="list-style-type: none"> - the effectiveness of the surface water management system and the measures in the Erosion and Sediment Control Plan; • reporting procedures for the results of the monitoring program, including notifying other water users of any elevated results; and • a trigger action response plan to respond to any exceedances of the relevant performance measures or performance criteria, and repair, mitigate and/or offset any adverse surface water impacts of the development; 	N/A- Marulan Creek dam construction deferred to Stage 3 of the project, with management plan developed at a later date
	<p>(iv) Marulan Creek Dam Management Plan</p> <ul style="list-style-type: none"> • detailed plans, design objectives and performance criteria for the dam infrastructure; • detailed measures to ensure compliance with the relevant performance measures in Table 4; • performance criteria, including trigger levels for identifying and investigating any potentially adverse impacts (or trends) associated with the development with respect to: <ul style="list-style-type: none"> - downstream geomorphic processes; - sediment transmission; - ecological function; and - water quality • a program to monitor and evaluate compliance with the relevant performance measures in Table 4, including justification for proposed monitoring frequencies and parameters; • reporting procedures for the results of the monitoring program; • a remediation and rehabilitation strategy for areas of Marulan Creek both above and below the dam up to the entry to the Barber’s Creek gorge, which has been prepared by a suitably qualified and experienced fluvial geomorphologist, having regard to A Rehabilitation Manual for Australian Streams (Land and Water Resources Research and Development Corporation, 2000); and • a trigger action response plan to respond to any exceedances of the relevant performance measures or performance criteria, and repair, mitigate and/or offset any adverse impacts on downstream flows and/or ecological processes; 	<p>Appendix A</p> <p>Sections 3 & 5</p> <p>Section 9</p> <p>Sections 6 to 8</p> <p>Sections 4, 6 & 7</p>
	<p>(v) Groundwater Management Plan</p> <ul style="list-style-type: none"> • detailed baseline data of groundwater levels, yield and quality for groundwater resources and groundwater 	

Condition	Condition Requirement	Section Addressed
	<ul style="list-style-type: none"> dependent ecosystems potentially impacted by the development, including groundwater supply for other water users; • a detailed description of the groundwater management system; • groundwater performance criteria, including trigger levels for identifying and investigating any potentially adverse groundwater impacts (or trends) associated with the development, on: <ul style="list-style-type: none"> - regional and local aquifers (alluvial and hardrock); - groundwater springs; and - groundwater supply for other water users such as licensed privately-owned groundwater bores; • a program to monitor and evaluate: <ul style="list-style-type: none"> - compliance with the relevant performance measures listed in Table 4 and the performance criteria in this plan; - water loss/seepage from water storages into the groundwater system, including from any final voids; - groundwater inflows, outflows and storage volumes, to inform the Site Water Balance; - the hydrogeological setting of any nearby alluvial aquifers and the likelihood of any indirect impacts from the development; - impacts on groundwater dependent ecosystems; - impacts on groundwater supply for other water users; - the effectiveness of the groundwater management system; • reporting procedures for the results of the monitoring program, including notifying other water users of any elevated results; • a trigger action response plan to respond to any exceedances of the relevant performance measures and groundwater performance criteria, and repair, mitigate and/or offset any adverse groundwater impacts of the development; • a program to periodically validate the groundwater model for the development, including an independent review of the model every 3 years (unless otherwise agreed by the Planning Secretary), and comparison of monitoring results with modelled predictions; and 	<p>Sections 6,7 & 13</p> <p>Section 9</p> <p>Section 12</p> <p>Sections 7 & 12</p>
	<p>(vi) a protocol to report on the measures, monitoring results and performance criteria identified above, in the Annual Review referred to in condition D11.</p>	

Condition	Condition Requirement	Section Addressed
Sc2/B46	The Water Management Plan must be approved by the Planning Secretary within 3 months from the date of this consent, unless otherwise agreed by the Planning Secretary.	WMP approved by Planning Secretary 29/09/22
Sc2/B47	The Applicant must implement the Water Management Plan as approved by the Planning Secretary.	Section 1.5 & Site interview. Boral Cement Marulan POELA Act 2011 Monitoring Data - January 2024 Report – Section 4.

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Purpose and scope are listed in Sections 1.4 & 4, actions are described throughout the document and performance criteria is defined in plan including Sections 4 & 8.
- **Align with best practice and/or relevant guidelines:** Plan aligns with best practice and relevant guidelines including Boral internal standards.
- **Implementation and monitoring:** Plan outlays implementation processes and monitoring requirements including in Sections, 1.5, 5 & 6. Water monitoring assessment results have been reported in the Annual Environmental Management Report 01/07/22 to 30/06/23.
- **Assigned responsibilities:** Responsibilities are clearly defined in Section 1.5.
- **Integration:** Integration with other relevant plans and approvals is referenced in the document e.g. Sections 1.3.1 & 1.3.2.

Assessment of Adequacy

This plan is adequate for its purpose.

7.3.5. Biodiversity Management Plan

Assessment Against Consent Requirements

Table 7-5: Assessment of Biodiversity Management Plan Against Consent Requirements

Condition	Condition Requirement	Section Addressed
Biodiversity Management Plan 2022		
Sc2/B54	The Applicant must prepare a Biodiversity Management Plan to the satisfaction of the Planning Secretary. This plan must: (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;	Section 1.1
	(b) be prepared in consultation with BCD;	Section 2.7

Condition	Condition Requirement	Section Addressed
	(c) describe the short, medium, and long-term measures to be undertaken to manage the remnant vegetation and fauna habitat on the site and within the offset areas;	Sections 2.6, & 5
	(d) describe how biodiversity management would be integrated with similar measures within other management plans, including the Rehabilitation Management Plan referred to in condition B82;	Sections 1.3.2, & 5
	(e) include detailed performance and completion criteria for evaluating the performance of the Biodiversity Offset Strategy and include triggers for remedial action, where these performance or completion criteria are not met;	Section 2.6 & Biodiversity Stewardship Agreement
	(f) describe how the Biodiversity Offset Strategy will be implemented and secured;	Section 2.6
	(g) describe the measures to be implemented within the approved disturbance areas to:	Section 4
	(i) minimise the amount of clearing;	Section 4
	(ii) minimise impacts on fauna, including undertaking pre-clearance surveys and measures to minimise the risk of vehicle strike;	Section 4
	(iii) provide for the salvage, transplanting and/or propagation of any threatened flora found during pre-clearance surveys, in accordance with the Guidelines for the Translocation of Threatened Plants in Australia (Vallee et al., 2004); and	Section 4
	(iv) maximise the salvage of resources, including tree hollows, vegetation and soil resources, for beneficial reuse, including fauna habitat enhancement;	Section 4
	(h) describe the measures to be implemented on the site to:	
	(i) minimise impacts to White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC including potential edge effects within identified buffer zones, and contribute to conservation strategies for this CEEC;	Sections 4.9.1, 5.1 & 6
	(ii) minimise impacts on fauna habitat resources such as hunting and foraging areas, habitat trees, fallen timber and hollow-bearing trees;	Sections 4.6 & 5.7
	(iii) enhance the quality of vegetation, vegetation connectivity and wildlife corridors including through the assisted regeneration and/or targeted revegetation of appropriate canopy, sub-canopy, understorey and ground strata;	Sections 5.5 & 5.6
	(iv) introduce naturally scarce fauna habitat features such as nest boxes and salvaged tree hollows and promote the use of these introduced habitat features by threatened fauna species;	Sections 4.6 & 5.7
	(v) manage any potential conflicts with Aboriginal heritage values;	Section 5.11
	(vi) manage any potential conflicts with Aboriginal heritage values;	Sections 4.3 & 5
	(vii) protect vegetation and fauna habitat outside of the approved disturbance areas;	Section 4.7
	(viii) manage the collection and propagation of seed from the local area;	Section 4.7

Condition	Condition Requirement	Section Addressed
	(viii) control weeds, including measures to avoid and mitigate the spread of weeds;	Section 5.9
	(ix) control feral pests and diseases with consideration of actions identified in relevant threat abatement plans;	Section 5.12
	(x) control erosion;	Section 5.4
	(xi) manage any grazing and agriculture;	Section 4.3
	(xii) control access to vegetated or revegetated areas;	Section 5.10
	and	
	(xiii) manage bushfire hazards;	
	(i) include a seasonally-based program to monitor and report on the effectiveness of the above measures, progress against the detailed performance indicators and completion criteria, and identify improvements that could be implemented to improve biodiversity outcomes;	Sections 6 & 7
	(j) identify the potential risks to the successful implementation of the Biodiversity Management Plan, and include a description of the contingency measures to be implemented to mitigate against these risks; and	Section 8
	(k) include details of who would be responsible for monitoring, reviewing, and implementing the plan.	Section 1.5
Sc2/B55	The Applicant must not clear any vegetation described in the document/s listed in condition A2(c) until the Biodiversity Management Plan is approved by the Planning Secretary.	BMP approved by Planning Secretary 09/11/22
Sc2/B56	The Applicant must implement the Biodiversity Management Plan as approved by the Planning Secretary.	Section 1.5 & Annual Review 2022-2023. Site interview, site inspection and Boral written response confirms compliance with this condition

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Purpose and scope are listed in Sections 1.4, 4 & 5 actions are described throughout the document and performance criteria is defined in plan including Sections 6 & 9.
- **Align with best practice and/or relevant guidelines:** Plan aligns with best practice and relevant guidelines including Boral internal standards.
- **Implementation and monitoring:** Plan outlays implementation processes and monitoring requirements including in Sections, 1.5, & 7. Biodiversity reporting is included in the Annual Environmental Management Report 01/07/22 to 30/06/23.
- **Assigned responsibilities:** Responsibilities are clearly defined in Section 1.5.

- **Integration:** Integration with other relevant plans and approvals is referenced in the document e.g. Sections 1.3.1 & 1.3.2.

Assessment of Adequacy

This plan is adequate for its purpose.

7.3.6. Aboriginal Cultural Heritage Management Plan

Assessment Against Consent Requirements

Table 7-6: Assessment of Aboriginal Cultural Heritage Management Plan Against Consent Requirements

Condition	Condition Requirement	Section Addressed
Aboriginal Cultural Heritage Management Plan 2022		
Sc2/B60	The Applicant must prepare an Aboriginal Cultural Heritage Management Plan for the development. The plan must:	
	(a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Planning Secretary;	Section 1.7
	(b) be prepared in consultation with Heritage NSW and Registered Aboriginal Parties;	Section 2.3, 3
	(c) describe the measures to be implemented on the site or within the offset areas to:	
	(i) comply with the heritage-related operating conditions of this consent;	Whole document
	(ii) ensure all workers receive suitable Aboriginal cultural heritage training/inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions;	Section 6.3
	(iii) protect, monitor and manage identified Aboriginal objects and Aboriginal places (including any proposed archaeological investigation of potential subsurface objects, collection and salvage of objects within the approved disturbance area) in accordance with the commitments made in the document/s listed in condition A2(c);	Section 5
(iv) protect Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development;	Section 5.2	
(v) manage the discovery of suspected human remains and any new Aboriginal objects or Aboriginal places, including provisions for burials, over the life of the development;	Section 5.4	
(vi) maintain and manage reasonable access for relevant Aboriginal stakeholders to Aboriginal objects and Aboriginal places (outside of the approved disturbance area); and	Section 3.5	

Condition	Condition Requirement	Section Addressed
	(vii) facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site;	
	(d) include a strategy for the care, control and storage of Aboriginal objects salvaged on the site, both during the life of the development and in the long term; and	Section 5.5
	(e) in relation to the women’s cultural heritage site along Marulan Creek, include: (i) an assessment of the potential impacts of the Marulan Creek dam and associated flow regime on the site, prepared by an intangible cultural heritage specialist in consultation with the identified knowledge holders; and (ii) assessment of whether mitigation to any negative impacts should occur through periodic cultural flows.	Site interview. Construction of Marulan Creek dam on hold. sub-plan will be staged and prepared closer to when the Marulan Creek Dam component of the Project is planned for construction
Sc2/B61	The Applicant must not disturb any heritage item until the Aboriginal Cultural Heritage Management Plan is approved by the Planning Secretary.	ACHMP approved by Planning Secretary 02/12/22
Sc2/B62	The Applicant must implement the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary.	Section 1.5 & site interview. Annual Environmental Management Review 2022-2023 – Section 6.7 & 12.2

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Purpose and scope are listed in Sections 1.4, 4 & 5 actions are described throughout the document and performance criteria is defined in plan including Section 6.
- **Align with best practice and/or relevant guidelines:** Plan aligns with best practice and relevant guidelines including Boral internal standards.
- **Implementation and monitoring:** Plan outlays implementation processes and monitoring requirements including in Sections, 1.5, 3.1, & 5.4.2. Aboriginal cultural heritage reporting is included in the Annual Environmental Management Report 01/07/22 to 30/06/23.
- **Assigned responsibilities:** Responsibilities are clearly defined in Section 1.5.
- **Integration:** Integration with other relevant plans and approvals is referenced in the document e.g. 1.3.1 & 1.3.2.

Assessment of Adequacy

The plan is adequate for its purpose.

7.3.7. Historic Heritage Management Plan

Assessment Against Consent Requirements

Table 7-7: Assessment of Historic Heritage Management Plan Against Consent Requirements

Condition	Condition Requirement	Section Addressed
Historic Heritage Management Plan 2022		
Sc2/B63	The Applicant must prepare a Historic Heritage Management Plan for the development, in respect of all non-Aboriginal cultural heritage items, to the satisfaction of the Planning Secretary. This plan must:	Section 1.1
	(a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;	
	(b) be prepared in consultation with Council and in accordance with the relevant Heritage NSW guidelines;	Section 2.2
	(c) describe how the historic heritage values of the site would be recorded and preserved;	Section 3
	(d) identify all heritage items in the vicinity of the site and include a statement of significance for each item;	Appendix B
	(e) describe the measures to be implemented on the site or within the offset areas to:	
	(i) ensure all workers on the site receive suitable heritage training/inductions prior to carrying out any activities which may cause impacts to historic heritage, and that suitable records are kept of these inductions;	Section 4.3
(ii) protect heritage items located outside the approved disturbance area from impacts of the development, beyond those predicted in the document/s listed in condition A2(c);	Section 3.7	
(iii) undertake photographic/archival recording of any items of heritage significance predicted to be impacted by the development, prior to disturbance; and	Section 3.9	
(iv) manage any new heritage items discovered during the life of the development; and	Section 3.5	
(f) include a strategy for the care, control and storage of heritage relics salvaged from the site.	Appendix A	
Sc2/B64	The Applicant must not disturb any heritage item until the Historic Heritage Management Plan is approved by the Planning Secretary.	HHMP approved by Planning Secretary 13/10/22
Sc2/B65	The Applicant must implement the Historic Heritage Management Plan as approved by the Planning Secretary.	Section 1.5 & Site interview. Annual Environmental Management Review 2022-2023 – Section 12.1

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Purpose and scope are listed in Sections 1.4 & 3, actions are described throughout the document and performance criteria is defined in plan including Section 4.
- **Align with best practice and/or relevant guidelines:** Plan aligns with best practice and relevant guidelines including Boral internal standards.
- **Implementation and monitoring:** Plan outlays implementation processes and monitoring requirements.
- **Assigned responsibilities:** Responsibilities are clearly defined in Section 1.5.
- **Integration:** Integration with other relevant plans and approvals is referenced in the document e.g. 1.3.1.

Assessment of Adequacy

The plan is adequate for its purpose.

7.3.8. Bushfire Management Plan

Assessment Against Consent Requirements

Table 7-8: Assessment of Bushfire Management Plan Against Consent Requirements

Condition	Condition Requirement	Section Addressed
Bushfire Management Plan 2023		
Sc2/B74	Prior to commencing development under this consent, the Applicant must prepare a Bushfire Management Plan for the development, in consultation with RFS. This plan must include a:	Site interview
	(a) contact person and 24-hour contact phone number;	Section 16/Table 1
	(b) schedule and description of proposed bushfire mitigation works, including: (i) location of managed and unmanaged vegetation within the site; (ii) location of water supply; and (iii) internal access roads;	Sections 7,10,18
	(c) plan identifying the location and storage of bulk flammable liquids and materials;	Section 18
	(d) 'hot works' management plan, including: (i) circumstances when 'hot works' are limited or prohibited; and (ii) safety measures to be implemented when 'hot works' are being conducted; and	Sections 6,10,15
	(e) emergency/evacuation plan in accordance with the Guidelines for the Preparation of Emergency/Evacuation	Sections 16,18,20

Condition	Condition Requirement	Section Addressed
	Plans (RFS) and Australian Standard AS3745 Planning for Emergencies in Facilities.	
Sc2/B75	The Applicant must implement the Bushfire Management Plan in consultation with RFS.	Section 23

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Section 2 covers scope of BMP, Section 10 covers control measures, and Section 3 criteria and guidelines.
- **Align with best practice and/or relevant guideline:** alignment with best practice and relevant guidelines.
- **Implementation and monitoring:** Implementation and monitoring is outlined throughout the BMP.
- **Assigned responsibilities:** Section 4 and Section 16/Table 1 clearly assigns responsibilities.
- **Integration:** Integration with other plans is not noted.

Assessment of Adequacy

This plan is adequate for its purpose.

7.3.9. Rehabilitation Strategy

Assessment Against Consent Requirements

Table 7-9: Assessment of Rehabilitation Strategy Against Consent Requirement

Condition	Condition Requirement	Section Addressed
Rehabilitation Strategy 2022		
Sc2/B79	The Applicant must prepare a Rehabilitation Strategy for all land disturbed by the development to the satisfaction of the Planning Secretary. This strategy must:	Section 1.4
	(a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;	Section 1.1
	(b) be prepared in consultation with DPE Water, BCD, Resources Regulator and Council;	Section 2.5
	(c) build upon the Rehabilitation Objectives in Table 6, describe the overall rehabilitation outcomes for the site, and address all aspects of rehabilitation including mine closure, final landform (including final voids), postmining land use/s and water management;	Sections 4 & 5

Condition	Condition Requirement	Section Addressed
	(d) align with strategic rehabilitation and mine closure objectives and address the principles of the <i>Strategic Framework for Mine Closure</i> (ANZMEC and MCA, 2000);	Section 1.3.2, Figure 1
	(e) describe how the rehabilitation measures would be integrated with the measures in the Biodiversity Management Plan referred to in condition B54;	Sections 1.3.2 and 3.4
	(f) describe how rehabilitation will be integrated with the mine planning process, including a plan to address premature or temporary mine closure;	Section 1.3.2 & Rehabilitation Management Plan
	(g) include indicative mine plans and scheduling for life-of-mine rehabilitation showing each rehabilitation domain;	Section 5.3
	(h) include details of target vegetation communities and species to be established within the proposed revegetation areas;	Section 3.4
	(i) investigate opportunities to refine and improve the final landform and final void outcomes over time;	Section 5
	(j) include a post-mining land use strategy to investigate and facilitate post-mining beneficial land uses for the site (including the final void), that:	Section 4.5
	(i) align with regional and local strategic land use planning objectives and outcomes;	Section 4.5
	(ii) support a sustainable future for the local community;	Sections 4.5 & 5.1
	(iii) utilise existing mining infrastructure, where practicable; and	Section 5.1
	(iv) avoid disturbing self-sustaining native ecosystems, where practicable;	Section 3.4
	(k) include a stakeholder engagement plan to guide rehabilitation and mine closure planning processes and outcomes;	Section 4.3
	(l) investigate ways to minimise adverse socio-economic effects associated with rehabilitation and mine closure; and	Section 5.1
	(m) include a program to periodically review and update this strategy at least every three years.	Section 8
Sc2/B80	The Rehabilitation Strategy must be approved by the Planning Secretary within 6 months from the date of this consent, unless otherwise agreed by the Planning Secretary	16/09/22
Sc2/B81	The Applicant must implement the Rehabilitation Strategy approved by the Planning Secretary.	Section 1.5, site interview and site inspection. Annual Environmental Management Review 2022-2023 – Section 8.4

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Purpose and scope are listed in Sections 1.4 & 6, actions are described throughout the document and performance criteria is defined in plan including Section 8.
- **Align with best practice and/or relevant guidelines:** Plan aligns with best practice and relevant guidelines including Boral internal standards.
- **Implementation and monitoring:** Plan outlays implementation processes and monitoring requirements including in Sections, 1.5 & 6. Rehabilitation reporting is included in the Annual Environmental Management Report 01/07/22 to 30/06/23.
- **Assigned responsibilities:** Responsibilities are clearly defined in Section 1.5.
- **Integration:** Integration with other relevant plans and approvals is referenced in the document e.g. 1.3.1 & 1.3.2.

Assessment of Adequacy

This plan is adequate for its purpose.

7.3.10. Rehabilitation Management Plan

Assessment Against Consent Requirements

Table 7-10: Assessment of Rehabilitation Management Plan Against Consent Requirements

Condition	Condition Requirement	Section Addressed
Rehabilitation Management Plan 2023		
Sc2/B82	The Applicant must prepare a Rehabilitation Management Plan for the development, in accordance with the conditions imposed on the mining lease(s) associated with the development under the Mining Act 1992. This plan must:	section 2.1a notes - In regard to CoC B82 clauses (c) to (i) the DPE has agreed to remove these clauses as they duplicate requirements already covered by RMP guidelines and “form and way” documentation in accordance with the Mining Amendment (Standard Conditions of Mining Leases – Rehabilitation) Regulation 2021. These clauses are therefore omitted from Table 2.1.

Condition	Condition Requirement	Section Addressed
	(a) be prepared in consultation with the Department and Council	Table 4.2
	(b) be prepared in accordance with any relevant Resources Regulator Guidelines;	Section 2.1b
	(c) include detailed performance indicators and completion criteria for each rehabilitation domain, and triggers for remedial actions;	N/A
	(d) include an overview of the identified risks to achieving successful rehabilitation;	N/A
	(e) describe the measures to be implemented on the site to achieve the Rehabilitation Objectives in Table 6, the requirements of the Rehabilitation Strategy referred to in condition B79 and the criteria in paragraph (c);	N/A
	(f) include detailed mine plans and scheduling for progressive rehabilitation to be initiated, undertaken and/or completed over the next three years, or other suitable time period as agreed with the Resources Regulator;	N/A
	(g) include a program to monitor, independently audit and report on progress against the criteria in paragraph and the effectiveness of the measures in paragraph (e);	N/A
	(h) 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	N/A
	(i) outline intervention and adaptive management techniques to ensure rehabilitation remains on a trajectory of achieving the Rehabilitation Objectives, Rehabilitation Completion Criteria and the Final Landform in the Rehabilitation Management Plan as soon as reasonably practical.	N/A

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Purpose and scope are listed in Section 4, actions are described throughout the document and performance criteria is defined in plan including Section 8.
- **Align with best practice and/or relevant guidelines:** Plan aligns with best practice and relevant guidelines including Boral internal standards.
- **Implementation and monitoring:** Plan outlays implementation processes and monitoring requirements including in Sections, 6 & 11. Rehabilitation reporting is included in the Annual Environmental Management Report 01/07/22 to 30/06/23.
- **Assigned responsibilities:** Responsibilities are clearly defined in Section 3 & Appendix C.
- **Integration:** Integration with other relevant plans and approvals is referenced in the document e.g. Section 2.

Assessment of Adequacy

This plan is adequate for its purpose.

Opportunity for Improvement [BML03/24]: Correct “Error” references throughout the document.

7.3.11. Traffic Management Plan

Assessment Against Consent Requirements

Table 7-11: Assessment of Traffic Management Plan Against Consent Requirements

Condition	Condition Requirement	Section Addressed
Traffic Management Plan 2022		
Sc2/B90	The Applicant must prepare a Traffic Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:	Site interview
	(a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;	
	(b) be prepared in consultation with TfNSW and Council;	Section 2.2
	(c) include details of all transport routes and traffic types to be used for development-related traffic;	Section 3.3
	(d) describe the measures to be implemented to ensure compliance with conditions B84 and B85 above;	Section 5.1, 5.4
	(e) include details of the measures to be implemented to minimise traffic safety issues and disruption to local road users, including minimising potential for conflict with school buses and stock movements;	Appendix C
	(f) include a Drivers’ Code of Conduct that includes procedures to ensure that drivers: (i) adhere to posted speed limits or other required travelling speeds; (ii) adhere to designated transport routes; and (iii) implement safe and quiet driving practices;	Appendix C
	(g) describe the measures to be put in place to ensure compliance with the Drivers’ Code of Conduct; and	Appendix C
(h) propose measures to minimise the transmission of dust and tracking of material onto the surface of public roads from vehicles exiting the site.	Section 5.1.2	
Sc2/B91	The Traffic Management Plan must be approved by the Planning Secretary within 3 months from the date of this consent, unless otherwise agreed by the Planning Secretary.	TMP approved by Planning Secretary 31/08/22
Sc2/B92	The Applicant must implement the Traffic Management Plan as approved by the Planning Secretary.	Section 1.5 & site interview. Annual Environmental Management

Condition	Condition Requirement	Section Addressed
		Review 2022-2023 – Section 4.3

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Purpose and scope are listed in Sections 1.4, actions are described throughout the document and performance criteria is defined in plan including Section 4.
- **Align with best practice and/or relevant guidelines:** Plan aligns with best practice and relevant guidelines including Boral internal standards.
- **Implementation and monitoring:** Plan outlays implementation processes and monitoring requirements including in Sections, 1.5, 4 & 5. Traffic and transportation reporting is included in the Annual Environmental Management Report 01/07/22 to 30/06/23.
- **Assigned responsibilities:** Responsibilities are clearly defined in Section 1.5.
- **Integration:** Integration with other relevant plans and approvals is referenced in the document e.g. 1.3.1 & 1.3.2.

Assessment of Adequacy

This plan is adequate for its purpose.

Opportunity for Improvement [BML05/24]: Appendices A, B, C, D to be included in the TMP on Boral’s website. If “not applicable at this time” then note this on the appendices page until appendix is available.

7.3.12. Environmental Management Strategy

Assessment Against Consent Requirements

Table 7-12: Assessment of Environmental Management Strategy Against Consent Requirements

Condition	Condition Requirement	Section Addressed
Environmental Management Strategy 2022		
Sc2/D1	The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must: (a) provide the strategic framework for environmental management of the development;	Section 1.3

Condition	Condition Requirement	Section Addressed
	(b) identify the statutory approvals that apply to the development;	Sections 2.3 & 2.4
	(c) set out the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;	Section 3.1
	(d) set out the procedures to be implemented to: <ul style="list-style-type: none"> (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii) receive record, handle and respond to complaints; (iii) resolve any disputes that may arise during the course of the development; (iv) respond to any non-compliance and any incident; (v) respond to emergencies; and 	Sections 3.3, 4.3.2, 4.4, 4.5 Sections 3.3.4, & 3.3.5 Sections 3.3.4, & 3.3.5 Section 4.4 Section 3.6
	(e) include: <ul style="list-style-type: none"> (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. 	Sections 1.3.2, 1.5 & Appendices Section 4.1
Sc2/D2	The Environmental Management Strategy must be approved by the Planning Secretary within 3 months from the date of this consent, unless otherwise agreed by the Planning Secretary.	Boral written response confirmed EMS approved 13/10/22
Sc2/D3	The Applicant must implement the Environmental Management Strategy as approved by the Planning Secretary.	Section 1.5, site interview. Annual Environmental Management Review 2022-2023 – Section 1 Statement of Compliance, Section 6 and relevant reporting sections

Assessment Against Other Criteria

The findings of assessment against other adequacy review criteria are discussed below:

- **Clear objectives, defined actions and performance criteria:** Purpose and scope are listed in Sections 1.4, actions are described throughout the document and performance criteria is defined in plan including Section 2.5.
- **Align with best practice and/or relevant guidelines:** Plan aligns with best practice and relevant guidelines including Boral internal standards.

- **Implementation and monitoring:** Plan outlays implementation processes and monitoring requirements including in Section 3. The Environmental Management Strategy is referred to in the Annual Environmental Management Report 01/07/22 to 30/06/23.
- **Assigned responsibilities:** Responsibilities are clearly defined in Section 3.1.
- **Integration:** Integration with other relevant plans and approvals is referenced in the document e.g. 1.3.1 & 1.3.2.

Assessment of Adequacy

This plan is adequate for its purpose.

Opportunity for Improvement [BML06/24]: Include appendices not already on the website and for appendices on the website include a note under each appendix “see website for appendix”.

8. AUDIT CONCLUSIONS

8.1. COMPLIANCE ASSESSMENT

8.1.1. Conditions of Consent

The findings of assessment against the conditions in Part A - D of the Development Consent is presented below. Of the 153 conditions, 129 were assessed as compliant, 2 non-compliant (conditions A19 & D17), 22 N/A and Nil not able to be determined.

Table 8-1: Summary of Findings

Schedule	Audit Finding				Total
	Compliant	Non-compliant	N/A	Not Able to Determine	
A	26	1	10	0	37
B	84	0	8	0	92
C	3	0	4	0	7
D	16	1	0	0	17
Total	129	2	22	0	153

8.1.2. Environment Protection Licence – EPL 944

For the audit period no non-compliances were recorded.



8.1.3. Water Licences

For the audit period no non-compliances were recorded.

8.1.4. Mining Leases

For the audit period no non-compliances were recorded.

8.2. ADEQUACY OF STRATEGIES, PLANS AND PROGRAMS

With the history of limestone mining for the site dating back to 1929, with 66 previous authorisations or mining titles and five development consents that permitted mining works, the site is one of the oldest continually operational limestone mines in Australia.

The site now operates under State Significant Development consent - SSD 7009, Mining Lease - ML 1875, Environmental Protection Licence – EPL 944 and Water Licences. The commencement of mining works under SSD 7009 on 1 January 2023 was permitted by the Planning Secretary after a series of pre-conditions were met, including the preparation and approval of new site specific environmental management plans.


Hence all of the project strategies, plans and programs have been prepared in line with SSD 7009 and ML 1875 conditions. Overall, the documents are contemporary in approach, considered fit for the purpose and meet the conditioned requirements. The documents follow a relatively consistent structure and are being implemented by Boral in all mine operations.

8.3. ENVIRONMENTAL PERFORMANCE

The audit results have confirmed that Boral is operating in accordance with SSD 7009, ML 1875, EPL 944, water licences and other relevant licences and approvals. The audit identified only two minor administrative non-compliances.

During the site inspection, the audit team interviewed the following Marulan South Limestone Mine personnel:

- Therese Thomas – Environment and Stakeholder Advisor - Marulan South Limestone;

- 
- Les Longhurst – Program Manager - Marulan South Limestone;
 - Jamie Whittaker – Site Manager - Marulan South Limestone; and
 - Greg Johnson – Senior Environmental Business partner – Boral.

The interviews and site inspection allowed the audit team to enquire how Boral operates the mine, implements the environmental management requirements and ensures all personnel work in accordance with the site approvals and conditions. The responses to the audit enquiries confirmed that Boral have good environmental management systems in operation, with a high level of confidence in implementation of the environmental management systems, that extends to accountability and follow up from staff on the ground to senior management within Boral.

Boral's internal management systems and evidence demonstrated in the site inspection included:

- Boral's bespoke HSEQ Management System – demonstration and discussion of implementation to manage compliance;
- Boral's bespoke Sequence Management System - for environmental incident reporting, follow up and compliance;
- Environmental Aspects & Impacts Register;
- Environmental Permit Planner – monthly compliance checklist;
- Monthly Environmental Inspection Checklist;
- Site induction presentation;
- Daily Toolbox Talk – formal notes;
- Weekly Toolbox Talk – slides;
- Examples of Standard Operating Procedures – specific environmental forms used for specific work inductions;
- HSEQ Incident Management Forms – complete for minor event; and
- Subcontractor environmental information and permit packs for visiting contractors.

The site inspection and interviews undertaken as part of this audit also confirmed a high level of confidence for the audit team that the management plans and procedures are understood by all personnel working on the site. Discussion and examples of events and reporting provided insight that the operational culture of the mine includes protection of the environment, compliance with the environmental management system and a high level of pride among the workforce of the way the mine operates.

The interviews and correspondence with DPH&I, EPA, CCC, Goulburn Mulwaree Council and other agencies all confirmed that Boral operate the quarry well, with no major concerns raised and commendation for the responsiveness of the Boral staff.

Noting that 2 non-compliance was identified in the audit, a small number of minor recommendations for improvement have been presented.

The overall environmental performance based on the observed condition of the site, 2 non-compliance and no incidents, and no complaints, is considered **‘satisfactory’**.

8.4. OPPORTUNITIES FOR IMPROVEMENT

The following table summarises the opportunities for improvement identified in this audit.

Table 8-2: Summary of Opportunities for Improvement

Reference	Consent Condition/Issue	Recommendation
BML01/24	D11 - audit period to align with the Annual Review period.	Boral request the Planning Secretary’s approval for the next IEA, scheduled for 2026, for the audit period to align with the Annual Review period which are configured with financial year reporting periods of July – June.
BML02/24	A19 – surrender of existing consents or approvals.	Boral seek alternative timeframe from the Planning Secretary to surrender consents and existing or continuing use rights.
BML03/24	B82 – error references in the Rehabilitation Management Plan.	Correct “Error” references throughout the management plan.
BML04/24	B83 – Monitoring of Product transport.	Include in Annual Review maximum truck movements per day (currently only train movements per day shown (Table 4.4 of Annual Review 2022-2023)).
BML05/24	B90 – Traffic Management Plan missing appendices.	Appendices A, B, C, D to be included in the TMP on Boral’s website. If currently not applicable, then note this on the appendix page until appendix is available.
BML06/24	D1 – Environmental Management Strategy missing appendices.	Include appendices not already on the website and for appendices on the website include a note under each appendix see website for appendix”.
BML07/24	D8 – Revision of Strategies, Plans and Programs updates and approval.	All strategies, plans and programs should update the document control table to include review of document, the trigger for the review, dates of review and whether Planning Secretary approval



Reference	Consent Condition/Issue	Recommendation
BML08/24	D17 - Access to missing specified information on the website.	<p>has been received or is not required. Date of Planning Secretary approval should also be included.</p> <ol style="list-style-type: none">1. Water licences made available on website or link to relevant website where water licences can be accessed.2. EIS (see definition of EIS under heading "Definitions" in the conditions of consent) to be on website or link to relevant website where EIS can be accessed.3. All minutes of CCC meetings made available on website or link to the Peppertree Quarry website for combined minutes.



APPENDIX 1

SSD 7009 Development Consent

Development Consent

Section 4.36 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces under delegation executed on 26 April 2021, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

**Executive Director
Energy, Resources and Industry
As delegate for the Minister for Planning and Public Spaces**

Sydney

19 August 2021

SCHEDULE 1

Application Number:	SSD 7009
Applicant:	Boral Cement Limited
Consent Authority:	Minister for Planning and Public Spaces
Site:	The land defined in Appendix 1
Development:	Marulan South Limestone Mine Continued Operations Project

Modification 1 in red type

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DEFINITIONS

Aboriginal object	Has the same meaning as the definition of the term in section 5 of the NP&W Act
Aboriginal place	Has the same meaning as the definition of the term in section 5 of the NP&W Act
Annual Review	The review required by condition D11
Applicant	Boral Cement Limited, or any person carrying out any development under this consent
Approved disturbance area	The area identified as such on the Development Layout
ARI	Average Recurrence Interval
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
BCD	Biodiversity & Conservation Division within the Department
BCT	NSW Biodiversity Conservation Trust
Biodiversity Offset Strategy	The Biodiversity Offset Strategy for the development as described in the document/s listed in condition A2(c) and shown conceptually in Appendix 4
Blast misfire	The failure of one or more holes in a blast pattern to initiate
CCC	Community Consultative Committee required by condition A24
Clay/Shale	Includes both Clay/Shale and White Clay
Conditions of this consent	Conditions contained in Schedule 2
Construction	All physical works to enable mining operations to be carried out, including demolition and removal of buildings or works, and erection of buildings and other infrastructure permitted by this consent
Council	Goulburn Mulwaree Council
Date of commencement	The date notified to the Department by the Applicant under condition A17
Day	The period from 7.00 am to 6.00 pm on Monday to Saturday, and 8.00 am to 6.00 pm on Sundays and Public Holidays
Decommissioning	The deconstruction or demolition and removal of works installed as part of the development
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning and Environment
Development	The development described in the documents listed in condition A2(c), as modified by the conditions of this consent
Development Layout	The plans in Appendix 2 of this consent
DPE Crown Lands	Crown Lands Group within the Department
DPE Water	Water Group within the Department
CEEC	Critically endangered ecological community, as defined under the EPBC Act
EIS	The Environmental Impact Statement titled <i>Marulan South Limestone Mine Continued Operations State Significant Development Application Environmental Impact Statement</i> , prepared by Element Environment, dated March 2019, submitted with the application for consent for the development, including the Applicant's Response to Submissions and additional information provided by the Applicant dated 6 November 2019, 19 February 2020, 7 May 2020, 6 July 2020, 27 July 2020, 23 March 2021, 22 April 2021, May 2021, 18 June 2021, 6 July 2021 and 23 July 2021
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority

EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPBC Act	Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
Feasible	Means what is possible and practical in the circumstances
Financial Year	A period of 12 months from 1 July to 30 June
Fisheries NSW	Fisheries Branch of the Primary Industries Group within the Department
Heritage NSW	Heritage Branch of the Department of Premier and Cabinet
Heritage item	<p>An Aboriginal object, an Aboriginal place, or a place, building, work, relic, moveable object, tree or precinct of heritage significance, that is listed under any of the following:</p> <ul style="list-style-type: none"> • the State Heritage Register under the <i>Heritage Act 1977</i>; • a state agency heritage and conservation register under section 170 of the <i>Heritage Act 1977</i>; • a Local Environmental Plan under the EP&A Act; • the World Heritage List; • the National Heritage List or Commonwealth Heritage List under the EPBC Act; or • anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance
Laden trains	Trains transporting mining or quarry products from the site
Laden trucks	Trucks transporting mining or quarry products from the site
Land	Has the same meaning as the definition of the term in section 1.4 the EP&A Act, except for where the term is used in the noise and air quality conditions in PART B of this consent where it is defined to mean the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this consent
Material harm	<p>Is harm to the environment that:</p> <ul style="list-style-type: none"> • involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or • results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) <p>This definition excludes “harm” that is authorised under either this consent or any other statutory approval</p>
MEG	Mining, Exploration and Geoscience
Mine-Owned Land	Land owned by a mining, petroleum or extractive industry company (or its subsidiary or related party)
Mine closure	Decommissioning and final rehabilitation of the site following the cessation of mining operations
Mine water	Water that accumulates within, or drains from, active mining and infrastructure areas and any other areas where runoff may have come into contact with carbonaceous or saline material
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Mining operations	The carrying out of mining, including the extraction, processing, stockpiling and transportation of mineral ore and extractive materials on the site and the associated removal, storage and/or emplacement of vegetation, topsoil, overburden, tailings and reject material
Mining products	Includes all saleable mining products produced at the site, but excludes tailings and other wastes and rehabilitation material
Minister	NSW Minister for Planning and Homes , or delegate
Minor	Not very large, important or serious

Mitigation	Activities associated with reducing the impacts of the development
Negligible	Small and unimportant, such as to be not worth considering
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Noise sensitive areas	Areas where mining operations are being carried out that have potential to lead to increased noise at privately-owned residences, such as elevated areas or areas near the boundary of the site
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
'Non-road' mobile diesel equipment	Mobile equipment used in mining operations that is fitted with a diesel engine with a capacity >30 litres and that is self-propelled or transportable and primarily designed for off-road use
NP&W Act	<i>National Parks and Wildlife Act 1974</i>
NRAR	NSW Natural Resources Access Regulator
Offset areas	Means the areas shown conceptually in Appendix 4
Peppertree Quarry	Quarrying operations permitted under MP 06_0074 or any subsequent development consent for extractive industry at the Peppertree Quarry granted by the Minister (or delegate) or the Independent Planning Commission of NSW
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Privately-owned land	Land that is not owned by a public agency or a mining, petroleum or extractive industry company (or its subsidiary or related party)
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, etc.
Quarry products	Includes all saleable quarry products produced at the Peppertree Quarry, but excludes tailings and other wastes and rehabilitation material
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Registered Aboriginal Parties	As described in the <i>National Parks and Wildlife Regulation 2009</i>
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Residence	Existing or approved dwelling at the date of grant of this consent
Resources Regulator	NSW Resources Regulator
RFS	NSW Rural Fire Service
Site	The land defined in Appendix 1
SOE	Southern Overburden Emplacement as shown in Figure 1 in Appendix 2
TfNSW	Transport for NSW
TSS	Total suspended solids
WOE	Western Overburden Emplacement as shown in Figure 1 in Appendix 2

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- 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.

TERMS OF CONSENT

- A2. The development may only be carried out:
- in compliance with the conditions of this consent;
 - in accordance with all written directions of the Planning Secretary;
 - generally in accordance with the EIS; and
 - generally in accordance with the Development Layout in Appendix 2.
- A3. If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.
- A4. The Applicant must comply with any requirement/s of the Planning Secretary arising from the Department's assessment of:
- any strategies, plans or correspondence that are submitted in accordance with this consent;
 - any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and
 - the implementation of any actions or measures contained in these documents.

LIMITS OF CONSENT

Mining operations

- A5. Mining operations may be carried out on the site, within the approved disturbance area, until 31 August 2051.

Notes:

- Under this consent, the Applicant is required to decommission and rehabilitate the site and carry out other requirements in relation to mining operations. Consequently, this consent will continue to apply in all respects other than to permit the carrying out of mining operations until the rehabilitation of the site and other requirements have been carried out to the required standard.*
- Mining operations and rehabilitation are also regulated under the Mining Act 1992.*

Extraction and Transportation

- A6. A maximum of 4 million tonnes of limestone may be extracted from the site in any financial year.
- A7. A maximum of 200,000 tonnes of clay/shale may be extracted from the site in any financial year.
- A8. A maximum of 4.2 million tonnes of limestone and clay/shale (combined) may be processed on the site in any financial year.
- A9. A maximum of 1 million tonnes of manufactured sand may be transported to Peppertree Quarry in any financial year.
- A10. A maximum of 150,000 tonnes of quarry products may be transported from Peppertree Quarry to the shared road sales stockpiling area^a in any financial year.
- ^a *The shared road sales stockpiling area is shown in Figure 1 in Appendix 2.*
- A11. A maximum of 720,000 tonnes of limestone, clay/shale and quarry products (combined) may be transported from the site by road in any financial year.
- A12. A maximum of 133 laden trucks may be dispatched from the site^{a,b} in any 24-hour period.
- ^a *Excludes any truck movements to or from the Peppertree Quarry authorised under conditions A9 and A10 or for the transportation of overburden as described in the EIS*
- ^b *Excludes any truck movements which may be authorised under separate development consent/s for the Peppertree Quarry*
- A13. A maximum of six laden trains may leave the site in any 24-hour period.

Hours of Operation

- A14. The Applicant may undertake mining operations 24 hours a day, 7 days a week.

Notes:

- For limitations on blasting operations see condition B13.*

Mining Depth

A15. The Applicant must not carry out any extraction or excavation below 335 m AHD.

Identification of Approved Disturbance Area

A16. Within three months of commencement of development under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must provide to the Department a survey plan of the boundaries of the approved disturbance areas.

NOTIFICATION OF COMMENCEMENT

A17. 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:

- (a) commencement of development under the consent;
- (b) commencement of construction under the consent;
- (c) commencement of mining operations under the consent;
- (d) cessation of mining operations (i.e. mine closure); and
- (e) any period of suspension of mining operations (i.e. care and maintenance).

A18. If the phases of the development are to be further staged, the Department must be notified in writing at least two weeks prior to the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

SURRENDER OF EXISTING CONSENTS OR APPROVALS

A19. 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 consents dated 21 February 1972, 16 October 1974, 13 February 1995 and 22 May 1997, April 2008, 20 June 2006 and 1 March 2012 as detailed in Section 3.3.4 of the EIS, and any existing or continuing use rights for the site, in accordance with the EP&A Regulation.

A20. Upon the commencement of development under this consent, and before the surrender of existing development consents required under condition A19, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.

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&A Act or Part 6 of the EP&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.*

DIVISION 7.1 CONTRIBUTIONS TO COUNCIL

A21. Under section 7.11 of the EP&A Act, an annual financial contribution must be paid to Council to be put toward the maintenance of Marulan South Road used for haulage of mining and quarry products. The contribution is to be calculated in accordance with the *Goulburn Mulwaree Section 94 Development Contributions Plan 2009* or its latest version (adjusted on a quarterly basis to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)).

A22. The contribution must be paid to Council within 12 months of the date notified for the commencement of development under this consent and in the same month each year and be reported in the Annual Review required under condition D11.

A23. With the approval of the Planning Secretary, the contribution required under condition A21 may be waived or reduced in lieu of road upgrading works, or other means, as may be agreed by Council.

COMMUNITY CONSULTATIVE COMMITTEE

A24. Before the commencement of development under this consent, a Community Consultative Committee (CCC) must be established for the development 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.

Notes:

- *The CCC is an advisory committee only.*
- *In accordance with the Guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, Council and the local community.*

A25. With the approval of the Planning Secretary, the Applicant may combine the CCC required by this consent with any similar CCC required by a consent or approval for any adjoining mine or quarry subject to common, shared or related ownership or management.

EVIDENCE OF CONSULTATION

- A26. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document; and
 - (b) provide details of the consultation undertaken, including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A27. 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);
 - (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); and
 - (d) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required by an adjoining mining consent or approval, in common ownership or management.
- A28. 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.
- A29. 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.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A30. 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^a that is damaged by carrying out the development; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure^a that needs to be relocated as a result of the development.

^a *This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by condition A21 or to damage that has been compensated under the Mining Act 1992.*

DEMOLITION

- A31. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

- A32. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Notes:

- *Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*

OPERATION OF PLANT AND EQUIPMENT

- A33. All plant and equipment used on site, or to monitor the performance of the development must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

COMPLIANCE

- A34. 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.

APPLICABILITY OF GUIDELINES

- A35. 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 inclusion (or later update) in the condition.
- A36. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, in respect of ongoing monitoring and management obligations, agree to or require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

CROWN LAND

- A37. The Applicant must consult with **DPE** – Crown Lands prior to undertaking any development on Crown Land or Crown Roads.

Notes:

- *Under section 265 of the Mining Act 1992, the Applicant is required to enter into a compensation agreement with **DPE** – Crown Lands prior to undertaking any mining operations or related activities on Crown land or Crown roads within a mining lease.*
- *Under section 141 of the Mining Act 1992, the Applicant is required to enter into an access arrangement with **DPE** – Crown Lands prior to undertaking any prospecting operations on Crown land or Crown roads within an exploration licence.*

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

NOISE

Noise Criteria

- B1. The Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 1 at any residence on privately-owned land.

Table 1: Noise criteria dB(A)

Noise Assessment Location^a	Day <i>L_{Aeq} (15 min)</i>	Evening <i>L_{Aeq} (15 min)</i>	Night <i>L_{Aeq} (15 min)</i>	Night <i>L_{AFmax}</i>
R9	40	36	36	52
Other privately-owned residences	40	35	35	52

^aThe Noise Assessment Locations referred to in Table 1, are shown in Appendix 3.

- 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 Industry* (EPA, 2017).
- B3. The noise criteria in Table 1 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.

Temporary Construction Noise Limits

- B4. With the written agreement of the Planning Secretary, the Applicant may seek temporary construction noise limits above the noise criteria in Table 1, including for construction works outside of standard hours. In order to seek a temporary construction noise limit, the Applicant must develop a Construction Noise Protocol to the satisfaction of the Planning Secretary. This protocol must:
- (a) be prepared in consultation with the EPA and any residents who may be affected by the noise generated by these works;
 - (b) specify the construction works to which the temporary construction noise limits would apply and provide justification for these limits; and
 - (c) address the relevant requirements of the *Interim Construction Noise Guideline* (DECC, 2009).
- B5. The Applicant must continue to operate in accordance with the noise criteria in Table 1 until and unless a Construction Noise Protocol for the specified construction works is approved by the Planning Secretary.
- B6. The Applicant must implement any Construction Noise Protocol approved by the Planning Secretary.

Noise Operating Conditions

- B7. The Applicant must:
- (a) take all reasonable steps to minimise noise from construction and operational activities, including low frequency noise and other audible characteristics, as well as road and on-site rail noise associated with the development;
 - (b) implement reasonable and feasible noise attenuation measures on all plant and equipment that will operate in noise sensitive areas;
 - (c) take all reasonable steps to minimise the noise impacts of the development in noise sensitive areas during the evening and night;
 - (d) operate a noise management system to guide the day to day planning of mining operations, and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this consent;
 - (e) take all reasonable steps to minimise the noise impacts of the development during noise-enhancing meteorological conditions;
 - (f) only use locomotives and rolling stock that are approved to operate on the NSW rail network in accordance with the noise limits in any relevant rolling stock operator's EPL and use reasonable endeavours to ensure that rolling stock is selected to minimise noise;
 - (g) carry out regular attended noise monitoring (at least once a month, unless otherwise agreed by the Planning Secretary) to determine whether the development is complying with the relevant conditions of this consent; and

- (h) regularly assess the noise monitoring data and modify operations on the site to ensure compliance with the relevant conditions of this consent.

Noise Management Plan

- B8. The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
 - (b) describe the measures to be implemented to ensure:
 - (i) compliance with the noise criteria and operating conditions of this consent;
 - (ii) best practice management is being employed; and
 - (iii) noise impacts of the development are minimised during noise-enhancing meteorological conditions;
 - (c) describe the measures to minimise development related road traffic noise generated on public roads;
 - (d) describe the noise management system in detail; and
 - (e) include a monitoring program that:
 - (i) uses a combination of attended and unattended monitoring to evaluate the performance of the development;
 - (ii) monitors noise at locations representative of the most affected residences;
 - (iii) adequately supports the noise management system;
 - (iv) includes a protocol for distinguishing noise emissions of the development from any neighbouring developments; and
 - (v) includes a protocol for identifying any noise-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of any such event.
- B9. The Noise Management Plan must be approved by the Planning Secretary within 3 months of the date of this consent, unless otherwise agreed by the Planning Secretary.
- B10. The Applicant must implement the Noise Management Plan as approved by the Planning Secretary.

BLASTING

Blasting Criteria

- B11. The Applicant must ensure that blasting on the site does not cause exceedances of the criteria at the locations in Table 2.

Table 2: Blasting criteria

Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance
Residence on privately-owned land ^a	120	10	0%
	115	5	5% of the total number of blasts over a financial year
Commercial receiver ^a	133	25	0%
Electricity Transmission Lines		50	0%
Public Roads		100	0%
All other infrastructure		50 (or a limit determined by the structural design methodology in AS 2187.2 - 2006, or its latest version, or other alternative limit for public infrastructure, to the satisfaction of the Planning Secretary)	0%

^a The locations referred to in Table 2 are shown in Appendix 3.

B12. The blasting criteria in Table 2 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.

Blasting Hours

B13. The Applicant must only carry out blasting on the site between 9 am and 5 pm (Monday to Friday inclusive). No blasting is allowed on weekends, public holidays or any other time without the prior written approval of the Planning Secretary.

Blasting Frequency

B14. The Applicant may carry out a maximum of 1 single blast event^a per day.

B15. Condition B14 does not apply to single blast events^a 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.

^a Within conditions B14 and B15, 'single blast event' means a blast which involves either a single detonation or a number of individual blasts fired in quick succession in a discrete area of the development. Should an additional blast be required after a blast misfire, this additional blast and the blast misfire are counted as a single blast event.

Property Inspections

B16. If the Applicant receives a written request from the owner of any privately-owned land within 2 kilometres of any approved open cut mining pit on the site 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:
 - (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.

B17. 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.

Property Investigations

B18. If the owner of any privately-owned land within 2 kilometres of any approved open cut mining pit on the site 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.

B19. 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.

B20. 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.

Blast Operating Conditions

B21. The Applicant must:

- (a) take all reasonable steps to:
 - (i) ensure the safety of people and livestock from blasting impacts of the development;
 - (ii) protect public and private infrastructure and property in the vicinity of the site from blasting damage associated with the development; and
 - (iii) minimise blast-related dust and fume emissions;
- (b) ensure that blasting on the site does not damage heritage items^a, except in accordance with predictions in the document/s listed in condition A2(c), and develop specific measures to protect heritage items from any blasting damage associated with the development;

- (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;
- (d) operate a suitable system to enable interested members of the public to get up-to-date information on the proposed blasting schedule on the site and any associated road closures, including notification via SMS message of the blasting schedule and any variations to that schedule;
- (e) use all reasonable efforts to co-ordinate the timing of blasting at the site with Peppertree Quarry to minimise cumulative blasting impacts; and
- (f) carry out regular blast monitoring to determine whether the development is complying with the relevant conditions of this consent.

^aThe locations of the heritage items referred to in paragraph (b) are shown in Appendix 5.

B22. The Applicant must not undertake blasting on the site within 500 metres of any public road or any land outside the site not owned by the Applicant, unless the Applicant has:

- (a) a written agreement with the relevant infrastructure owner or landowner to allow blasting to be carried out closer to the public road or land, and the Applicant has advised the Department in writing of the terms of this agreement; or
- (b) demonstrated, to the satisfaction of the Planning Secretary, that the blasting can be carried out closer to the public road or land without compromising the safety of people or livestock or damaging the road or other buildings and structures, and updated the Blast Management Plan to include specific mitigation measures to be implemented while blasting is being carried out within 500 metres of the road or land.

Blast Management Plan

B23. The Applicant must prepare a Blast Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:

- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
- (b) describe the blast management system and the measures that will be implemented to ensure compliance with the blasting criteria and conditions of this consent;
- (c) include a Blast Fume Management Strategy for:
 - (i) minimising blast fume emissions;
 - (ii) rating and recording blast fume events; and
 - (iii) reporting significant blast fume events to the Department and the EPA;
- (d) identify any agreed alternative ground vibration limits for public or private infrastructure in the vicinity of the site (if relevant);
- (e) include a strategy to monitor, mitigate and manage the effects of blasting on heritage items^a;
- (f) include a monitoring program for evaluating and reporting on compliance with the relevant conditions of this consent;
- (g) 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;
- (h) include public notification procedures to enable members of the public, particularly surrounding residents, to get up-to-date information on the proposed blasting schedule; and
- (i) include a protocol for investigating and responding to blast-related complaints.

^aThe locations of the heritage items are shown in Appendix 5.

B24. The Applicant must not undertake any blasting under this consent until the Blast Management Plan is approved by the Planning Secretary.

B25. The Applicant must implement the Blast Management Plan as approved by the Planning Secretary.

AIR QUALITY AND GREENHOUSE GAS

Odour

B26. The Applicant must ensure that no offensive odours, as defined under the POEO Act, are emitted from the site.

Air Quality Criteria

B27. The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Table 3 at any residence on privately-owned land.

Table 3: Air quality criteria

Pollutant	Averaging period	Criterion
Particulate matter < 10 µm (PM ₁₀)	Annual	^{a, c} 25 µg/m ³
	24 hour	^b 50 µg/m ³
Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a, c} 8 µg/m ³
	24 hour	^b 25 µg/m ³
Total suspended particulate (TSP) matter	Annual	^{a, c} 90 µg/m ³

Notes:

^a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources).

^b Incremental impact (i.e. incremental increase in concentrations due to the development on its own).

^c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary.

B28. The air quality criteria in Table 3 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the air quality criteria, and the Applicant has advised the Department in writing of the terms of this agreement.

Mine-owned Land

B29. Particulate matter emissions generated by the development must not exceed the criteria listed in Table 3 at any occupied residence on mine-owned land (including land owned by another mining or quarry company) unless:

- (a) the tenant and landowner (if the residence is owned by another mining or quarry company) have been notified of any health risks associated with such exceedances in accordance with the notification requirements under PART C of this consent;
- (b) the tenant of any land owned by the Applicant can terminate their tenancy agreement without penalty at any time, subject to giving 14 days' notice;
- (c) air quality monitoring is regularly undertaken to inform the tenant and landowner (if the residence is owned by another mining company) of the likely particulate matter emissions at the residence; and
- (d) data from this monitoring is presented to the tenant and landowner in an appropriate format for a medical practitioner to assist the tenant and landowner in making informed decisions on the health risks associated with occupying the property.

Air Quality Operating Conditions

B30. The Applicant must:

- (a) take all reasonable steps to:
 - (i) minimise odour, fume and particulate matter (including PM₁₀ and PM_{2.5}) emissions of the development, paying particular attention to minimising wheel-generated haul road emissions;
 - (ii) improve energy efficiency and reduce greenhouse gas emissions of the development;
 - (iii) minimise any visible off-site air pollution generated by the development; and
 - (iv) minimise the extent of potential dust generating surfaces exposed on the site at any given point in time;
- (b) ensure that all 'non-road' mobile diesel equipment used in undertaking the development includes reasonable and feasible diesel emissions reduction technology;
- (c) operate an air quality management system to guide the day to day planning of mining operations and implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this consent;
- (d) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see Note c to Table 3 above);
- (e) use all reasonable efforts to co-ordinate air quality management on the site with the air quality management at Peppertree Quarry to minimise cumulative air quality impacts;
- (f) carry out regular air quality monitoring to determine whether the development is complying with the relevant conditions of this consent; and
- (g) regularly assess meteorological and air quality monitoring data, and modify operations on the site to ensure compliance with the relevant conditions of this consent.

Air Quality and Greenhouse Gas Management Plan

- B31. The Applicant must prepare an Air Quality and Greenhouse Gas Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
 - (b) be prepared in consultation with the EPA;
 - (c) describe the measures to be implemented to ensure:
 - (i) compliance with the air quality criteria and operating conditions of this consent;
 - (ii) best practice management is being employed to:
 - minimise the development's air quality impacts;
 - minimise the development's Scope 1 and 2 greenhouse gas emissions; and
 - improve the development's energy efficiency; and
 - (iii) the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events;
 - (d) describe the air quality management system in detail; and
 - (e) include an air quality monitoring program, undertaken in accordance with the *Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales* (DEC, 2007), that:
 - (i) uses monitors to evaluate the performance of the development against the air quality criteria in this consent and to guide day to day planning of mining operations;
 - (ii) adequately supports the air quality management system; and
 - (iii) includes a protocol for identifying any air quality-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of these events.
- B32. The Air Quality and Greenhouse Gas Management Plan must be approved by the Planning Secretary within 3 months of the date of this consent, unless otherwise agreed by the Planning Secretary.
- B33. The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Planning Secretary.

METEOROLOGICAL MONITORING

- B34. Prior to the commencement of development under this consent, and for the life of the development, the Applicant must ensure that there is a suitable meteorological station operating in the vicinity of the site that:
- (a) complies with the requirements in the *Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales* (DEC, 2007); and
 - (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.

WATER

Water Supply

- B35. 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.
- B36. 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.

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, including during rehabilitation and post mine closure.

Compensatory Water Supply

- B37. 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.
- B38. 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 should be provided (at least on an interim basis) as soon as practicable after the loss is identified, unless otherwise agreed with the landowner.

- B39. If the Applicant and the landowner cannot agree on whether the loss of water is 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.
- B40. 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.

Notes:

- The Water Management Plan (see condition B45) is required to include trigger levels for investigating potentially adverse impacts on water supplies.

Water Discharges

- B41. The Applicant must ensure that all surface discharges from the site comply with:
- discharge limits (both volume and quality) set for the development in any EPL; or
 - relevant provisions of the POEO Act.

Groundwater Management

- B42. Within 12 months of the commencement of development under this consent, or other timeframe as agreed by the Planning Secretary, the Applicant must install a groundwater level and quality monitoring network within and adjacent to the Mt Frome Middle Limestone, or a suitable alternative location, in consultation with DPE Water and to the satisfaction of the Planning Secretary.

Water Management Performance Measures

- B43. The Applicant must ensure that the development complies with the performance measures in Table 4.

Table 4: Water management performance measures

Feature	Performance Measure
Water management – General	<ul style="list-style-type: none"> • Maintain separation between clean, dirty (i.e. sediment-laden) and mine water management systems • Minimise the use of clean and potable water on the site • Maximise water recycling, reuse and sharing opportunities • Minimise the use of make-up water from external sources • Design, install, operate and maintain water management systems in a proper and efficient manner • Minimise risks to the receiving environment and downstream water users
Barbers Creek, Bungonia Creek and Shoalhaven River alluvial aquifers	<ul style="list-style-type: none"> • Negligible impacts to alluvial aquifers as a result of the development, beyond those predicted in the document/s listed in condition A2(c), including: <ul style="list-style-type: none"> – negligible change in groundwater levels; – negligible change in groundwater quality; and – negligible impact to other groundwater users
Groundwater springs	<ul style="list-style-type: none"> • Negligible impacts to groundwater springs as a result of the development, beyond those predicted in the document/s listed in condition A2(c), including: <ul style="list-style-type: none"> – negligible change in groundwater supply; and – negligible change in groundwater quality
Aquatic and riparian ecosystems	<ul style="list-style-type: none"> • Negligible environmental consequences beyond those predicted in the document/s listed in condition A2(c) • Negligible decline in baseline channel stability • Develop site-specific in-stream water quality objectives in accordance with the <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality</i> (ANZECC & ARMCANZ, 2000) and <i>Using the ANZECC Guidelines and Water Quality Objectives in NSW</i> (DEC, 2006)
Marulan Creek Dam	<ul style="list-style-type: none"> • Negligible impacts on the quality and quantity of downstream flows and geomorphic processes in Marulan Creek and Barbers Creek as a result of the development, beyond those predicted in the document/s listed in condition A2(c) • Design, install and maintain dam infrastructure in accordance with the guidance series for <i>Controlled Activities on Waterfront Land</i> (DPI Water, 2012)

Feature	Performance Measure
Erosion and sediment control works	<ul style="list-style-type: none"> Design, install and maintain erosion and sediment controls in accordance with the guidance series <i>Managing Urban Stormwater: Soils and Construction</i> including <i>Volume 1: Blue Book</i> (Landcom, 2004), <i>Volume 2A: Installation of Services</i> (DECC, 2008), <i>Volume 2C: Unsealed Roads</i> (DECC, 2008), <i>Volume 2D: Main Road Construction</i> (DECC, 2008) and <i>Volume 2E: Mines and Quarries</i> (DECC, 2008) Design, install and maintain any creek crossings in accordance with the <i>Fisheries NSW Policy and Guidelines for Fish Habitat Conservation and Management</i> (DPI, 2013) and <i>Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings</i> (NSW Fisheries 2003) Design, install and maintain any new infrastructure within 40 metres of watercourses in accordance with the guidance series for <i>Controlled Activities on Waterfront Land</i> (DPI Water, 2012)
Clean water diversions and storage infrastructure	<ul style="list-style-type: none"> Design, install and maintain the clean water system to capture and convey the 100 year ARI flood 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
Sediment dams	<ul style="list-style-type: none"> Design, install and maintain sediment dams in accordance with the guidance series <i>Managing Urban Stormwater: Soils and Construction – Volume 1</i> (Landcom, 2004) and <i>2E Mines and Quarries</i> (DECC, 2008) and the requirements under the POEO Act
Chemical and hydrocarbon storage	<ul style="list-style-type: none"> Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standard
Overburden emplacements	<ul style="list-style-type: none"> Design, install and maintain emplacements to encapsulate and prevent migration of acid forming and potentially acid forming materials, and saline and sodic material Design, install and maintain out-of-pit emplacements to prevent and/or manage long term saline seepage

B44. The performance measures in Table 4 do not apply to water management structures which were lawfully constructed prior to the commencement of development under this consent.

Water Management Plan

B45. The Applicant must prepare a Water Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:

- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
- (b) be prepared in consultation with WaterNSW, DPE Water, Fisheries NSW and the EPA;
- (c) describe the measures to be implemented to ensure that the Applicant complies with the water management performance measures (see Table 4);
- (d) utilise existing local data and build on existing monitoring programs, where practicable;
- (e) include a:
 - (i) **Site Water Balance** that includes details of:
 - predicted annual inflows to and outflows from the site;
 - sources and security of water supply for the life of the development (including authorised entitlements and licences);
 - water storage capacity;
 - water use and management on the site, including any water transfers or sharing with neighbouring mines;
 - licensed discharge points and limits; and
 - reporting procedures, including the annual preparation of an updated site water balance;
 - (ii) **Erosion and Sediment Control Plan** that:
 - is consistent with the requirements of *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) and *Volume 2E: Mines and Quarries* (DECC, 2008);
 - identifies activities that could cause soil erosion, generate sediment or affect flooding;
 - includes a program to periodically review sheet, rill and gully erosion risks, particularly in relation to emplacement areas;

- includes a program to monitor the geomorphological stability of emplacement areas, in consultation with WaterNSW;
 - describes measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, and manage flood risk;
 - describes the location, function, and capacity of erosion and sediment control structures; and
 - describes what measures would be implemented to maintain (and if necessary decommission) the structures over time;
- (iii) **Surface Water Management Plan** that includes:
- detailed baseline data on surface water flows and quality of watercourses and/or water bodies potentially impacted by the development, including:
 - stream and riparian vegetation health;
 - channel stability (geomorphology); and
 - water supply for other surface water users;
 - a detailed description of the surface water management system, including consideration of mitigation measures to manage downstream risks associated with alkalinity, TSS and settling agents;
 - details of the water licensing requirements for all water storages (i.e. exempt, harvestable rights or licenced);
 - detailed plans, design objectives and performance criteria for water management infrastructure, including:
 - water run-off diversions and catch drains;
 - water storages (excluding Marulan Creek Dam) and sediment dams;
 - emplacement areas; and
 - backfilled pits and any final voids for the development;
 - surface water performance criteria, including trigger levels for identifying and investigating any potentially adverse impacts (or trends) associated with the development, for:
 - water supply for other water users;
 - downstream surface water flows and quality, including (but not limited to) specific trigger levels for TSS, metals, alkalinity, bicarbonate alkalinity and settling agents, which are informed by baseline data, having regard to the sensitivity of downstream waters;
 - downstream flooding impacts;
 - stream and riparian vegetation health; and
 - post-mining water pollution from rehabilitated areas of the site;
 - a program to monitor and evaluate:
 - compliance with the relevant performance measures listed in Table 4 and the performance criteria in this plan;
 - controlled and uncontrolled discharges and seepage/leachate from the site;
 - impacts on water supply for other water users;
 - surface water inflows, outflows and storage volumes, to inform the Site Water Balance; and
 - the effectiveness of the surface water management system and the measures in the Erosion and Sediment Control Plan;
 - reporting procedures for the results of the monitoring program, including notifying other water users of any elevated results; and
 - a trigger action response plan to respond to any exceedances of the relevant performance measures or performance criteria, and repair, mitigate and/or offset any adverse surface water impacts of the development;
- (iv) **Marulan Creek Dam Management Plan** that includes:
- detailed plans, design objectives and performance criteria for the dam infrastructure;
 - detailed measures to ensure compliance with the relevant performance measures in Table 4;
 - performance criteria, including trigger levels for identifying and investigating any potentially adverse impacts (or trends) associated with the development with respect to:
 - downstream geomorphic processes;
 - sediment transmission;
 - ecological function; and

- water quality;
- a program to monitor and evaluate compliance with the relevant performance measures in Table 4, including justification for proposed monitoring frequencies and parameters;
- reporting procedures for the results of the monitoring program;
- a remediation and rehabilitation strategy for areas of Marulan Creek both above and below the dam up to the entry to the Barber's Creek gorge, which has been prepared by a suitably qualified and experienced fluvial geomorphologist, having regard to *A Rehabilitation Manual for Australian Streams* (Land and Water Resources Research and Development Corporation, 2000); and
- a trigger action response plan to respond to any exceedances of the relevant performance measures or performance criteria, and repair, mitigate and/or offset any adverse impacts on downstream flows and/or ecological processes;

(v) **Groundwater Management Plan** that includes:

- detailed baseline data of groundwater levels, yield and quality for groundwater resources and groundwater dependent ecosystems potentially impacted by the development, including groundwater supply for other water users;
- a detailed description of the groundwater management system;
- groundwater performance criteria, including trigger levels for identifying and investigating any potentially adverse groundwater impacts (or trends) associated with the development, on:
 - regional and local aquifers (alluvial and hardrock);
 - groundwater springs; and
 - groundwater supply for other water users such as licensed privately-owned groundwater bores;
- a program to monitor and evaluate:
 - compliance with the relevant performance measures listed in Table 4 and the performance criteria in this plan;
 - water loss/seepage from water storages into the groundwater system, including from any final voids;
 - groundwater inflows, outflows and storage volumes, to inform the Site Water Balance;
 - the hydrogeological setting of any nearby alluvial aquifers and the likelihood of any indirect impacts from the development;
 - impacts on groundwater dependent ecosystems;
 - impacts on groundwater supply for other water users;
 - the effectiveness of the groundwater management system;
- reporting procedures for the results of the monitoring program, including notifying other water users of any elevated results;
- a trigger action response plan to respond to any exceedances of the relevant performance measures and groundwater performance criteria, and repair, mitigate and/or offset any adverse groundwater impacts of the development;
- a program to periodically validate the groundwater model for the development, including an independent review of the model every 3 years (unless otherwise agreed by the Planning Secretary), and comparison of monitoring results with modelled predictions; and

(vi) a protocol to report on the measures, monitoring results and performance criteria identified above, in the Annual Review referred to in condition D11.

B46. The Water Management Plan must be approved by the Planning Secretary within 3 months from the date of this consent, unless otherwise agreed by the Planning Secretary.

B47. The Applicant must implement the Water Management Plan as approved by the Planning Secretary.

B48. The Applicant must commission an independent audit of the long-term geomorphological stability of the WOE and SOE. This audit must:

- (a) be conducted by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
- (b) be carried out in consultation with WaterNSW;
- (c) be undertaken within three months of the completion of the surface water management systems for the WOE and SOE in Stage 4 of the development, or other timeframe agreed by the Planning Secretary;
- (d) assess whether the surface water management system has been constructed in accordance with the conditions of this consent and is geomorphologically stable;

- (e) recommend appropriate measures or actions to ensure the long-term stability of the WOE and SOE (if required); and
- (f) be conducted and reported to the satisfaction of the Planning Secretary.

B49. Within three months of commissioning the independent audit required under condition B48, or other timeframe agreed by the Planning Secretary, the Applicant must submit a copy of the Audit Report to the Planning Secretary and to WaterNSW, together with its response to any recommendations contained in the audit report and a timetable for the implementation of its recommendations.

B50. The Applicant must implement the recommendations of the Audit Report to the satisfaction of the Planning Secretary.

BIODIVERSITY

Biodiversity Credits Required

- B51. Prior to commencing construction under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must retire the biodiversity credits specified in **Table 5**. The retirement of credits must be carried out in consultation with BCD and in accordance with the Biodiversity Offsets Scheme of the BCT Act, to the satisfaction of the BCT.
- B52. The retirement of credits must be carried out in consultation with BCD and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.

Table 5: Biodiversity credit requirements

Credit Type	Credits Required
Ecosystem Credits	
PCT 1334 Yellow Box – Blakely’s Red Gum grassy woodland on the tablelands, South Eastern Highlands ^{a, b}	1,038
PCT 778 Coast Grey Box – stringybark dry woodland on slopes of the Shoalhaven Gorges – Southern Sydney Basin	885
PCT 1150 – Silvertop Ash – Blue-leaved Stringybark shrubby open forest on ridges, north east South Eastern Highlands Bioregion	260
PCT 731 Broad-leaved Peppermint – Red Stringybark grassy open forest on undulating hills, South Eastern Highlands Bioregion	325
Species Credits	
<i>Solanum celatum</i>	2
Koala ^b	2,454
Large-eared Pied Bat ^b	3,836

^a Commensurate with White Box-Yellow Box-Blakely’s Red Gum Grassy Woodland and Derived Native Grassland CEEC under the EPBC Act

^b Under clause 6.6A of the Biodiversity Conservation Regulation 2017, variation rules do not apply to the identified species or community and the required credits must be retired on a like-for-like basis

B53. The Applicant must implement the Biodiversity Offset Strategy in consultation with BCD, the BCT and MEG.^a

^a Consultation with MEG is only required in respect of land-based biodiversity offsets

Biodiversity Management Plan

- B54. The Applicant must prepare a Biodiversity Management Plan to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
 - (b) be prepared in consultation with BCD;
 - (c) describe the short, medium, and long-term measures to be undertaken to manage the remnant vegetation and fauna habitat on the site and within the offset areas;
 - (d) describe how biodiversity management would be integrated with similar measures within other management plans, including the Rehabilitation Management Plan referred to in condition B82;

- (e) include detailed performance and completion criteria for evaluating the performance of the Biodiversity Offset Strategy and include triggers for remedial action, where these performance or completion criteria are not met;
- (f) describe how the Biodiversity Offset Strategy will be implemented and secured;
- (g) describe the measures to be implemented within the approved disturbance areas to:
 - (i) minimise the amount of clearing;
 - (ii) minimise impacts on fauna, including undertaking pre-clearance surveys and measures to minimise the risk of vehicle strike;
 - (iii) provide for the salvage, transplanting and/or propagation of any threatened flora found during pre-clearance surveys, in accordance with the *Guidelines for the Translocation of Threatened Plants in Australia* (Vallee et al., 2004); and
 - (iv) maximise the salvage of resources, including tree hollows, vegetation and soil resources, for beneficial reuse, including fauna habitat enhancement;
- (h) describe the measures to be implemented on the site to:
 - (i) minimise impacts to *White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC* including potential edge effects within identified buffer zones, and contribute to conservation strategies for this CEEC;
 - (ii) minimise impacts on fauna habitat resources such as hunting and foraging areas, habitat trees, fallen timber and hollow-bearing trees;
 - (iii) enhance the quality of vegetation, vegetation connectivity and wildlife corridors including through the assisted regeneration and/or targeted revegetation of appropriate canopy, sub-canopy, understorey and ground strata;
 - (iv) introduce naturally scarce fauna habitat features such as nest boxes and salvaged tree hollows and promote the use of these introduced habitat features by threatened fauna species;
 - (v) manage any potential conflicts with Aboriginal heritage values;
 - (vi) protect vegetation and fauna habitat outside of the approved disturbance areas;
 - (vii) manage the collection and propagation of seed from the local area;
 - (viii) control weeds, including measures to avoid and mitigate the spread of weeds;
 - (ix) control feral pests and diseases with consideration of actions identified in relevant threat abatement plans;
 - (x) control erosion;
 - (xi) manage any grazing and agriculture;
 - (xii) control access to vegetated or revegetated areas; and
 - (xiii) manage bushfire hazards;
- (i) include a seasonally-based program to monitor and report on the effectiveness of the above measures, progress against the detailed performance indicators and completion criteria, and identify improvements that could be implemented to improve biodiversity outcomes;
- (j) identify the potential risks to the successful implementation of the Biodiversity Management Plan, and include a description of the contingency measures to be implemented to mitigate against these risks; and
- (k) include details of who would be responsible for monitoring, reviewing, and implementing the plan.

B55. The Applicant must not clear any vegetation described in the document/s listed in condition A2(c) until the Biodiversity Management Plan is approved by the Planning Secretary.

B56. The Applicant must implement the Biodiversity Management Plan as approved by the Planning Secretary.

HERITAGE

Protection of Aboriginal Heritage

B57. The Applicant must ensure that the development does not cause any direct or indirect impact on any identified heritage items located outside the approved disturbance area, beyond those predicted in the document/s listed in condition A2(c).

Note: *Identified heritage items are shown in the figures in Appendix 5.*

B58. If suspected human remains are discovered on the site, then all work surrounding the area must cease, and the area must be secured. The Applicant must immediately notify NSW Police Force and Heritage NSW, and work must not recommence in the area until authorised by NSW Police Force and Heritage NSW.

B59. The Applicant must ensure that all known Aboriginal objects or Aboriginal places on the site and within the offset areas are properly recorded, and those records are kept up to date, in the Aboriginal Heritage Information Management System (AHIMS) Register.

Aboriginal Cultural Heritage Management Plan

- B60. The Applicant must prepare an Aboriginal Cultural Heritage Management Plan for the development. The plan must:
- (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Planning Secretary;
 - (b) be prepared in consultation with Heritage NSW and Registered Aboriginal Parties;
 - (c) describe the measures to be implemented on the site or within the offset areas to:
 - (i) comply with the heritage-related operating conditions of this consent;
 - (ii) ensure all workers receive suitable Aboriginal cultural heritage training/inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions;
 - (iii) protect, monitor and manage identified Aboriginal objects and Aboriginal places (including any proposed archaeological investigation of potential subsurface objects, collection and salvage of objects within the approved disturbance area) in accordance with the commitments made in the document/s listed in condition A2(c);
 - (iv) protect Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development;
 - (v) manage the discovery of suspected human remains and any new Aboriginal objects or Aboriginal places, including provisions for burials, over the life of the development;
 - (vi) maintain and manage reasonable access for relevant Aboriginal stakeholders to Aboriginal objects and Aboriginal places (outside of the approved disturbance area); and
 - (vii) facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site;
 - (d) include a strategy for the care, control and storage of Aboriginal objects salvaged on the site, both during the life of the development and in the long term; and
 - (e) in relation to the women's cultural heritage site along Marulan Creek, include:
 - (i) an assessment of the potential impacts of the Marulan Creek dam and associated flow regime on the site, prepared by an intangible cultural heritage specialist in consultation with the identified knowledge holders; and
 - (ii) assessment of whether mitigation to any negative impacts should occur through periodic cultural flows.
- B61. The Applicant must not disturb any heritage item until the Aboriginal Cultural Heritage Management Plan is approved by the Planning Secretary.
- B62. The Applicant must implement the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary.

Historic Heritage Management Plan

- B63. The Applicant must prepare a Historic Heritage Management Plan for the development, in respect of all non-Aboriginal cultural heritage items, to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
 - (b) be prepared in consultation with Council and in accordance with the relevant Heritage NSW guidelines;
 - (c) describe how the historic heritage values of the site would be recorded and preserved;
 - (d) identify all heritage items in the vicinity of the site and include a statement of significance for each item;
 - (e) describe the measures to be implemented on the site or within the offset areas to:
 - (i) ensure all workers on the site receive suitable heritage training/inductions prior to carrying out any activities which may cause impacts to historic heritage, and that suitable records are kept of these inductions;
 - (ii) protect heritage items located outside the approved disturbance area from impacts of the development, beyond those predicted in the document/s listed in condition A2(c);
 - (iii) undertake photographic/archival recording of any items of heritage significance predicted to be impacted by the development, prior to disturbance; and
 - (iv) manage any new heritage items discovered during the life of the development; and
 - (f) include a strategy for the care, control and storage of heritage relics salvaged from the site.
- B64. The Applicant must not disturb any heritage item until the Historic Heritage Management Plan is approved by the Planning Secretary.
- B65. The Applicant must implement the Historic Heritage Management Plan as approved by the Planning Secretary.

VISUAL

Visual Amenity and Lighting

- B66. The Applicant must:
- (a) take all reasonable steps to minimise the visual and off-site lighting impacts of the development;
 - (b) take all reasonable steps to minimise views of mining operations and associated equipment from privately-owned residences, public roads and the Bungonia Lookdown;
 - (c) ensure no fixed outdoor lights shine directly above the horizontal or above the building line or any illuminated structure;
 - (d) ensure no in-pit mobile lighting rigs shine directly above the pit wall and other mobile lighting rigs do not shine directly above the horizontal (except where required for emergency safety purposes);
 - (e) 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*;
 - (f) ensure that the visual appearance of any new buildings, structures, facilities or works (including paint colours and specifications) is aimed at blending as far as possible with the surrounding landscape.
- B67. The Applicant must take all reasonable steps to minimise the night lighting impacts associated with road transport along Marulan South Road. This may include, but not be limited to, the construction of earth bunds within the realigned Marulan South Road reserve, in consultation with Council.

WASTE

- B68. The Applicant must:
- (a) take all reasonable steps to minimise the waste generated by the development;
 - (b) classify all waste in accordance with the *Waste Classification Guidelines* (EPA, 2014);
 - (c) dispose of all waste at appropriately licensed waste facilities;
 - (d) manage on-site sewage treatment and disposal in accordance with the requirements of Council; and
 - (e) monitor and report on the effectiveness of the waste minimisation and management measures in the Annual Review referred to in condition D11.
- B69. 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.
- B70. Prior to commencing development under this consent, the Applicant must prepare a Contaminated Materials Protocol to the satisfaction of the Planning Secretary. This protocol must describe the procedures to be implemented in the event that potentially contaminated material is identified during construction, including:
- (a) procedures for the testing, removal and disposal of potentially contaminated material; and
 - (b) measures to ensure compliance with the requirements of SafeWork NSW and relevant guidelines.
- B71. The Applicant must implement the Contaminated Materials Protocol as approved by the Planning Secretary.

DANGEROUS GOODS

- B72. The Applicant must ensure that the storage, handling, and transport of:
- (a) dangerous goods is done in accordance with the relevant Australian Standards, particularly *AS1940* and *AS1596*, and the *Dangerous Goods Code*; and
 - (b) explosives are managed in accordance with the requirements of the Resources Regulator.

BUSHFIRE MANAGEMENT

- B73. 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, 2019) guideline; and
 - (ii) ensure that there is suitable equipment to respond to any fires on the site; and
 - (b) assist the RFS and emergency services to the extent practicable if there is a fire in the vicinity of the site.
- B74. Prior to commencing development under this consent, the Applicant must prepare a Bushfire Management Plan for the development, in consultation with RFS. This plan must include a:
- (a) contact person and 24-hour contact phone number;
 - (b) schedule and description of proposed bushfire mitigation works, including:

- (i) location of managed and unmanaged vegetation within the site;
- (ii) location of water supply; and
- (iii) internal access roads;
- (c) plan identifying the location and storage of bulk flammable liquids and materials;
- (d) 'hot works' management plan, including:
 - (i) circumstances when 'hot works' are limited or prohibited; and
 - (ii) safety measures to be implemented when 'hot works' are being conducted; and
- (e) 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*.

B75. The Applicant must implement the Bushfire Management Plan in consultation with RFS.

REHABILITATION

Rehabilitation Objectives

B76. The Applicant must rehabilitate the site in accordance with the conditions imposed on the mining lease(s) associated with the development under the *Mining Act 1992*. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in documents listed in condition A2(c) and shown in Appendix 6, and must comply with the objectives in Table 6.

Table 6: Rehabilitation objectives

Feature	Objective
All areas of the site affected by the development	<ul style="list-style-type: none"> • Safe, stable and non-polluting • Fit for the intended post-mining land use/s • Establish the final landform and post-mining land use/s as soon as practicable after cessation of mining operations • Minimise post-mining environmental impacts
Areas proposed for native ecosystem re-establishment	<ul style="list-style-type: none"> • Establish/restore self-sustaining native woodland ecosystems • Establish local plant community types, with a particular focus on species commensurate with <i>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC</i> • Establish: <ul style="list-style-type: none"> – riparian habitat within any retained water features; – habitat, feed and foraging resources for threatened fauna species (including the Koala); and – vegetation connectivity and wildlife corridors, as far as is reasonable and feasible
Final Landform	<ul style="list-style-type: none"> • Stable and sustainable for the intended post-mining land use/s • Integrated with surrounding natural landforms and other mine rehabilitated landforms, to the greatest extent practicable • Incorporate micro-relief and drainage features that mimic natural topography and mitigate erosion, to the greatest extent practicable • Maximise surface water drainage to the natural environment i.e. free draining (excluding final void catchment) • Minimise visual impacts, where practicable
Final void	<ul style="list-style-type: none"> • Designed as long term groundwater sink to prevent the release of saline water into the surrounding environment, unless further mine planning and final landform design processes identify a more suitable outcome for the final void (see condition B79) • Minimise to the greatest extent practicable: <ul style="list-style-type: none"> – the size and depth; – the drainage catchment; – any high wall instability risk; and – the risk of flood interaction • Maximise potential for beneficial reuse, where practicable
Surface infrastructure of the development (excluding Marulan Creek Dam)	<ul style="list-style-type: none"> • To be decommissioned, removed and rehabilitated, unless the Resources Regulator agrees otherwise
Water quality	<ul style="list-style-type: none"> • Water retained on the site is fit for the intended post-mining land use/s • Water discharged from the site is suitable for receiving waters and fit for aquatic ecology and riparian vegetation

Feature	Objective
Community	<ul style="list-style-type: none"> • Ensure public safety • Minimise adverse socio-economic effects associated with mine closure

B77. The rehabilitation objectives in Table 6 apply to the entire site, including all landforms which were lawfully constructed prior to the commencement of development under this consent. The Applicant is not required to retrospectively incorporate micro-relief and drainage features that mimic natural topography and mitigate erosion on landforms that have been approved and constructed under the previous consents, however, further erosion control works may be required to these landforms to address long term stability issues (if identified).

Progressive Rehabilitation

B78. The Applicant must rehabilitate^a 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.

^a*This condition does not prevent further disturbance at some later stage of the development of areas that have been rehabilitated.*

Rehabilitation Strategy

B79. The Applicant must prepare a Rehabilitation Strategy for all land disturbed by the development to the satisfaction of the Planning Secretary. This strategy must:

- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
- (b) be prepared in consultation with DPE Water, BCD, Resources Regulator and Council;
- (c) build upon the Rehabilitation Objectives in Table 6, describe the overall rehabilitation outcomes for the site, and address all aspects of rehabilitation including mine closure, final landform (including final voids), post-mining land use/s and water management;
- (d) align with strategic rehabilitation and mine closure objectives and address the principles of the *Strategic Framework for Mine Closure* (ANZMEC and MCA, 2000);
- (e) describe how the rehabilitation measures would be integrated with the measures in the Biodiversity Management Plan referred to in condition B54;
- (f) describe how rehabilitation will be integrated with the mine planning process, including a plan to address premature or temporary mine closure;
- (g) include indicative mine plans and scheduling for life-of-mine rehabilitation showing each rehabilitation domain;
- (h) include details of target vegetation communities and species to be established within the proposed revegetation areas;
- (i) investigate opportunities to refine and improve the final landform and final void outcomes over time;
- (j) include a post-mining land use strategy to investigate and facilitate post-mining beneficial land uses for the site (including the final void), that:
 - (i) align with regional and local strategic land use planning objectives and outcomes;
 - (ii) support a sustainable future for the local community;
 - (iii) utilise existing mining infrastructure, where practicable; and
 - (iv) avoid disturbing self-sustaining native ecosystems, where practicable;
- (k) include a stakeholder engagement plan to guide rehabilitation and mine closure planning processes and outcomes;
- (l) investigate ways to minimise adverse socio-economic effects associated with rehabilitation and mine closure; and
- (m) include a program to periodically review and update this strategy at least every three years.

B80. The Rehabilitation Strategy must be approved by the Planning Secretary within 6 months from the date of this consent, unless otherwise agreed by the Planning Secretary .

B81. The Applicant must implement the Rehabilitation Strategy approved by the Planning Secretary.

Rehabilitation Management Plan

B82. The Applicant must prepare a Rehabilitation Management Plan for the development, in accordance with the conditions imposed on the mining lease(s) associated with the development under the *Mining Act 1992*. This plan must:

- (a) be prepared in consultation with the Department and Council;

- (b) be prepared in accordance with any relevant Resources Regulator Guidelines;
- (c) include detailed performance indicators and completion criteria for each rehabilitation domain, and triggers for remedial actions;
- (d) include an overview of the identified risks to achieving successful rehabilitation;
- (e) describe the measures to be implemented on the site to achieve the Rehabilitation Objectives in Table 6, the requirements of the Rehabilitation Strategy referred to in condition B79 and the criteria in paragraph (c);
- (f) include detailed mine plans and scheduling for progressive rehabilitation to be initiated, undertaken and/or completed over the next three years, or other suitable time period as agreed with the Resources Regulator;
- (g) include a program to monitor, independently audit and report on progress against the criteria in paragraph (c) and the effectiveness of the measures in paragraph (e);
- (h) 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
- (i) outline intervention and adaptive management techniques to ensure rehabilitation remains on a trajectory of achieving the Rehabilitation Objectives, Rehabilitation Completion Criteria and the Final Landform in the Rehabilitation Management Plan as soon as reasonably practical.

TRANSPORT

Monitoring of Product Transport

B83. The Applicant must:

- (a) keep accurate records^a of the:
 - (i) amount of mining products and quarry products transported from the site (on a daily basis); and
 - (ii) date and time of each laden train and truck movement generated by the development; and
- (b) publish these records in the Annual Review.

^a *Records must contain sufficient details to demonstrate compliance with conditions A6 to A13 of this consent.*

Transport Operating Conditions

B84. Until such time as the eastern end of Marulan South Road is de-proclaimed, the Applicant must:

- (a) make suitable arrangements to ensure the safety of public road users (including traffic signals, signage or other traffic control measures), to the satisfaction of Council; and
- (b) ensure that any traffic signals on public roads are designed, installed and operated to the satisfaction of TfNSW.

B85. The Applicant must:

- (a) ensure that all laden trucks entering or exiting the site have their loads covered;
- (b) ensure that all laden trucks exiting the site are cleaned of material that may fall from vehicles, before leaving the site;
- (c) take all reasonable steps to minimise traffic safety issues and disruption to local road users; and
- (d) take all reasonable steps to ensure that appropriate signage is displayed on all trucks used to transport quarry products from the development so they can be easily identified by other road users.

Road Realignment

B86. Unless otherwise agreed by Council, the Applicant must construct the new alignment of Marulan South Road as described in the documents listed in A2 (c), to the following standard:

- (a) 7 m wide sealed carriageway, comprising two 3.5 m wide travel lanes;
- (b) 1.5 m wide shoulders (1 m sealed) on both sides of the road;
- (c) 3 m wide cleared zone; and
- (d) Wide Centre Line Treatment, with retroreflective pavement markers, edge-line markers and guideposts as agreed by Council,

in accordance with relevant Austroads guidelines and to the satisfaction of Council.

Notes:

- *The upgrade works identified above include all road furniture and safety requirements required to meet relevant road standards, to the satisfaction of the relevant roads authority.*
- *If there is a dispute between the relevant parties about the implementation of this condition, then any party may refer the matter to the Planning Secretary for resolution.*

B87. The Applicant must ensure that public access is maintained along the existing alignment of Marulan South Road until the new alignment (as required under condition B86) is constructed and dedicated to Council.

Road Restrictions

B88. Unless otherwise agreed by Council, the Applicant must not dispatch more than 75 laden trucks per day or 5 laden trucks per hour from the site, until Marulan South Road is upgraded as described in the documents listed in A2 (c), to the following standard:

- (a) 7 m wide sealed carriageway, comprising two 3.5 m wide travel lanes;
- (b) 1.5 m wide shoulders (1 m sealed) on both sides of the road;
- (c) 3 m wide cleared zone; and
- (d) Wide Centre Line Treatment, with retroreflective pavement markers, edge-line markers and guideposts as agreed by Council,

in accordance with relevant Austroads guidelines and to the satisfaction of Council. The requirements of condition B88 do not apply to the section of road which is to be realigned under condition B86 above.

Notes:

- *The upgrade works identified above include all road furniture and safety requirements required to meet relevant road standards, to the satisfaction of the relevant roads authorities.*
- *If there is a dispute between the relevant parties about the implementation of this condition, then any party may refer the matter to the Planning Secretary for resolution.*

B89. The design standard required under condition B88 may be varied with the agreement of Council.

Traffic Management Plan

B90. The Applicant must prepare a Traffic Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:

- (a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
- (b) be prepared in consultation with TfNSW and Council;
- (c) include details of all transport routes and traffic types to be used for development-related traffic;
- (d) describe the measures to be implemented to ensure compliance with conditions B84 and B85 above;
- (e) include details of the measures to be implemented to minimise traffic safety issues and disruption to local road users, including minimising potential for conflict with school buses and stock movements;
- (f) include a Drivers' Code of Conduct that includes procedures to ensure that drivers:
 - (i) adhere to posted speed limits or other required travelling speeds;
 - (ii) adhere to designated transport routes; and
 - (iii) implement safe and quiet driving practices;
- (g) describe the measures to be put in place to ensure compliance with the Drivers' Code of Conduct; and
- (h) propose measures to minimise the transmission of dust and tracking of material onto the surface of public roads from vehicles exiting the site.

B91. The Traffic Management Plan must be approved by the Planning Secretary within 3 months from the date of this consent, unless otherwise agreed by the Planning Secretary.

B92. The Applicant must implement the Traffic Management Plan as approved by the Planning Secretary.

PART C ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS/TENANTS

- C1. Within one month of the date of this consent, the Applicant must:
- (a) notify in writing the owner of any privately-owned land within 2 kilometres of any approved open cut mining pit on the site that they are entitled to ask the Applicant for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated;
 - (b) notify the tenants of any mine-owned land of their rights under this consent; and
 - (c) send a copy of the fact sheet entitled "*Mine Dust and You*" (NSW Health, 2017) to the owners and/or existing tenants of any land (including mine-owned land) where the predictions in the document/s listed in condition A2(c) identify that dust emissions generated by the development are likely to be greater than the relevant air quality criteria identified in condition B27 at any time during the life of the development.
- C2. Prior to entering into any tenancy agreement for any land owned by the Applicant that is predicted to experience exceedances of the recommended dust and/or noise criteria, the Applicant must:
- (a) advise the prospective tenants of the potential health and amenity impacts associated with living on the land, and give them a copy of the fact sheet entitled "*Mine Dust and You*" (NSW Health, 2017); and
 - (b) advise the prospective tenants of the rights they would have under this consent,
- to the satisfaction of the Planning Secretary.

NOTIFICATION OF EXCEEDANCES

- C3. 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, tenants and the CCC.
- C4. For any exceedance of any air quality criterion in PART B of this consent, the Applicant must also provide to any affected land owners and/or tenants a copy of the fact sheet entitled "*Mine Dust and You*" (NSW Health, 2017).

INDEPENDENT REVIEW

- C5. 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 writing for an independent review of the impacts of the development on their residence or land.
- C6. 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.
- C7. If the Planning Secretary is satisfied that an independent review is warranted, within 3 months, or other timeframe agreed by the Planning Secretary and the landowner, of the Planning Secretary's decision, the Applicant must:
- (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Planning Secretary, to:
 - (i) consult with the landowner to determine their concerns;
 - (ii) conduct monitoring to determine whether the development is complying with the relevant criterion in PART B of this consent; and
 - (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
 - (b) give the Planning Secretary and landowner a copy of the independent review; and
 - (c) comply with any written requests made by the Planning Secretary to implement any findings of the review.

PART D ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

- D1. The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must:
- (a) provide the strategic framework for environmental management of the development;
 - (b) identify the statutory approvals that apply to the development;
 - (c) set out the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (d) set out the procedures to be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive record, handle and respond to complaints;
 - (iii) resolve any disputes that may arise during the course of the development;
 - (iv) respond to any non-compliance and any incident;
 - (v) respond to emergencies; and
 - (e) 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.
- D2. The Environmental Management Strategy must be approved by the Planning Secretary within 3 months from the date of this consent, unless otherwise agreed by the Planning Secretary
- D3. The Applicant must implement the Environmental Management Strategy as approved by the Planning Secretary.

Adaptive Management

- D4. 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&A Act or EP&A Regulation.

Where any exceedance of these criteria or performance measures has occurred, the Applicant must, at the earliest opportunity:

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

Management Plan Requirements

- D5. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) summary of relevant background or baseline data;
 - (b) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (c) any relevant commitments or recommendations identified in the document/s listed in condition A2(c);
 - (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (e) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to condition D4(c);
 - (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (g) a program to investigate and implement ways to improve the environmental performance of the development over time;

- (h) a protocol for managing and reporting any:
 - (i) incident, non-compliance or exceedance of any impact assessment criterion or performance criterion);
 - (ii) complaint; or
 - (iii) failure to comply with other statutory requirements;
- (i) public sources of information and data to assist stakeholders in understanding environmental impacts of the development; and
- (j) a protocol for periodic review of the plan.

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

- D6. The Applicant must ensure that management plans prepared for the development are consistent with the conditions of this consent and any EPL issued for the site.

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- D7. Within three months of:
- (a) the submission of an incident report under condition D9;
 - (b) the submission of an Annual Review under condition D11;
 - (c) the submission of an Independent Environmental Audit under condition D12;
 - (d) the approval of any modification of the conditions of this consent (unless the conditions require otherwise); or
 - (e) notification of a change in development phase under condition A17;

the suitability of existing strategies, plans and programs required under this consent must be reviewed by the Applicant.

- D8. 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. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

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.*

REPORTING AND AUDITING

Incident Notification

- D9. The Applicant must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing through the Department's Major Projects Website and identify the development (including the development application number and name) and set out the location and nature of the incident.

Non-Compliance Notification

- D10. 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 through 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.

Note: *A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.*

Annual Review

- D11. By the end of July each year after the commencement of development, 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:
- (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;
 - (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:
 - (i) relevant statutory requirements, limits or performance measures/criteria;
 - (ii) requirements of any plan or program required under this consent;
 - (iii) monitoring results of previous years; and
 - (iv) relevant predictions in the document/s listed in condition A2(c);
 - (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;

- (d) evaluate and report on:
 - (i) the effectiveness of the noise and air quality management systems; and
 - (ii) compliance with the performance measures, criteria and operating conditions of this consent;
- (e) identify any trends in the monitoring data over the life of the development;
- (f) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
- (g) describe what measures will be implemented over the next financial year to improve the environmental performance of the development.

D12. Copies of the Annual Review must be submitted to Council and made available to the CCC and any interested person upon request.

Independent Environmental Audit

- D13. Within one year of commencement of development under this consent, 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 led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Planning Secretary;
 - (b) be conducted by a suitably qualified, experienced and independent team of experts (including any expert in field/s specified by the Planning Secretary) whose appointment has been endorsed by the Planning Secretary;
 - (c) be carried out in consultation with the relevant agencies and the CCC;
 - (d) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licences and mining leases for the development (including any assessment, strategy, plan or program required under these approvals);
 - (e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent;
 - (f) recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent; and
 - (g) be conducted and reported to the satisfaction of the Planning Secretary.
- D14. Within three months of commencing an Independent Environmental Audit, or other timeframe agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.

Monitoring and Environmental Audits

- D15. 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.

- D16. 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.

ACCESS TO INFORMATION

- D17. Before the commencement of development under this consent until the completion of all rehabilitation required under this consent, the Applicant must:
- (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:
 - (i) the documents listed in condition A2(c);
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) minutes of CCC meetings;

- (v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - (vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (vii) a summary of the current phase and progress of the development;
 - (viii) contact details to enquire about the development or to make a complaint;
 - (ix) a complaints register, updated monthly;
 - (x) the Annual Reviews of the development;
 - (xi) 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; and
 - (xii) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 SCHEDULE OF LAND

Lot	DP	Tenure	Landowner
1	1124189	Freehold	Boral Cement Limited
2	1124189	Freehold	Boral Cement Limited
12	881240	Freehold	Boral Resources (NSW) Pty Ltd
23	867667	Freehold	Boral Resources (NSW) Pty Ltd
3	203290	Freehold	Boral Resources (NSW) Pty Ltd
4	203290	Freehold	Boral Resources (NSW) Pty Ltd
282	750029	Crown	Crown Land
24	867667	Freehold	Boral Resources (NSW) Pty Ltd
22	867667	Freehold	Boral Limited
1	261615	Freehold	Boral Cement Limited
1	860561	Freehold	Boral Cement Limited
2	860561	Freehold	Boral Cement Limited
1	106569	Freehold	Boral Cement Limited
2	527500	Freehold	Boral Cement Limited
1	527500	Freehold	Boral Cement Limited
2	106569	Freehold	Boral Cement Limited
100	1064794	Freehold	Boral Cement Limited
12	570616	Freehold	Boral Resources (NSW) Pty Ltd
16	111641	Freehold	Boral Cement Limited
14	111641	Freehold	Boral Cement Limited
15	111641	Freehold	Boral Cement Limited
7	111641	Freehold	Boral Cement Limited
6	111641	Freehold	Boral Cement Limited
111	830458	Freehold	Boral Resources (NSW) Pty Ltd
114	830458	Freehold	Boral Limited
112	830458	Freehold	Boral Cement Limited
113	830458	Freehold	Boral Cement Limited
2	1186554	Freehold	Boral Cement Limited
1	617992	Freehold	Boral Cement Limited
9	111645	Freehold	Boral Cement Limited
1	132244	Freehold	Boral Cement Limited
2	132244	Freehold	Boral Cement Limited
3	106569	Freehold	Boral Cement Limited
3	527501	Freehold	Boral Cement Limited
4	106569	Freehold	Boral Cement Limited
21	657523	Freehold	Boral Resources (NSW) Pty Ltd
3	617992	Freehold	Boral Cement Limited
114	750029	Freehold	Boral Cement Limited
82	750029	Freehold	Boral Cement Limited
132	750029	Freehold	Boral Cement Limited
7300	1149129	Crown	Crown Land
165	750029	Freehold	Boral Cement Limited
193	750029	Freehold	Boral Cement Limited
115	750029	Freehold	Boral Cement Limited
131	750029	Freehold	Boral Cement Limited
154	750029	Freehold	Boral Cement Limited
186	750029	Freehold	Boral Cement Limited
179	750029	Freehold	Boral Cement Limited
156	750029	Freehold	Boral Cement Limited
197	750029	Freehold	Boral Cement Limited
83	750029	Freehold	Boral Cement Limited
155	750029	Freehold	Boral Cement Limited
87	750029	Freehold	Boral Cement Limited
1701	610507	Freehold	Boral Cement Limited
1702	610507	Freehold	Boral Cement Limited
98	750029	Crown	Crown Land
187	750029	Freehold	Boral Cement Limited
191	750029	Freehold	Boral Cement Limited
7302	1149129	Crown	Crown Land
7301	1149129	Crown	Crown Land
7303	1149129	Crown	Crown Land

APPENDIX 2 DEVELOPMENT LAYOUT PLANS



Figure 4.10
The Project

MARULAN SOUTH LIMESTONE MINE CONTINUED OPERATIONS - SSD APPLICATION
ENVIRONMENTAL IMPACT STATEMENT

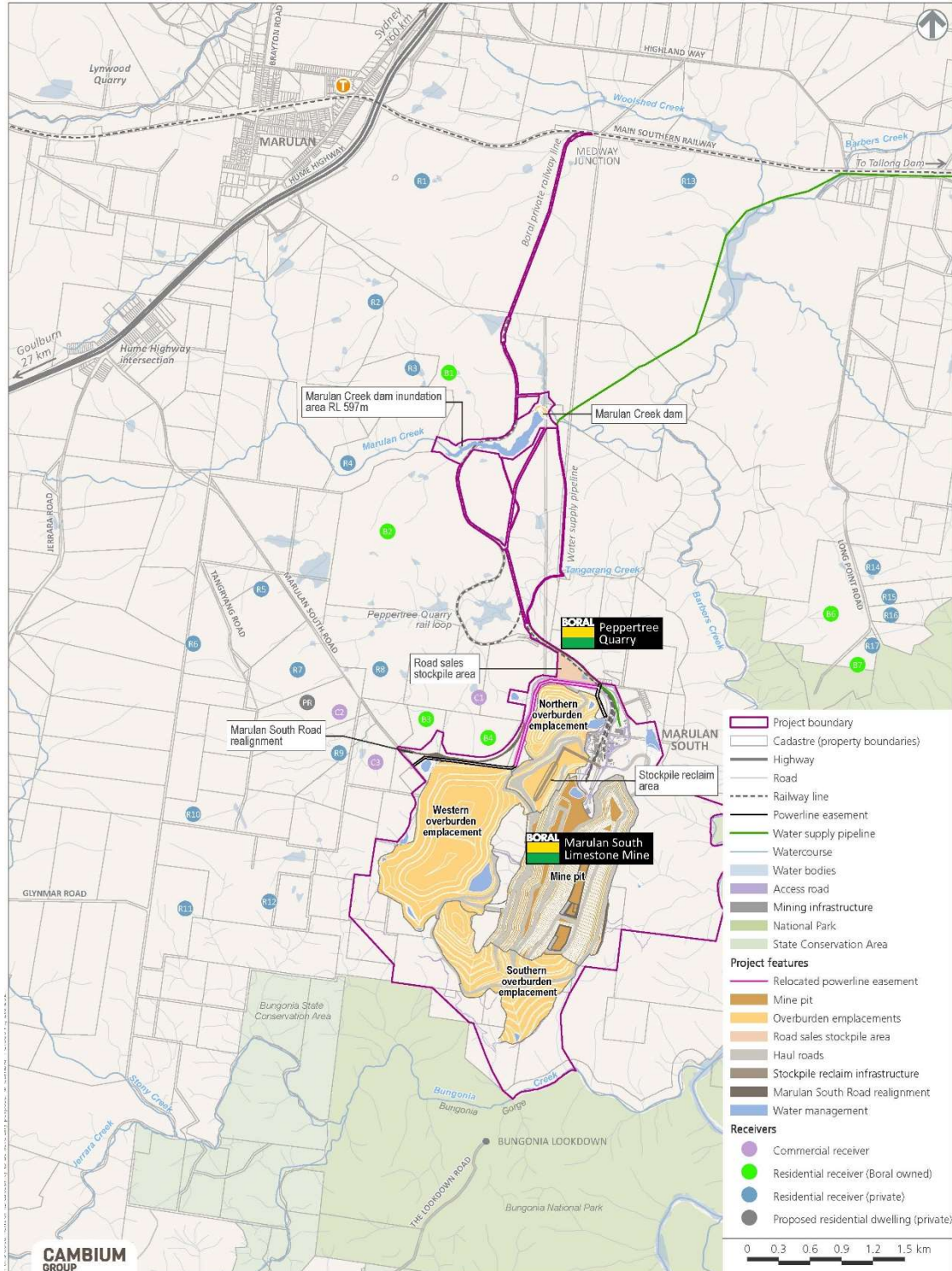


Figure 1: Development Layout Plan

Figure 4.11
The Project (Marulan Creek Dam)

MARULAN SOUTH LIMESTONE MINE CONTINUED OPERATIONS - SSD APPLICATION
SURFACE WATER ASSESSMENT

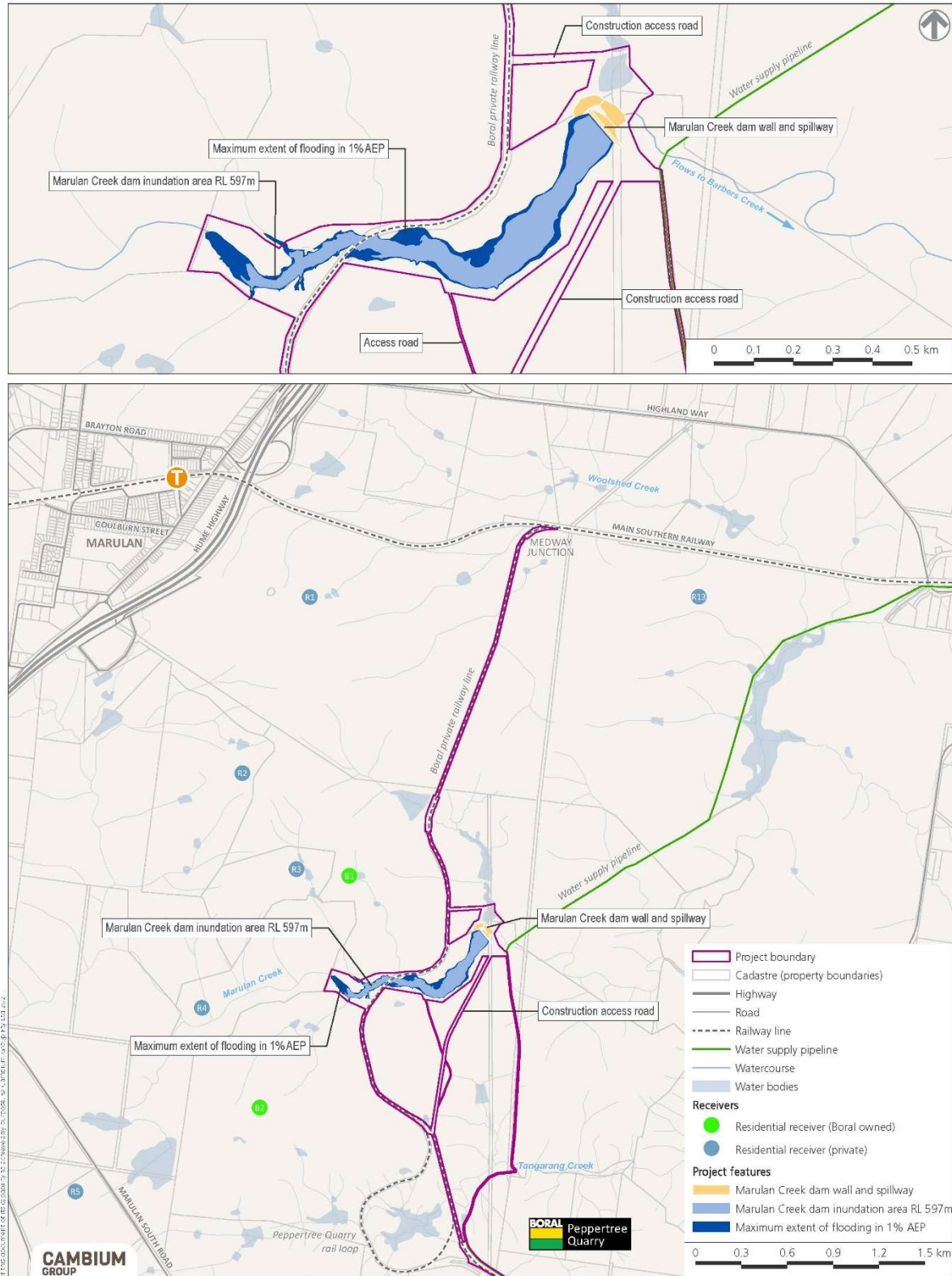


Figure 2: Marulan Creek Dam Layout

APPENDIX 3 RECEIVER LOCATIONS



Figure 2.9
Land ownership

MARULAN SOUTH LIMESTONE MINE CONTINUED OPERATIONS - SSD APPLICATION
ENVIRONMENTAL IMPACT STATEMENT

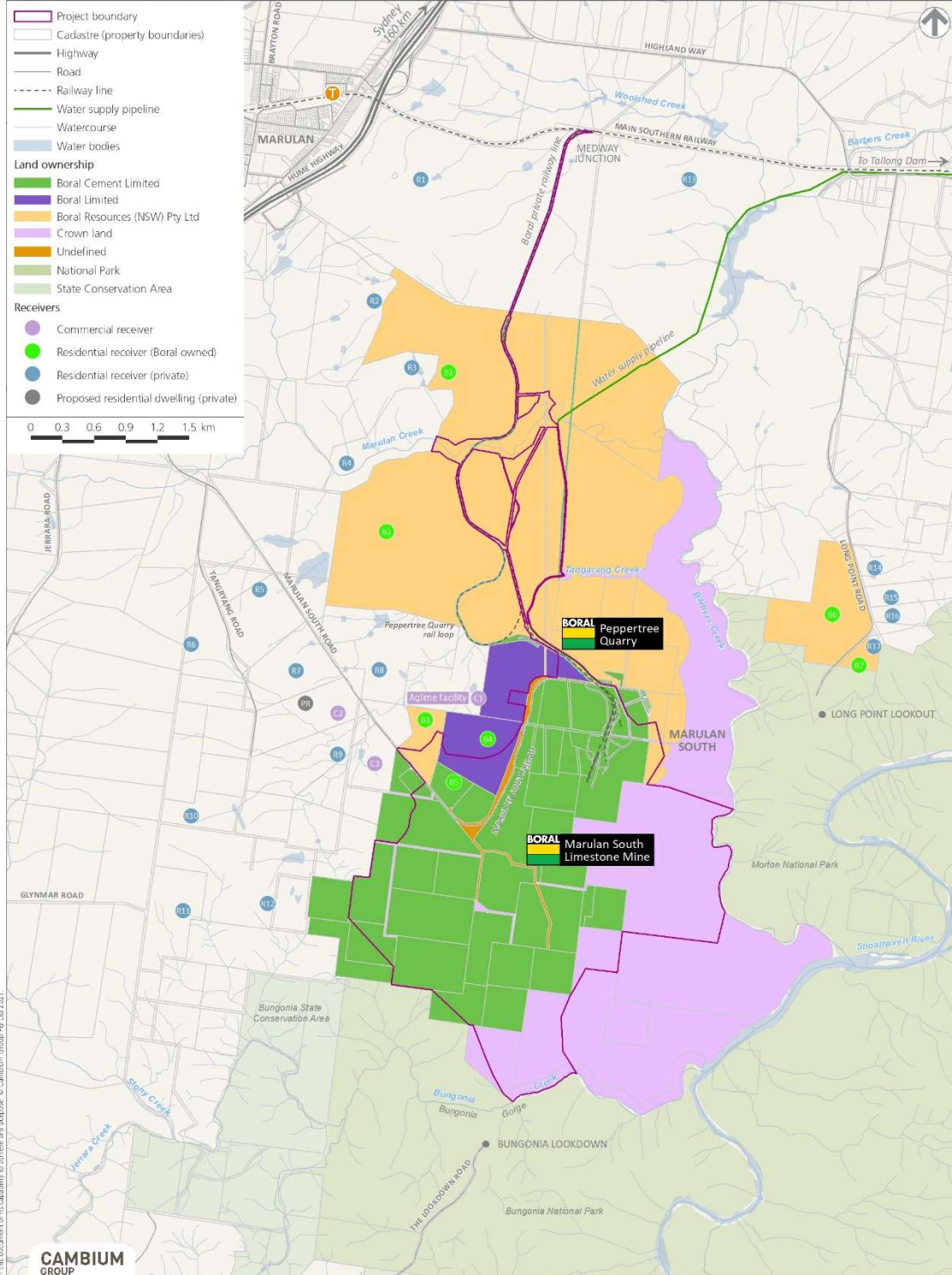


Figure 3: Receiver Locations

APPENDIX 4 BIODIVERSITY OFFSET STRATEGY

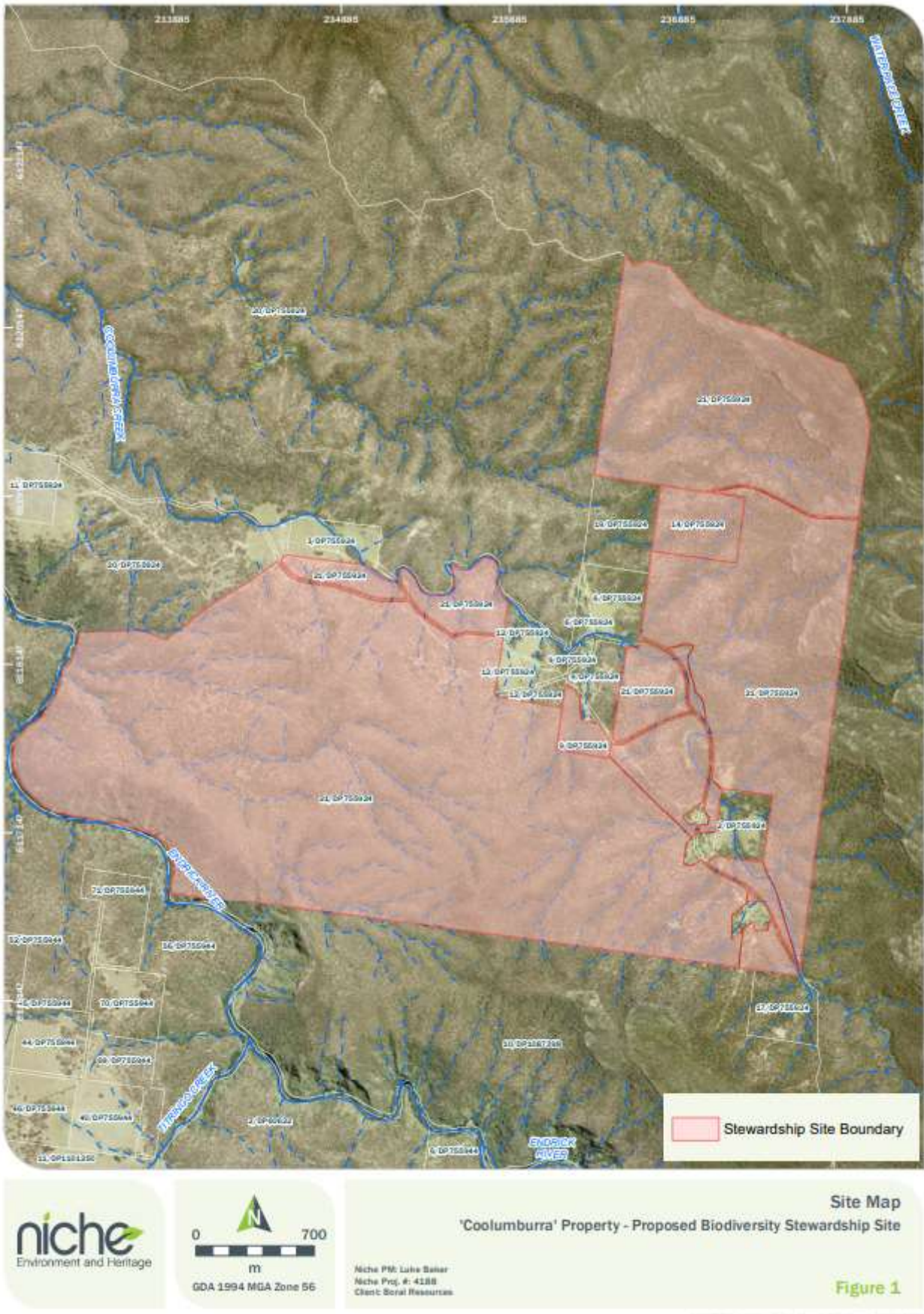
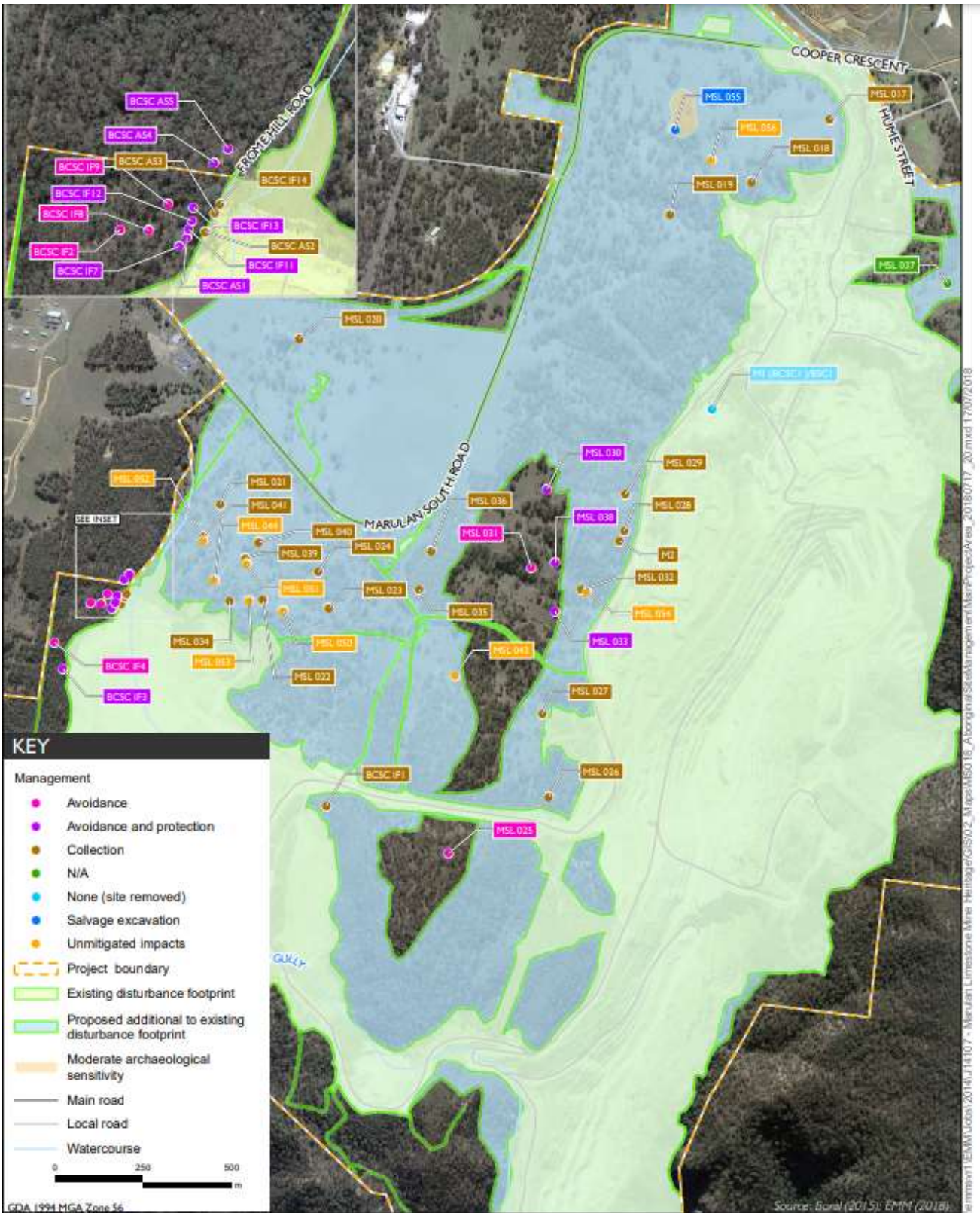


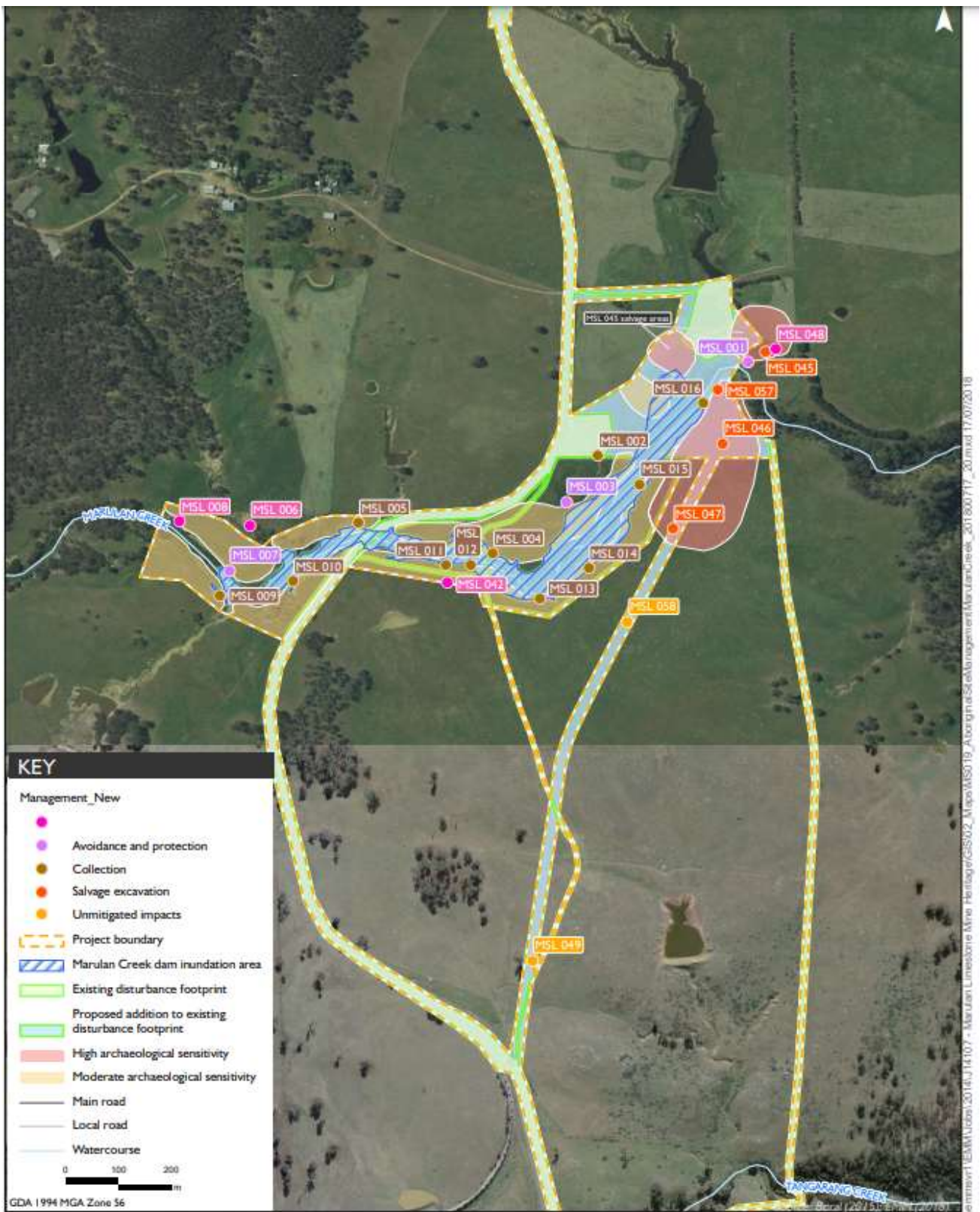
Figure 4: Biodiversity offset area

APPENDIX 5 HERITAGE ITEMS



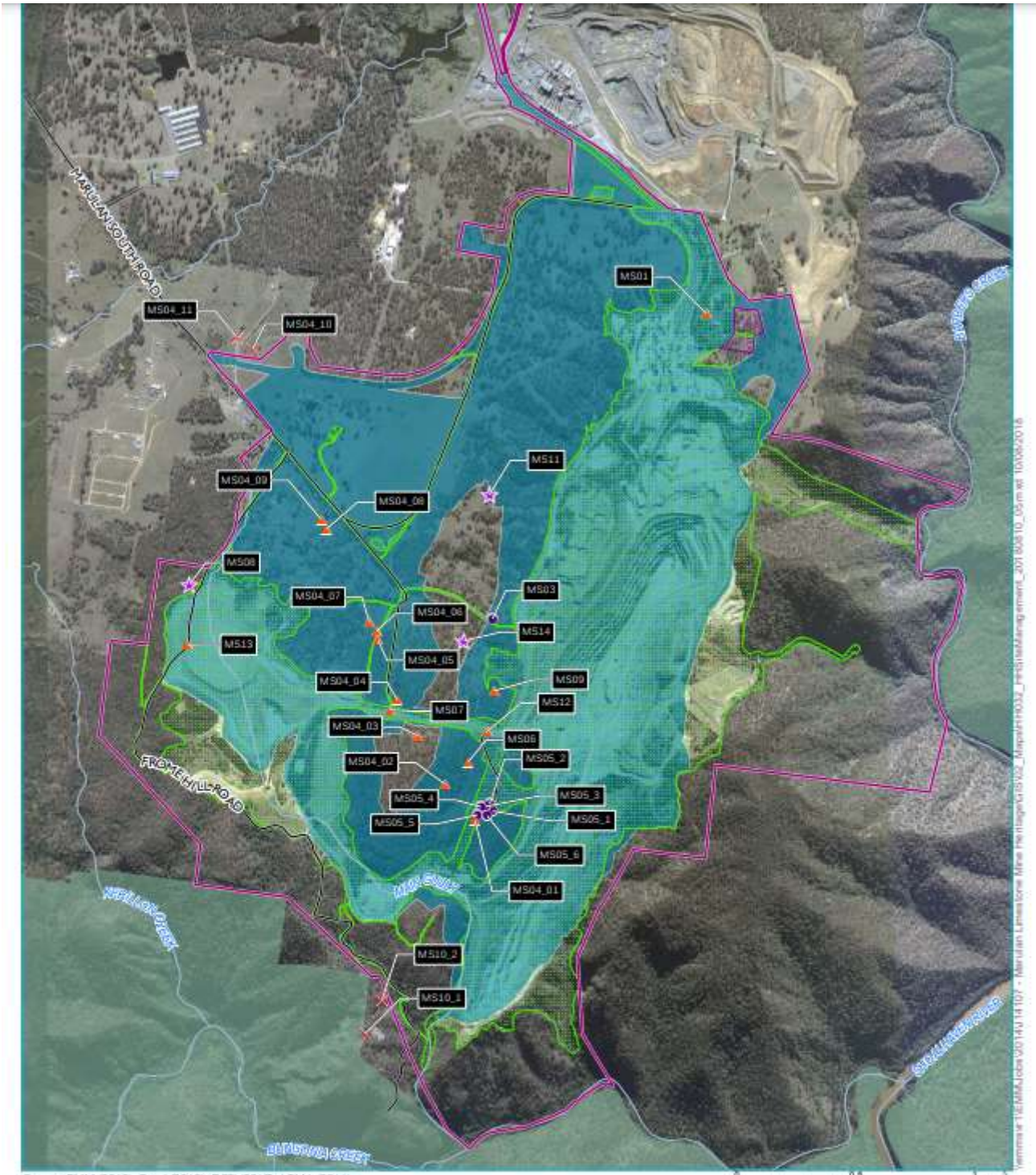
Aboriginal site management at main Project site
 Marulan South Limestone Mine Continued Operations Project
 Aboriginal Cultural Heritage Assessment
 Figure 11.1

Figure 5: Aboriginal Heritage Sites



Aboriginal site management at Marulan Creek
 Marulan South Limestone Mine Continued Operations Project
 Aboriginal Cultural Heritage Assessment
 Figure 11.2

Figure 6: Aboriginal Heritage Sites (Marulan Creek Dam)



Source: EMM (2018); Boral (2018); DFST (2017); LPMA (2011)

KEY

- RoadClipped_01pl_LPMA_20150709
- Watercourse
- Bungonia National Park
- Site management measures:
 - ▲ Photographic archival recording; topographic survey
 - ★ Photographic archival recording; topographic survey & fence and sign post
 - Photographic archival recording; topographic survey; archaeological excavation sample
 - ✕ Not in project site (no management required)
- Project boundary
- Project (SSD) disturbance footprint
- Historical disturbance footprint (pre-SSD)
- Additional historic area of disturbance (pre-SSD)

Historic heritage management measures

Marulan South Continued Operations Project
Historical heritage assessment and SoHI

Figure 7.1



Figure 7: Historic Heritage Sites

APPENDIX 6 REHABILITATION PLANS



Figure 4.21
The Project - Final landform

MARULAN SOUTH LIMESTONE MINE CONTINUED OPERATIONS - SSD APPLICATION
ENVIRONMENTAL IMPACT STATEMENT

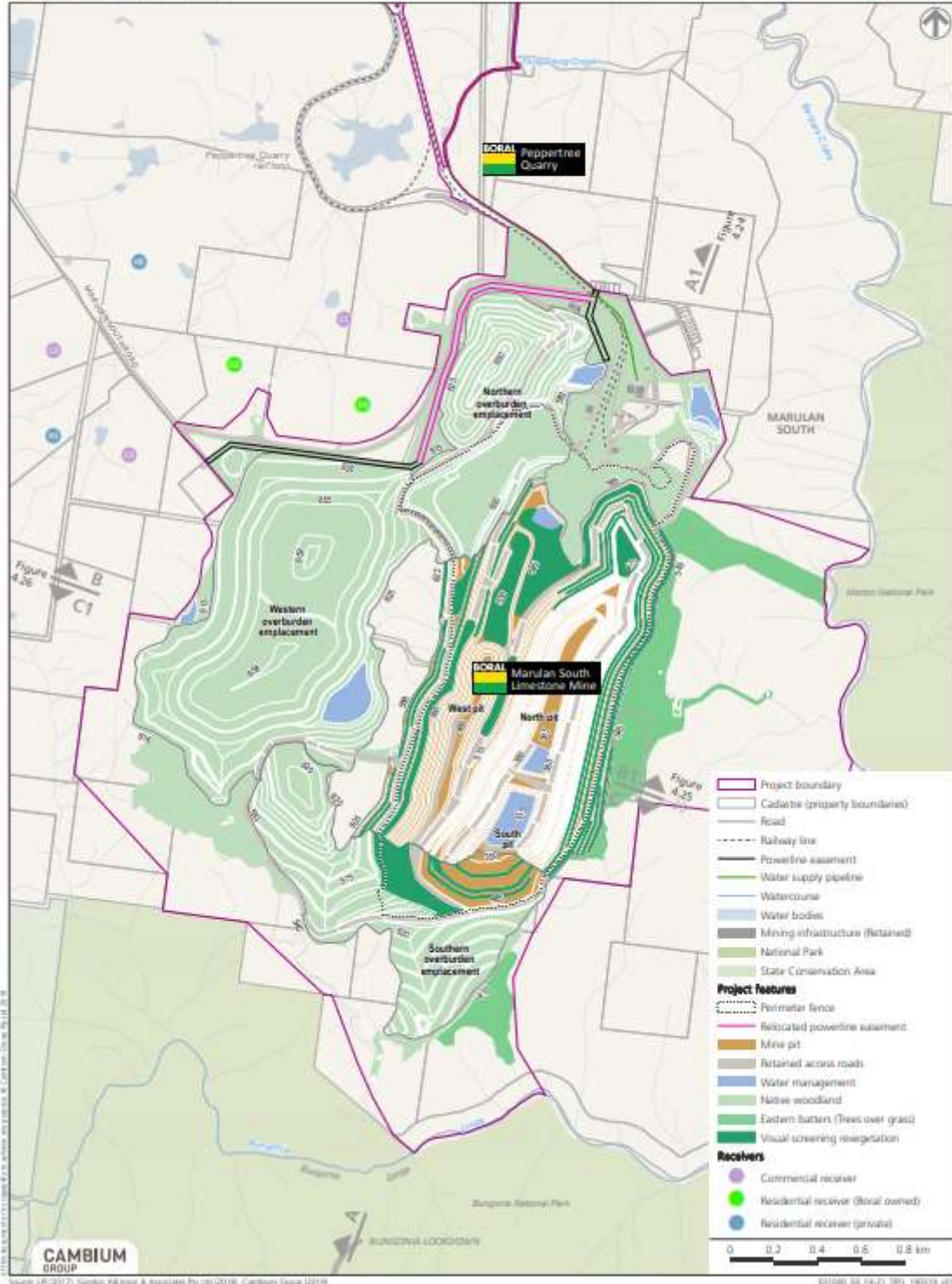


Figure 8: Conceptual Final Landform

Figure 4.23
The Project - Final landform (Marulan Creek Dam)

MARULAN SOUTH LIMESTONE MINE CONTINUED OPERATIONS - SSD APPLICATION
ENVIRONMENTAL IMPACT STATEMENT

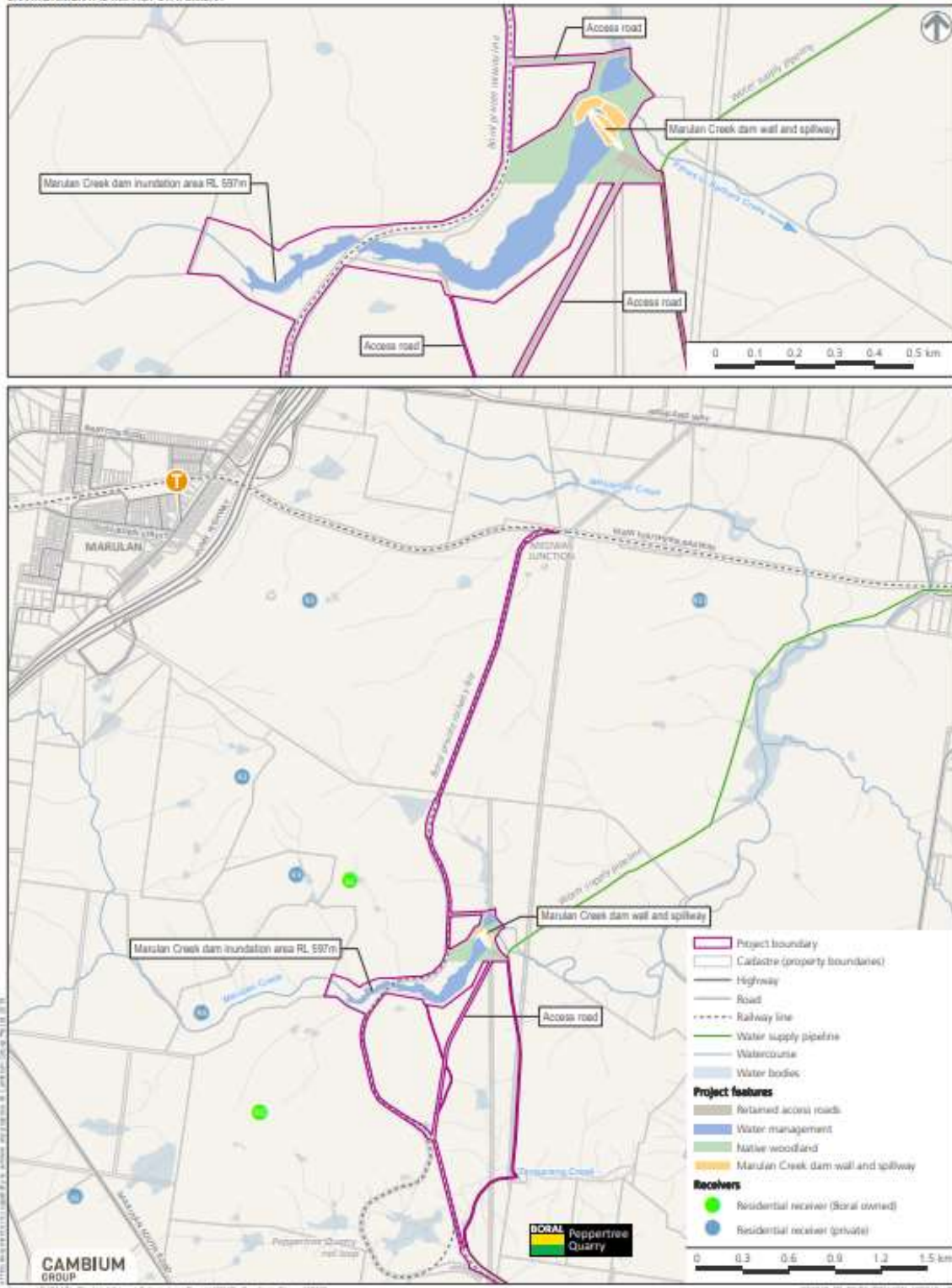


Figure 9: Conceptual Final Landform (Marulan Creek Dam)



APPENDIX 2

Department of Planning and Environment Correspondence

Our ref: SSD-7009-PA-44

Ms Therese Thomas

Environmental Advisor

Boral Limited

Marulan South Limestone Mine

PO Box 1228

NORTH SYDNEY NSW 2059

08/11/2023

Sent via the Major Projects Portal only

Dear Ms Thomas

Marulan South Limestone Mine Continued Operations Project (SSD 7009)

Independent Environmental Audit 2023

I refer to your letter of 8 November 2023 seeking approval of Mr Stephen McCall of Environmental Property Services as the lead auditor for the upcoming Independent Environmental Audit of Marulan South Limestone Mine Continued Operations Project (the development), in accordance with Schedule 2, Condition D13 of State significant development consent SSD 7009, as modified (the consent).

Having considered the qualifications and experience of Mr McCall, the Planning Secretary endorses the appointment of Mr McCall to undertake the audit in accordance with Schedule 2, Condition D13 of the consent. This approval is conditional on Mr McCall independent of the development and maintaining a relevant industry certification.

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

The audit is to be conducted in accordance with AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing and you may wish to consider the Audit Post Approval Requirements (Department 2020 or as updated). A copy of this guideline can be located at <http://planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/Integrated-Mining-Policy>.

The audit report is to include the following:

1. consultation with the relevant agencies and the CCC;
2. a compliance table indicating the compliance status of each condition of approval and any relevant licences;
3. not use the term “partial compliance”;
4. recommend actions in response to non-compliances;
5. review the adequacy of plans and programs required under this consent; and
6. identify opportunities for improved environmental management and performance.

Within three months of commencing this audit, Boral is to submit a copy of the audit report to the Planning Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations. Prior to submitting the audit report to the Planning Secretary, it is recommended that Boral review the report to ensure it complies with the relevant consent condition.

I advise that the date of commencement of the Independent Environmental Audit is the date of the site inspection by the auditor(s).

Failure to meet these requirements will require revision and resubmission of the Audit Report.

Should you have any enquiries in relation to this matter, please contact Georgia Dragicevic, Senior Compliance Officer, on (02) 4247 1852 or by email to Georgia.Dragicevic@planning.nsw.gov.au.

Yours sincerely



Katrina O'Reilly
Team Leader - Compliance
Compliance

As nominee of the Planning Secretary



APPENDIX 3
EPL Licence 944

Environment Protection Licence

Licence - 944

Licence Details

Number:	944
Anniversary Date:	28-January

Licensee

BORAL CEMENT LIMITED

PO BOX 6041

NORTH RYDE NSW 2113

Premises

MARULAN SOUTH LIMESTONE MINE AND LIME PLANT

HUME STREET

MARULAN SOUTH NSW 2579

Scheduled Activity

Cement or lime works

Mining for minerals

Fee Based Activity

Scale

Cement or lime production	> 100000-250000 T annual production capacity
Mining for minerals	> 2000000-5000000 T annual production capacity

Contact Us

NSW EPA

6 Parramatta Square

10 Darcy Street

PARRAMATTA NSW 2150

Phone: 131 555

Email: info@epa.nsw.gov.au

Locked Bag 5022

PARRAMATTA NSW 2124



Environment Protection Licence

Licence - 944

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Environment Protection Licence

Licence - 944

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Environment Protection Licence

Licence - 944

Information about this licence

Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).



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The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

BORAL CEMENT LIMITED
PO BOX 6041
NORTH RYDE NSW 2113

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Cement or lime works	Cement or lime production	> 100000 - 250000 T annual production capacity
Mining for minerals	Mining for minerals	> 2000000 - 5000000 T annual production capacity

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
MARULAN SOUTH LIMESTONE MINE AND LIME PLANT
HUME STREET
MARULAN SOUTH
NSW 2579
SHIRE OF MULWAREE, PARISH OF MARULAN, COUNTY OF ARGYLE

A2.2 Additional Premises Description:

Lot 1 DP 23030; Lot 130 A/C 15310-179; Lot 186 A/C 15310-179; Lot 189 A/C 15310-179; Lot 193 A/C 15310-179; Lot 4 DP 216767; Lot 82 DP 750029; Lot 114 DP 750029; Lot 115 DP 50029; Lot 131 DP 750029; Lot 132 DP 750029; Lot 154 DP 750029; Lot 156 DP 750029; Lot 165 DP 750029; Lot 197 DP 750029; Lot 196 DP 750029; Lot 6 DP 111641; Lot 7 DP 111641; Lot 1 DP 527500; Lot 2 DP 527500; Lot 3 DP 527500; Lot 1701 DP 610507; Lot 1702 DP 610507; Lot 1 DP 617992; Lot 3 DP 617992; Lot 14 DP 111641; Lot 15 DP 111641; Lot 16 DP 111641; Lot 9 DP 111645; Lot 1 DP 371167; Lot 113 DP 830458; Lot 1 DP 860561; Lot 2 DP 860561; Lot A DP 368922; Lot B DP 368922; Lot 2 DP 536838; Lot 22 DP 867667; Lot 1 DP 1124189; Lot 2 DP 1124189; Lot 12 DP 881240; Lot 23 DP 867667; Lot 3 DP 203290; Lot 4 DP 203290; Lot 282 DP 750029; Lot 32 DP 750029; Lot 193 DP 750029; Lot 115 DP 750029; Lot 186 DP 750029; Lot 179 DP 750029; Lot 83 DP 750029; Lot 155 DP 750029; Lot 87 DP 750029; Lot 98 DP 750029; Lot 187 DP 750029; Lot 191 DP 750029; Lot 7303 DP 1149129; Lot 7301 DP 1149129; Lot 7302 DP 1149129; Lot 7300 DP 1149129; Lot 24 DP 867667; Lot 1 DP 860561; Lot 2 DP 860561; Lot 1 DP 261615; Lot 2 DP 527500; Lot 1 DP 527500; Lot 1 DP 106569; Lot 2 DP 106569; Lot

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100 DP 1064794; Lot 12 DP 570616; Lot 111 DP 830458; Lot 114 DP 830458; Lot 112 DP 830458; Lot 113 DP 830458; Lot 2 DP 1186554; Lot 1 DP 132244; Lot 2 DP 132244; Lot 3 DP 106569; Lot 3 DP 527501; Lot 4 DP 106569 and Lot 21 DP 657523.

A2.3 The premises is identified by the most recently approved premises map held on EPA electronic file as DOC23/6902-2.

A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Dust monitoring		High Volume Air Sampler labelled as "EPL1" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)
11	Discharge to air; Air emissions monitoring	Discharge to air; Air emissions monitoring	Kiln Stack labelled as "EPL11" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)
12	Discharge to air; Air emissions monitoring	Discharge to air; Air emissions monitoring	Lime Hydration Plant Stack labelled as "EPL12" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)
16	Dust Monitoring		Dust Deposition Gauge located within the premises labelled as "EPL16" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)
17	Dust monitoring		Dust deposition gauge at Sub station. Dust monitoring station located within the premises labelled as "EPL17" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)

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18	Dust monitoring	Dust deposition gauge at Freddy's hill. Dust monitoring station located within the premises labelled as "EPL18" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)
21	Weather monitoring	Weather monitoring station located within the premises labelled as "EPL21" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)

P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
13	Groundwater Monitoring		Groundwater Monitoring Point labelled as "MW05" on map entitled 'EPL 944 Groundwater Monitoring Point Location Change- December 2020" (DOC20/1014984)

3 Limit Conditions

L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

L2 Load limits

L2.1 The actual load of an assessable pollutant discharged from the premises during the reporting period must not exceed the load limit specified for the assessable pollutant in the table below.

L2.2 The actual load of an assessable pollutant must be calculated in accordance with the relevant load calculation protocol.

Assessable Pollutant	Load limit (kg)
Coarse Particulates (Air)	8050.00
Fine Particulates (Air)	5050.00
Lead (Air)	6.00
Mercury (Air)	2.00
Nitrogen Oxides (Air)	91680.00

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Sulfur Oxides (Air)	170.00
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Note: An assessable pollutant is a pollutant which affects the licence fee payable for the licence.

Note: Lead and Mercury load limits were derived from 5 years of annual returns and discussion with the licensee. Load limits are to be reviewed in 2025.

L3 Concentration limits

L3.1 For each monitoring/discharge point or utilisation area specified in the table/s 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.

L3.2 Air Concentration Limits

POINT 1

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
PM10	micrograms per cubic metre	25(Annual) 50(24hr)			
PM2.5	micrograms per cubic metre	8(Annual) 25(24hr)			
Total suspended particles	micrograms per cubic metre	90			Annual

POINT 11

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Nitrogen Oxides	milligrams per cubic metre	2000			

POINT 12

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Solid Particles	milligrams per cubic metre	100			

Note: Point 1 sampling limits for PM10 are:

- 25 micrograms per meter squared over an averaging Annual period; and
- 50 micrograms per meter squared over an averaging 24 hour period.

Note: Point 1 sampling limits for PM2.5 are:

- 8 micrograms per meter squared over an averaging Annual period; and
- 25 micrograms per meter squared over an averaging 24 hour period.

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L4 Noise limits

L4.1 Noise generated at the premises must not exceed the noise limits at times and locations specified in the table below. The locations referred to in the table below are indicated by "Marulan South Limestone Mine Continued Operations - Environmental Impacts Statement prepared for Boral Cement March 2019 - Appendix F Noise and Blasting Assessment - Figure 5.1".

Assessment Location	Day	Evening	Night	Night
-	LAeq(15min)	LAeq(15min)	LAeq(15min)	LAF(max)
R9	40	36	36	52
Other privately owned residences	40	35	35	52

L4.2 For the purpose of Condition L4.1:

- Day means the period from 7am to 6pm Monday to Saturday and the period from 8am to 6pm Sunday and public holidays.
- Evening means the period from 6pm to 10pm.
- Night means the period from 10pm to 7am Monday to Saturday and the period from 10pm to 8am Sunday and public holidays.

L4.3 a) The noise limits set out in Condition L4.1 apply under the following meteorological conditions listed in the table below.

b) For those meteorological condition not referred to in condition L4.3(a), the noise limits that apply are the noise limits in Condition L4.1 plus 5dB.

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C and D with wind speeds up to and including 0.5m/s at 10m above ground level
Evening	Stability Categories A, B, C and D with wind speeds up to and including 0.5m/s at 10m above ground level
Night	Stability Categories A, B, C and D with wind speeds up to and including 0.5m/s at 10m above ground level

L4.4 For the purpose of condition L4.3:

- The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as 'EPL21' on the most recently approved premises map held on EPA electronic file as DOC23/6902-2.
- Stability category adopted by the licensee is 'Use of sigma thete data' in accordance with the Noise Policy for Industry (NSW EPA, 2017).

L4.5 To assess compliance:

a) with the LAeq(15minute) or the LAmox noise limits in condition L4.1 and L4.3, the noise measurement equipment must be located:

- approximately on the property boundary, where any residence is situated 30 meters or less from the property boundary closest to licensed premises; or where applicable;

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(ii) in an area within 30 meters of a residence façade, but not closer than 3 meters where any residence on the property is situated more than 30 meters from the property boundary closest to the licensed premises; or, where applicable;

(iii) in an area within 50 meters of the boundary of the premises; or, where applicable;

(iv) at any other location identified in Condition L4.1.

b) with the LAeq(15 minute) or the LAmax noise limits in condition L4.1 and L4.3, the noise measurement equipment must be located:

(i) at the reasonably most affected point at a location where there is no residence at the location; or,

(ii) at the reasonably most affected point within an area at a location prescribed by condition L4.5(a).

L4.6 A non-compliance of condition L4.1 and L4.3 will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most effected point at the locations referred to in condition L4.5(a) or L4.5(b).

Note: Note to L4.5 and L4.6: The reasonably most affected point is a point at a location or within an area at a location experiencing or expected to experience the highest noise generated from the premises.

L4.7 For the purpose of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the *Noise Policy for Industry* (NSW EPA, 2017) should be applied, as appropriate, to the noise measurement by the noise monitoring equipment.

L4.8 Noise measurement must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

L4.9 Where it can be demonstrated that direct measurement of noise from the premises is impractical at location/s nominated in L4.1, the EPA may accept alternative means of determining compliance. See Chapter 7 of the *Noise Policy for Industry*.

Note: Definitions

For the purpose of this license the following definitions apply:

- *Noise* - 'sound pressure levels' for the purposes of conditions L4.1 to L4.9.

- *LAeq(15 minute)* - the value of the A-weighted sound pressure level of a continuous steady sound that, over 15 minute time interval, has the same mean square sound pressure level as a sound under consideration with a level that varies with time (AS1055.1-1997).

- *LAfmax* - the maximum sound pressure level of an event measured with a sound level meter satisfying AS IEC 61672.1-2004 set to 'A' frequency weighting and fast time weighting.

L5 Blasting

L5.1 The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

L5.2 The airblast overpressure level from blasting operations at the licensed premises must not exceed 120dB (Lin Peak) at any one time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

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- L5.3 The airblast overpressure level from blasting operations at the licensed premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L5.4 Ground vibration peak particle velocity from the blasting operations at the licensed premises must not exceed 10mm/sec at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L5.5 Ground vibration peak particle velocity from the blasting operations at the licensed premises must not exceed 5mm/sec at any time at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L5.6 Blasting at the licensed premises may only take place between 9:00am-5:00pm Monday to Friday. Blasting is not permitted on weekends or public holidays.
- L5.7 Blasting outside of the hours specified in L5.6 can only take place with the written approval of the EPA.
- L5.8 The airblast overpressure and ground vibration levels in conditions L5.1 to L5.4 do not apply at noise sensitive locations that are owned by the licensee or subject to a private agreement, relating to airblast overpressure and ground vibration levels, between the licensee and the land owner.

4 Operating Conditions

O1 Activities must be carried out in a competent manner

- O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

O3 Dust

- O3.1 All operations and activities occurring at the premises must be carried out in a manner that will prevent and or minimise the emission of air pollutants, including dust, from the premises.

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- O3.2 Trucks transporting materials from the premises must be covered as soon as practicable after loading prior to leaving the premises.

5 Monitoring and Recording Conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- in a legible form, or in a form that can readily be reduced to a legible form;
 - kept for at least 4 years after the monitoring or event to which they relate took place; and
 - produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- the date(s) on which the sample was taken;
 - the time(s) at which the sample was collected;
 - the point at which the sample was taken; and
 - the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

- M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:
- M2.2 Air Monitoring Requirements

POINT 1

Pollutant	Units of measure	Frequency	Sampling Method
PM10	milligrams per cubic metre	Special Frequency 2	AM-18

POINT 11

Pollutant	Units of measure	Frequency	Sampling Method
Nitrogen Oxides	grams per cubic metre	Yearly	TM-11
Solid Particles	milligrams per cubic metre	Yearly	TM-15

POINT 12

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Pollutant	Units of measure	Frequency	Sampling Method
Solid Particles	milligrams per cubic metre	Yearly	TM-15

POINT 16

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	AM-19

POINT 17

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	AM-19

POINT 18

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	AM-19

Note: For the purposes of the table(s) above:

Special Frequency 2 means the collection of samples on a one day in six cycle using HVAS fitted with size selective inlet for PM10.

M2.3 Water and/ or Land Monitoring Requirements**POINT 13**

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	milligrams per litre	Quarterly	Grab sample
Total suspended solids	milligrams per litre	Quarterly	Grab sample

M3 Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:

- a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or

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- b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
- c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

M3.2 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2022* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

M4 Testing methods - load limits

Note: Division 4 of the *Protection of the Environment Operations (General) Regulation 2022* requires that monitoring of actual loads of assessable pollutants listed in L2.2 must be carried out in accordance with the relevant load calculation protocol set out for the fee-based activity classification listed in the Administrative Conditions of this licence.

M5 Weather monitoring

M5.1 The meteorological weather station identified in Condition L4.4(a) must be maintained so as to be capable of continually monitoring the parameters specified in Condition M5.2.

M5.2 For each monitoring point specified in the table below the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

Parameter	Units of measure	Frequency	Averaging period	Sampling Method
Air temperature	°C	Continuous	1 hour	AM-4
Wind direction	°	Continuous	15 minute	AM-2 and AM-4
Wind speed	m's	Continuous	15 minute	AM-2 and AM-4
Sigma theta	°	Continuous	15 minute	AM-2 and AM-4
Rainfall	mm	Continuous	15 minute	AM-4
Relative humidity	%	Continuous	1 hour	AM-4

M6 Recording of pollution complaints

M6.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

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M6.2 The record must include details of the following:

- a) the date and time of the complaint;
- b) the method by which the complaint was made;
- c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- d) the nature of the complaint;
- e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the licensee, the reasons why no action was taken.

M6.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M6.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M7 Telephone complaints line

M7.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M7.2 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.

M7.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

6 Reporting Conditions

R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

R1.3 Where this licence is transferred from the licensee to a new licensee:

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- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date. The notification must specify:

- a) the assessable pollutants for which the actual load could not be calculated; and
- b) the relevant circumstances that were beyond the control of the licensee.

R1.7 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

R1.8 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

R2 Notification of environmental harm

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

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R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- where this licence applies to premises, an event has occurred at the premises; or
 - where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- the cause, time and duration of the event;
 - the type, volume and concentration of every pollutant discharged as a result of the event;
 - the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
 - the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
 - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
 - any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

7 General Conditions

G1 Copy of licence kept at the premises or plant

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

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Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

Environment Protection Licence

Licence - 944

flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

Environment Protection Licence

Licence - 944

TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-putrescible), special waste or hazardous waste
Wellhead	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Ms Debbie Maddison

Environment Protection Authority

(By Delegation)

Date of this edition: 25-August-2000

Environment Protection Licence

Licence - 944

End Notes

- 1 Licence varied by notice 1002259, issued on 18-Oct-2000, which came into effect on 12-Nov-2000.
- 2 Licence varied by change to Common Name field, issued on 31-May-2001, which came into effect on 31-May-2001.
- 3 Licence transferred through application 140465, approved on 15-Jun-2001, which came into effect on 15-Jun-2001.
- 4 Licence varied by notice 1008757, issued on 27-Nov-2001, which came into effect on 22-Dec-2001.
- 5 Licence varied by notice 1017662, issued on 21-Jun-2002, which came into effect on 16-Jul-2002.
- 6 Licence varied by notice 1026529, issued on 30-Apr-2003, which came into effect on 25-May-2003.
- 7 Licence varied by notice 1030085, issued on 21-Aug-2003, which came into effect on 15-Sep-2003.
- 8 Licence varied by notice 1038040, issued on 14-Jul-2004, which came into effect on 08-Aug-2004.
- 9 Licence varied by change to record due to LGA amalgamation, issued on 01-Dec-2004, which came into effect on 01-Dec-2004.
- 10 Licence varied by notice 1044343, issued on 15-Mar-2005, which came into effect on 09-Apr-2005.
- 11 Licence varied by notice 1054428, issued on 24-Feb-2006, which came into effect on 21-Mar-2006.
- 12 Licence varied by notice 1057796, issued on 03-Apr-2006, which came into effect on 28-Apr-2006.
- 13 Licence varied by correction to DEC File number, issued on 07-Mar-2007, which came into effect on 07-Mar-2007.
- 14 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 15 Licence varied by notice 1095801, issued on 09-Feb-2009, which came into effect on 09-Feb-2009.
- 16 Licence varied by notice 1502865 issued on 06-Dec-2011
- 17 Licence varied by notice 1506039 issued on 29-Jun-2012
- 18 Licence varied by notice 1521469 issued on 07-Aug-2014
- 19 Licence varied by notice 1603582 issued on 24-Dec-2020
- 20 Licence varied by notice 1625174 issued on 14-Mar-2023



Environment Protection Licence

Licence - 944



APPENDIX 4
Water Licences

Information about a water licence or approval

Use this tool to search for information about water licences and approvals issued under the *Water Act 1912* or *Water Management Act 2000*.

Select the type of licence or approval and enter the licence or approval number:

- **Water access licence (WAL):** a WAL number starts with the letters 'WAL' followed by several numbers; a WAL also has a reference number that starts with a two digit number, followed by 'AL' and then several numbers.
- **1912 water licence:** a water licence number starts with a two digit number, followed by a two letter code and then several numbers. Note: a PT reference number cannot be entered.
- **Approval:** an approval number starts with a two digit number, followed by a two letter code (WA, UA, CA or FW) and then several numbers.

Search for information about either a:

- [Water access licence \(WAL\) issued under the *Water Management Act 2000*](#)
- [Water Act 1912 Licences and Authorities](#)

Approval issued under the *Water Management Act 2000*

Approval Number 10 ▼ WA ▼

Notes: The search results will list the conditions imposed on the approval and also list the number/s of any water access licence/s that nominate the water supply works associated with the approval.

This search tool does not include information about [controlled activity approvals](#). Information publicly available from a register of controlled activity approvals is available at our [local offices](#).

Find out if a *Water Act 1912* licence has been converted

- [Water licence conversion status](#)

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Search Results

Kind of Approval	Issue Date	Expiry Date	Approval Number	Status	Water Source
Basic Rights	01-JUL-2011		10WA115141	Current	Lachlan Fold Belt Greater Metropolitan Groundwater Source

Work Type	Description	Diameter	Status	No of Works	Location (Lot/DP)	Suffix	Work ID	ESID
Extraction Works Gw	Bore	150	Active	1	Lot 214, DP 750017	Whole Lot	1000142605	67933

- Conditions

Plan Conditions

Water sharing plan **Greater Metropolitan Region Groundwater Sources 2023**

Water management works

- MW0487-00001 The water supply work authorised by this approval must be constructed within three (3) years from the date this approval is granted.
- MW0044-00001 A. When a water supply work authorised by this approval is to be abandoned or replaced, the approval holder must contact the relevant licensor in writing to verify whether the work must be decommissioned.
- B. The work is to be decommissioned, unless the approval holder receives notice from the Minister not to do so.
- C. When decommissioning the work the approval holder must:
- i. comply with the minimum requirements for decommissioning bores prescribed in the Minimum Construction Requirements for Water Bores in Australia (2012), as amended or replaced from time to time, and
- ii. notify the relevant licensor in writing within sixty (60) days of decommissioning that the work has been decommissioned.
- MW0097-00001 If contaminated water is found above the production aquifer during the construction of the water supply work authorised by this approval, the licensed driller must:
- A. notify the relevant licensor in writing within 48 hours of becoming aware of the contaminated water, and
- B. adhere to the Minimum Construction Requirements for Water Bores in Australia (2012), as amended or replaced from time to time.
- MA7627-00001 The water supply work authorised by this approval must only be used to take water for basic landholder rights.

Other Conditions

Water management works

DK0155-00001	If the water supply work authorised by this approval is lined with steel or plastic casing, the inside diameter of the casing must not exceed 220 mm.
DK0888-00001	Any water supply work authorised by this approval used for the purpose of conveying, diverting or storing water must be constructed or installed to allow free passage of floodwaters flowing into or from a river or lake.

Disclaimer: WaterNSW is making the information available on the understanding that it does not warrant that the information is suitable for any intended use. In using the information supplied, the user acknowledges that they are responsible for any deductions or conclusions arrived at from interpretation of the data.

Privacy: The information provided is limited to meet the requirements of section 57 of the *Privacy and Personal Information Act 1998*.

Exporting and printing: Search results show a maximum of 50 rows per page. Search results can only be printed page by page.

More information: Should you require further information or technical assistance, please submit your request to water.enquiries@waterNSW.com.au or contact 1300 662 077

Information about a water licence or approval

Use this tool to search for information about water licences and approvals issued under the *Water Act 1912* or *Water Management Act 2000*.

Select the type of licence or approval and enter the licence or approval number:

- **Water access licence (WAL):** a WAL number starts with the letters 'WAL' followed by several numbers; a WAL also has a reference number that starts with a two digit number, followed by 'AL' and then several numbers.
- **1912 water licence:** a water licence number starts with a two digit number, followed by a two letter code and then several numbers. Note: a PT reference number cannot be entered.
- **Approval:** an approval number starts with a two digit number, followed by a two letter code (WA, UA, CA or FW) and then several numbers.

Search for information about either a:

- [Water access licence \(WAL\) issued under the *Water Management Act 2000*](#)
- [Water Act 1912 Licences and Authorities](#)

Approval issued under the *Water Management Act 2000*

Approval Number 10 ▼ WA ▼ 116142

Notes: The search results will list the conditions imposed on the approval and also list the number/s of any water access licence/s that nominate the water supply works associated with the approval.

This search tool does not include information about [controlled activity approvals](#). Information publicly available from a register of controlled activity approvals is available at our [local offices](#).

Find out if a *Water Act 1912* licence has been converted

- [Water licence conversion status](#)

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Search Results

Kind of Approval	Issue Date	Expiry Date	Approval Number	Status	Water Source
Water Supply Works	01-JUL-2011	10-AUG-2024	10WA116142	Current	Lachlan Fold Belt Greater Metropolitan Groundwater Source

Work Type	Description	Diameter	Status	No of Works	Location (Lot/DP)	Suffix	Work ID	ESID
Extraction Works Gw	Bore	150	Active	1	Lot 7300, DP 1149129	Whole Lot	1000143526	64736
Extraction Works Gw	Bore	150	Active	1	Lot 7300, DP 1149129	Whole Lot	1000143527	64737

Water Access Licences nominating these works

Reference Number	WAL Number	WAL Status	Status Date
10AL116141	24697	Current	01-JUL-2011

- Conditions

Plan Conditions

Water sharing plan Greater Metropolitan Region Groundwater Sources 2023

Take of water

MW0655-00001 Any water supply work authorised by this approval must take water in compliance with the conditions of the access licence under which water is being taken.

Water management works

MW0487-00001 The water supply work authorised by this approval must be constructed within three (3) years from the date this approval is granted.

MW0044-00001 A. When a water supply work authorised by this approval is to be abandoned or replaced, the approval holder must contact the relevant licensor in writing to verify whether the work must be decommissioned.

B. The work is to be decommissioned, unless the approval holder receives notice from the Minister not to do so.

C. When decommissioning the work the approval holder must:

- i. comply with the minimum requirements for decommissioning bores prescribed in the Minimum Construction Requirements for Water Bores in Australia (2012), as amended or replaced from time to time, and
- ii. notify the relevant licensor in writing within sixty (60) days of decommissioning that the work has been decommissioned.

MW0097-00001 If contaminated water is found above the production aquifer during the construction of the water supply work authorised by this approval, the licensed driller must:
A. notify the relevant licensor in writing within 48 hours of becoming aware of the contaminated water, and
B. adhere to the Minimum Construction Requirements for Water Bores in Australia (2012), as amended or replaced from time to time.

Monitoring and recording

MW0482-00001 Where a water meter is installed on a water supply work authorised by this approval, the meter reading must be recorded in the logbook before taking water. This reading must be recorded every time water is to be taken.

This condition ceases to apply to a work on the day that the recording and reporting requirements apply to that work under the Water Management (General) Regulation 2018.

MW0484-00001 Before water is taken through the water supply work authorised by this approval, confirmation must be recorded in the logbook that cease to take conditions do not apply and water may be taken.

The method of confirming that water may be taken, such as visual inspection, internet search, must also be recorded in the logbook.

If water may be taken, the:

- A. date, and
 - B. time of the confirmation, and
 - C. flow rate or water level at the reference point in the water source
- must be recorded in the logbook.

MW2336-00001 The purpose or purposes for which water is taken, as well as details of the type of crop, area cropped, and dates of planting and harvesting, must be recorded in the logbook each time water is taken.

This condition ceases to apply to a work on the day that the recording and reporting requirements apply to that work under the Water Management (General) Regulation 2018.

MW2339-00001 A logbook must be kept, unless the work is metered and fitted with a data logger. The logbook must be produced for inspection when requested by the relevant licensor.

MW2338-00001 The completed logbook must be retained for five (5) years from the last date recorded in the logbook.

MW2337-00001 The following information must be recorded in the logbook for each period of time that water is taken:
A. date, volume of water, start and end time when water was taken as well as the pump capacity per unit of time, and
B. the access licence number under which the water is taken, and
C. the approval number under which the water is taken, and
D. the volume of water taken for domestic consumption and/or stock watering.

This condition ceases to apply to a work on the day that the recording and reporting requirements apply to that work under the Water Management (General) Regulation 2018.

Other Conditions

Water management works

DK0888-00001

Any water supply work authorised by this approval used for the purpose of conveying, diverting or storing water must be constructed or installed to allow free passage of floodwaters flowing into or from a river or lake.

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Information about a water licence or approval

Use this tool to search for information about water licences and approvals issued under the *Water Act 1912* or *Water Management Act 2000*.

Select the type of licence or approval and enter the licence or approval number:

- **Water access licence (WAL):** a WAL number starts with the letters 'WAL' followed by several numbers; a WAL also has a reference number that starts with a two digit number, followed by 'AL' and then several numbers.
- **1912 water licence:** a water licence number starts with a two digit number, followed by a two letter code and then several numbers. Note: a PT reference number cannot be entered.
- **Approval:** an approval number starts with a two digit number, followed by a two letter code (WA, UA, CA or FW) and then several numbers.

Search for information about either a:

Water access licence (WAL) issued under the *Water Management Act 2000*

Water Access Licence (WAL) Number

WAL

24697

A WAL number starts with the letters 'WAL' followed by several numbers

Can't find your WAL number? Do you have a reference number? A reference number starts with a two digit number, followed by 'AL' and then several numbers. Use the following tool to find your WAL by entering your reference number. [Enter the reference number to find the WAL number.](#)

Cancelled WALs are not searchable on the NSW Water Register.

Notes:

The search results will list the conditions imposed on the water access licence. Any approved water supply work/s nominated on the water access licence are identified by the approval number/s for the work/s.

The information about a water access licence provided in the search results is a summary and may not always be up to date. If you require full and up to date details about a particular water access licence (including current holders, share and extraction component details, encumbrances and notations) you should search the [Water Access Licence Register](#) administered by NSW Land Registry Services.

[Water Act 1912 Licences and Authorities](#)

[Approval issued under the *Water Management Act 2000*](#)

Find out if a *Water Act 1912* licence has been converted

[Water licence conversion status](#)

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Search Results

Category [Subcategory]	Status	Water Source	Tenure Type	Management Zone	Share Components (units or ML)	IDEC (Daily flow shares)
Aquifer	Current	Lachlan Fold Belt Greater Metropolitan Groundwater Source	Continuing		12.00	N/A

Extraction Times or Rates

Subject to conditions water may be taken at any time or rate

Nominated Work Approval(s)

10WA116142

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- **Approval:** an approval number starts with a two digit number, followed by a two letter code (WA, UA, CA or FW) and then several numbers.

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[Water access licence \(WAL\) issued under the *Water Management Act 2000*](#)

[Water Act 1912 Licences and Authorities](#)

Approval issued under the *Water Management Act 2000*

Approval Number 10 ▼ WA ▼

Notes: The search results will list the conditions imposed on the approval and also list the number/s of any water access licence/s that nominate the water supply works associated with the approval.

This search tool does not include information about [controlled activity approvals](#). Information publicly available from a register of controlled activity approvals is available at our [local offices](#).

Find out if a *Water Act 1912* licence has been converted

[Water licence conversion status](#)

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Search Results

Kind of Approval	Issue Date	Expiry Date	Approval Number	Status	Water Source
Water Supply Works	01-JUL-2011	30-JUN-2024	10WA102352	Current	Barbers Creek Water Source

Work Type	Description	Diameter	Status	No of Works	Location (Lot/DP)	Suffix	Work ID	ESID
Diversion Works - Pumps	Other Pump	NA	Active	2	Lot 1, DP 37041	CROWN LAND EAST	1000131674	56190
Storages	Overshot Dam	NA	Active	1	Lot 1, DP 37041	CROWN LAND EAST	1000131673	56190

Water Access Licences nominating these works

Reference Number	WAL Number	WAL Status	Status Date
10AL102350	25352	Current	01-JUL-2011
10AL102351	25207	Current	01-JUL-2011

- Conditions

Plan Conditions

Water sharing plan **Greater Metropolitan Region Unregulated River Water Sources 2023**

Water management works

MW2435-00001 Water must be taken through the approved metering equipment installed on the water supply work authorised by this approval.

This condition ceases to apply to a work on the day on which that work is required to comply with the mandatory metering equipment condition under the Water Management (General) Regulation 2018.

Monitoring and recording

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 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.

- 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 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.
- B. This condition does not apply to a water supply work that:
- i. is used only for the purpose of taking water under a basic landholder right, or
 - ii. has both an operational meter that complies with Australian Standard AS 4747 - Meters for non-urban water supply, and data logger.
- 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.

Other Conditions

Water management works

- DK0888-00001 Any water supply work authorised by this approval used for the purpose of conveying, diverting or storing water must be constructed or installed to allow free passage of floodwaters flowing into or from a river or lake.
- DK0871-00001 The water supply work authorised by this approval must be constructed and maintained in a way that will:
- A. ensure the work's safe construction and operation, and
 - B. prevent the possibility of damage being caused by the work, or resulting from the work, to any public or private interest.
- DK1217-00001 The location of the dam(s) as shown on a plan retained in the office of the relevant licensor shall not be altered.

Additional conditions

- NS16312 The level of the crest of the spillway section of the overshot dam shall be fixed at not higher than 0.89 m above the level of a bench mark established on concrete floor beside pumphouse on left bank of watercourse downstream from the said dam and particulars of which are retained in the office of the relevant licensor.

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- **1912 water licence:** a water licence number starts with a two digit number, followed by a two letter code and then several numbers. Note: a PT reference number cannot be entered.
- **Approval:** an approval number starts with a two digit number, followed by a two letter code (WA, UA, CA or FW) and then several numbers.

Search for information about either a:

Water access licence (WAL) issued under the *Water Management Act 2000*

Water Access Licence (WAL) Number

WAL

A WAL number starts with the letters 'WAL' followed by several numbers

Can't find your WAL number? Do you have a reference number? A reference number starts with a two digit number, followed by 'AL' and then several numbers. Use the following tool to find your WAL by entering your reference number. [Enter the reference number to find the WAL number.](#)

Cancelled WALs are not searchable on the NSW Water Register.

Notes:

The search results will list the conditions imposed on the water access licence. Any approved water supply work/s nominated on the water access licence are identified by the approval number/s for the work/s.

The information about a water access licence provided in the search results is a summary and may not always be up to date. If you require full and up to date details about a particular water access licence (including current holders, share and extraction component details, encumbrances and notations) you should search the [Water Access Licence Register](#) administered by NSW Land Registry Services.

- [Water Act 1912 Licences and Authorities](#)
- [Approval issued under the *Water Management Act 2000*](#)

Find out if a *Water Act 1912* licence has been converted

[Water licence conversion status](#)

[«Previous](#) [Search](#)

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Search Results

Category [Subcategory]	Status	Water Source	Tenure Type	Management Zone	Share Components (units or ML)	IDEC (Daily flow shares)
Unregulated River	Current	Barbers Creek Water Source	Continuing		76.00	N/A

Extraction Times or Rates

Subject to conditions water may be taken at any time or rate

Nominated Work Approval(s)

10WA102352

- Conditions

Plan Conditions

Water sharing plan **Greater Metropolitan Region Unregulated River Water Sources 2023**

Take of water

MW8562-00001

The volume of water taken under this access licence during a period of 3 consecutive water years must not be more than the maximum water account debit permitted, which is the sum of the following:

- A. the water allocations credited to the water allocation account for this access licence from available water determinations made during those 3 water years,
- B. the amount of water allocations assigned to the water allocation account for this access licence,
- C. the water allocations recredited to the water allocation account for this access licence.

- MW8563-00001 A. Water must not be taken under this access licence when there is no visible flow at the location from which water is taken.
B. This restriction does not apply if water is taken from an in-river pool, off-river pool, in-river dam pool or a run-off harvesting dam.
- MW8564-00001 Water must not be taken under this access licence from an:
A. in-river pool that is below full capacity,
B. off-river pool that is below full capacity, or
C. in-river dam pool unless the take is not inconsistent with a water supply work approval authorising the use of a water supply work for the purpose of taking water from the in-river dam.
- Monitoring and recording**
- MW8583-00001 A. The access licence holder must record the following information in a logbook for each period of time that water is taken:
i. date, volume of water taken, start and end time when water was taken, and
ii. the access licence number under which the water is taken, and
iii. the approval number of the water supply work used to take the water, and
iv. the purposes for which water is taken.
B. The access licence holder must record the following information in the logbook at the end of each water year:
i. the volume of water taken in the water year, and
ii. the maximum volume of water permitted to be taken in that water year.
C. This requirement does not apply if water is taken through a water supply work that has both an operational:
i. meter that complies with Australian Standard AS 4747 - Meters for non-urban water supply, and
ii. data logger.
D. This condition ceases to apply to this access licence on the day on which the mandatory metering equipment condition applies as specified in clause 230(1) in the Water Management (General) Regulation 2018.
- 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.
- 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.
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.

Other Conditions

NIL

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Information about a water licence or approval

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- **Water access licence (WAL):** a WAL number starts with the letters 'WAL' followed by several numbers; a WAL also has a reference number that starts with a two digit number, followed by 'AL' and then several numbers.
- **1912 water licence:** a water licence number starts with a two digit number, followed by a two letter code and then several numbers. Note: a PT reference number cannot be entered.
- **Approval:** an approval number starts with a two digit number, followed by a two letter code (WA, UA, CA or FW) and then several numbers.

Search for information about either a:

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- [Water Act 1912 Licences and Authorities](#)

Approval issued under the *Water Management Act 2000*

Approval Number 10 ▼ WA ▼

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Find out if a *Water Act 1912* licence has been converted

- [Water licence conversion status](#)

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Search Results

Kind of Approval	Issue Date	Expiry Date	Approval Number	Status	Water Source
Water Supply Works	01-JUL-2011	30-JUN-2024	10WA102352	Current	Barbers Creek Water Source

Work Type	Description	Diameter	Status	No of Works	Location (Lot/DP)	Suffix	Work ID	ESID
Diversion Works - Pumps	Other Pump	NA	Active	2	Lot 1, DP 37041	CROWN LAND EAST	1000131674	56190
Storages	Overshot Dam	NA	Active	1	Lot 1, DP 37041	CROWN LAND EAST	1000131673	56190

Water Access Licences nominating these works

Reference Number	WAL Number	WAL Status	Status Date
10AL102350	25352	Current	01-JUL-2011
10AL102351	25207	Current	01-JUL-2011

- Conditions

Plan Conditions

Water sharing plan **Greater Metropolitan Region Unregulated River Water Sources 2023**

Water management works

MW2435-00001 Water must be taken through the approved metering equipment installed on the water supply work authorised by this approval.

This condition ceases to apply to a work on the day on which that work is required to comply with the mandatory metering equipment condition under the Water Management (General) Regulation 2018.

Monitoring and recording

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 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.

- 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 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.
- B. This condition does not apply to a water supply work that:
- i. is used only for the purpose of taking water under a basic landholder right, or
 - ii. has both an operational meter that complies with Australian Standard AS 4747 - Meters for non-urban water supply, and data logger.
- 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.

Other Conditions

Water management works

- DK0888-00001 Any water supply work authorised by this approval used for the purpose of conveying, diverting or storing water must be constructed or installed to allow free passage of floodwaters flowing into or from a river or lake.
- DK0871-00001 The water supply work authorised by this approval must be constructed and maintained in a way that will:
- A. ensure the work's safe construction and operation, and
 - B. prevent the possibility of damage being caused by the work, or resulting from the work, to any public or private interest.
- DK1217-00001 The location of the dam(s) as shown on a plan retained in the office of the relevant licensor shall not be altered.

Additional conditions

- NS16312 The level of the crest of the spillway section of the overshot dam shall be fixed at not higher than 0.89 m above the level of a bench mark established on concrete floor beside pumphouse on left bank of watercourse downstream from the said dam and particulars of which are retained in the office of the relevant licensor.

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- **Approval:** an approval number starts with a two digit number, followed by a two letter code (WA, UA, CA or FW) and then several numbers.

Search for information about either a:

Water access licence (WAL) issued under the *Water Management Act 2000*

Water Access Licence (WAL) Number

WAL

25352

A WAL number starts with the letters 'WAL' followed by several numbers

Can't find your WAL number? Do you have a reference number? A reference number starts with a two digit number, followed by 'AL' and then several numbers. Use the following tool to find your WAL by entering your reference number. [Enter the reference number to find the WAL number.](#)

Cancelled WALs are not searchable on the NSW Water Register.

Notes:

The search results will list the conditions imposed on the water access licence. Any approved water supply work/s nominated on the water access licence are identified by the approval number/s for the work/s.

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[Water Act 1912 Licences and Authorities](#)

[Approval issued under the Water Management Act 2000](#)

Find out if a *Water Act 1912* licence has been converted

[Water licence conversion status](#)

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Search Results

Category [Subcategory]	Status	Water Source	Tenure Type	Management Zone	Share Components (units or ML)	IDEC (Daily flow shares)
Domestic And Stock[Domestic]	Current	Barbers Creek Water Source	Specific Purpose		1.00	N/A

Extraction Times or Rates

Subject to conditions water may be taken at any time or rate

Nominated Work Approval(s)

10WA102352

- Conditions

Plan Conditions

Water sharing plan **Greater Metropolitan Region Unregulated River Water Sources 2023**

Take of water

MW8562-00001

The volume of water taken under this access licence during a period of 3 consecutive water years must not be more than the maximum water account debit permitted, which is the sum of the following:

- A. the water allocations credited to the water allocation account for this access licence from available water determinations made during those 3 water years,
- B. the amount of water allocations assigned to the water allocation account for this access licence,
- C. the water allocations recredited to the water allocation account for this access licence.

MW8565-00002 A. Water must not be taken from an:
i. in-river pool that is below full capacity,
ii. off-river pool that is below full capacity, or
iii. in-river dam pool unless the take is not inconsistent with a water supply work approval authorising the use of a water supply work for the purpose of taking water from the in-river dam.
B. This restriction does not apply if water is taken for the purpose of domestic consumption and the volume taken does not exceed 1 kl/day for each household supplied by this access licence.

MW8563-00003 A. Water must not be taken under this access licence when there is no visible flow at the location from which water is taken.
B. This restriction does not apply if water is taken:
i. from an in-river pool, off-river pool, in-river dam pool or a run-off harvesting dam, or
ii. for the purpose of domestic consumption and the volume taken does not exceed 1 kl/day for each household supplied by this access licence.

Monitoring and recording

MW8583-00001 A. The access licence holder must record the following information in a logbook for each period of time that water is taken:
i. date, volume of water taken, start and end time when water was taken, and
ii. the access licence number under which the water is taken, and
iii. the approval number of the water supply work used to take the water, and
iv. the purposes for which water is taken.
B. The access licence holder must record the following information in the logbook at the end of each water year:
i. the volume of water taken in the water year, and
ii. the maximum volume of water permitted to be taken in that water year.
C. This requirement does not apply if water is taken through a water supply work that has both an operational:
i. meter that complies with Australian Standard AS 4747 - Meters for non-urban water supply, and
ii. data logger.
D. This condition ceases to apply to this access licence on the day on which the mandatory metering equipment condition applies as specified in clause 230(1) in the Water Management (General) Regulation 2018.

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.

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.
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.

Other Conditions

NIL

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- **1912 water licence:** a water licence number starts with a two digit number, followed by a two letter code and then several numbers. Note: a PT reference number cannot be entered.
- **Approval:** an approval number starts with a two digit number, followed by a two letter code (WA, UA, CA or FW) and then several numbers.

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Approval issued under the *Water Management Act 2000*

Approval Number 10 ▼ WA ▼

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Find out if a *Water Act 1912* licence has been converted

- [Water licence conversion status](#)

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Search Results

Kind of Approval	Issue Date	Expiry Date	Approval Number	Status	Water Source
Water Supply Works	01-JUL-2011	25-APR-2026	10WA102377	Current	Barbers Creek Water Source

Work Type	Description	Diameter	Status	No of Works	Location (Lot/DP)	Suffix	Work ID	ESID
Diversion Works - Pumps	38mm Centrifugal Pump	NA	Active	1	Lot 204, DP 870194	PART LOT	1000131688	56204

Water Access Licences nominating these works

Reference Number	WAL Number	WAL Status	Status Date
10AL102376	25373	Current	01-JUL-2011

- Conditions

Plan Conditions

Water sharing plan **Greater Metropolitan Region Unregulated River Water Sources 2023**

Monitoring and recording

- MW8614-00001
- A. Before water is taken through the water supply work authorised by this approval, the approval holder must confirm that these 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 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.
- 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 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.
 - B. This condition does not apply to a water supply work that:

- i. is used only for the purpose of taking water under a basic landholder right, or
 - ii. has both an operational meter that complies with Australian Standard AS 4747 - Meters for non-urban water supply, and data logger.
- 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.

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.

Other Conditions

Water management works

DK0888-00001 Any water supply work authorised by this approval used for the purpose of conveying, diverting or storing water must be constructed or installed to allow free passage of floodwaters flowing into or from a river or lake.

DK0878-00001 A. The construction, installation or use of the water supply work authorised by this approval must not cause or increase erosion to the channel or bank of the watercourse.
B. If erosion is observed, the area must be stabilised with grass cover, stone pitching or any other material that will prevent any further occurrence of erosion.

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Search for information about either a:

Water access licence (WAL) issued under the *Water Management Act 2000*

Water Access Licence (WAL) Number

WAL

25373

A WAL number starts with the letters 'WAL' followed by several numbers

Can't find your WAL number? Do you have a reference number? A reference number starts with a two digit number, followed by 'AL' and then several numbers. Use the following tool to find your WAL by entering your reference number. [Enter the reference number to find the WAL number.](#)

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[Water licence conversion status](#)

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Search Results

Category [Subcategory]	Status	Water Source	Tenure Type	Management Zone	Share Components (units or ML)	IDEC (Daily flow shares)
Unregulated River	Current	Barbers Creek Water Source	Continuing		10.00	N/A

Extraction Times or Rates

Subject to conditions water may be taken at any time or rate

Nominated Work Approval(s)

10WA102377

- Conditions

Plan Conditions

Water sharing plan **Greater Metropolitan Region Unregulated River Water Sources 2023**

Take of water

MW8562-00001

The volume of water taken under this access licence during a period of 3 consecutive water years must not be more than the maximum water account debit permitted, which is the sum of the following:

- A. the water allocations credited to the water allocation account for this access licence from available water determinations made during those 3 water years,
- B. the amount of water allocations assigned to the water allocation account for this access licence,
- C. the water allocations recredited to the water allocation account for this access licence.

- MW8563-00001 A. Water must not be taken under this access licence when there is no visible flow at the location from which water is taken.
B. This restriction does not apply if water is taken from an in-river pool, off-river pool, in-river dam pool or a run-off harvesting dam.
- MW8564-00001 Water must not be taken under this access licence from an:
A. in-river pool that is below full capacity,
B. off-river pool that is below full capacity, or
C. in-river dam pool unless the take is not inconsistent with a water supply work approval authorising the use of a water supply work for the purpose of taking water from the in-river dam.
- Monitoring and recording**
- MW8583-00001 A. The access licence holder must record the following information in a logbook for each period of time that water is taken:
i. date, volume of water taken, start and end time when water was taken, and
ii. the access licence number under which the water is taken, and
iii. the approval number of the water supply work used to take the water, and
iv. the purposes for which water is taken.
B. The access licence holder must record the following information in the logbook at the end of each water year:
i. the volume of water taken in the water year, and
ii. the maximum volume of water permitted to be taken in that water year.
C. This requirement does not apply if water is taken through a water supply work that has both an operational:
i. meter that complies with Australian Standard AS 4747 - Meters for non-urban water supply, and
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D. This condition ceases to apply to this access licence on the day on which the mandatory metering equipment condition applies as specified in clause 230(1) in the Water Management (General) Regulation 2018.
- 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.
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- **Approval:** an approval number starts with a two digit number, followed by a two letter code (WA, UA, CA or FW) and then several numbers.

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- [Water Act 1912 Licences and Authorities](#)

Approval issued under the *Water Management Act 2000*

Approval Number 10 ▼ CA ▼ 122907

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Find out if a *Water Act 1912* licence has been converted

- [Water licence conversion status](#)

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Search Results

Kind of Approval	Issue Date	Expiry Date	Approval Number	Status	Water Source
Water Supply Works And Water Use	04-DEC-2018	03-DEC-2028	10CA122907	Current	Lachlan Fold Belt Greater Metropolitan Groundwater Source

Work Type	Description	Diameter	Status	No of Works	Location (Lot/DP)	Suffix	Work ID	ESID
Extraction Works Gw	Bore	<i>Not specified</i>	Active	1	Lot 4, DP 106569	Whole Lot	1000245343	204658

Use Purpose(s)

Mining

Location(s)

Lot 1, DP 106569
 Lot 2, DP 106569
 Lot 3, DP 106569
 Lot 4, DP 106569
 Lot 15, DP 111641
 Lot 7, DP 111641
 Lot 5, DP 203290
 Lot 1, DP 261615
 Lot 1, DP 527500
 Lot 2, DP 527500
 Lot 3, DP 527501
 Lot 1701, DP 610507
 Lot 1702, DP 610507
 Lot 1, DP 617992
 Lot 3, DP 617992
 Lot 21, DP 657523
 Lot 114, DP 750029
 Lot 115, DP 750029
 Lot 131, DP 750029
 Lot 132, DP 750029
 Lot 154, DP 750029
 Lot 155, DP 750029
 Lot 156, DP 750029
 Lot 165, DP 750029
 Lot 179, DP 750029
 Lot 186, DP 750029
 Lot 187, DP 750029
 Lot 191, DP 750029
 Lot 193, DP 750029
 Lot 197, DP 750029
 Lot 82, DP 750029
 Lot 83, DP 750029
 Lot 87, DP 750029

Lot 98, DP 750029
 Lot 112, DP 830458
 Lot 113, DP 830458
 Lot 114, DP 830458
 Lot 1, DP 860561
 Lot 2, DP 860561
 Lot 23, DP 867667
 Lot 24, DP 867667
 Lot 100, DP 1064794
 Lot 1, DP 1124189
 Lot 7300, DP 1149129
 Lot 7301, DP 1149129
 Lot 7302, DP 1149129
 Lot 2, DP 1186554

Water Access Licences nominating these works

Reference Number	WAL Number	WAL Status	Status Date
10AL122346	41976	Current	16-JUL-2018

- Conditions

Plan Conditions

Water sharing plan **Greater Metropolitan Region Groundwater Sources 2023**

Take of water

MW0655-00001 Any water supply work authorised by this approval must take water in compliance with the conditions of the access licence under which water is being taken.

Water management works

MW0487-00001 The water supply work authorised by this approval must be constructed within three (3) years from the date this approval is granted.

MW0044-00001 A. When a water supply work authorised by this approval is to be abandoned or replaced, the approval holder must contact the relevant licensor in writing to verify whether the work must be decommissioned.

B. The work is to be decommissioned, unless the approval holder receives notice from the Minister not to do so.

C. When decommissioning the work the approval holder must:

- i. comply with the minimum requirements for decommissioning bores prescribed in the Minimum Construction Requirements for Water Bores in Australia (2012), as amended or replaced from time to time, and
- ii. notify the relevant licensor in writing within sixty (60) days of decommissioning that the work has been decommissioned.

MW0097-00001 If contaminated water is found above the production aquifer during the construction of the water supply work authorised by this approval, the licensed driller must:
A. notify the relevant licensor in writing within 48 hours of becoming aware of the contaminated water, and
B. adhere to the Minimum Construction Requirements for Water Bores in Australia (2012), as amended or replaced from time to time.

Monitoring and recording

MW0482-00001 Where a water meter is installed on a water supply work authorised by this approval, the meter reading must be recorded in the logbook before taking water. This reading must be recorded every time water is to be taken.

This condition ceases to apply to a work on the day that the recording and reporting requirements apply to that work under the Water Management (General) Regulation 2018.

MW0484-00001 Before water is taken through the water supply work authorised by this approval, confirmation must be recorded in the logbook that cease to take conditions do not apply and water may be taken.

The method of confirming that water may be taken, such as visual inspection, internet search, must also be recorded in the logbook.

If water may be taken, the:

- A. date, and
 - B. time of the confirmation, and
 - C. flow rate or water level at the reference point in the water source
- must be recorded in the logbook.

MW2336-00001 The purpose or purposes for which water is taken, as well as details of the type of crop, area cropped, and dates of planting and harvesting, must be recorded in the logbook each time water is taken.

This condition ceases to apply to a work on the day that the recording and reporting requirements apply to that work under the Water Management (General) Regulation 2018.

MW2339-00001 A logbook must be kept, unless the work is metered and fitted with a data logger. The logbook must be produced for inspection when requested by the relevant licensor.

MW2338-00001 The completed logbook must be retained for five (5) years from the last date recorded in the logbook.

MW2337-00001 The following information must be recorded in the logbook for each period of time that water is taken:
A. date, volume of water, start and end time when water was taken as well as the pump capacity per unit of time, and
B. the access licence number under which the water is taken, and
C. the approval number under which the water is taken, and
D. the volume of water taken for domestic consumption and/or stock watering.

This condition ceases to apply to a work on the day that the recording and reporting requirements apply to that work under the Water Management (General) Regulation 2018.

Other Conditions

Take of water

DS2534-00001 Water must only be taken for the purpose of dust suppression in relation to the water supply work authorised by this approval.

Water management works

DK4933-00005 The removal of native vegetation must not take place in relation to the construction, or maintenance, of the activity authorised by this approval.

DK0888-00001 Any water supply work authorised by this approval used for the purpose of conveying, diverting or storing water must be constructed or installed to allow free passage of floodwaters flowing into or from a river or lake.

DK0871-00001 The water supply work authorised by this approval must be constructed and maintained in a way that will:
A. ensure the work's safe construction and operation, and
B. prevent the possibility of damage being caused by the work, or resulting from the work, to any public or private interest.

DK0878-00001 A. The construction, installation or use of the water supply work authorised by this approval must not cause or increase erosion to the channel or bank of the watercourse.
B. If erosion is observed, the area must be stabilised with grass cover, stone pitching or any other material that will prevent any further occurrence of erosion.

Environmental matters

DK5752-00001 Extraction of water from this bore for industrial purposes (road construction and dust suppression) is to cease immediately upon being notified of any significant impacts on the groundwater table by DPI water.

Reporting

DK0889-00001 If during the construction of the water supply work(s) authorised by this approval an Aboriginal site is uncovered, the approval holder must:
A. cease all construction operations immediately, and
B. advise the relevant licensor's closest office in writing of the location and extent of the aboriginal site, and
C. consult with the Office of Environment and Heritage and the Local Aboriginal Land Council, and
D. obtain a written notice from the relevant licensor before resuming any construction on the site.

Disclaimer: WaterNSW is making the information available on the understanding that it does not warrant that the information is suitable for any intended use. In using the information supplied, the user acknowledges that they are responsible for any deductions or conclusions arrived at from interpretation of the data.

Privacy: The information provided is limited to meet the requirements of section 57 of the *Privacy and Personal Information Act 1998*.

Exporting and printing: Search results show a maximum of 50 rows per page. Search results can only be printed page by page.

More information: Should you require further information or technical assistance, please submit your request to water.enquiries@waternsw.com.au or contact 1300 662 077

Information about a water licence or approval

Use this tool to search for information about water licences and approvals issued under the *Water Act 1912* or *Water Management Act 2000*.

Select the type of licence or approval and enter the licence or approval number:

- **Water access licence (WAL):** a WAL number starts with the letters 'WAL' followed by several numbers; a WAL also has a reference number that starts with a two digit number, followed by 'AL' and then several numbers.
- **1912 water licence:** a water licence number starts with a two digit number, followed by a two letter code and then several numbers. Note: a PT reference number cannot be entered.
- **Approval:** an approval number starts with a two digit number, followed by a two letter code (WA, UA, CA or FW) and then several numbers.

Search for information about either a:

Water access licence (WAL) issued under the *Water Management Act 2000*

Water Access Licence (WAL) Number

WAL

41976

A WAL number starts with the letters 'WAL' followed by several numbers

Can't find your WAL number? Do you have a reference number? A reference number starts with a two digit number, followed by 'AL' and then several numbers. Use the following tool to find your WAL by entering your reference number. [Enter the reference number to find the WAL number.](#)

Cancelled WALs are not searchable on the NSW Water Register.

Notes:

The search results will list the conditions imposed on the water access licence. Any approved water supply work/s nominated on the water access licence are identified by the approval number/s for the work/s.

The information about a water access licence provided in the search results is a summary and may not always be up to date. If you require full and up to date details about a particular water access licence (including current holders, share and extraction component details, encumbrances and notations) you should search the [Water Access Licence Register](#) administered by NSW Land Registry Services.

[Water Act 1912 Licences and Authorities](#)

[Approval issued under the Water Management Act 2000](#)

Find out if a *Water Act 1912* licence has been converted

[Water licence conversion status](#)

[«Previous](#) [Search](#)

[Print](#) [Export](#)

Search Results

Category [Subcategory]	Status	Water Source	Tenure Type	Management Zone	Share Components (units or ML)	IDEC (Daily flow shares)
Aquifer	Current	Lachlan Fold Belt Greater Metropolitan Groundwater Source	Continuing		838.00	N/A

Extraction Times or Rates

Subject to conditions water may be taken at any time or rate

Nominated Work Approval(s)

10CA122907

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Exporting and printing: Search results show a maximum of 50 rows per page. Search results can only be printed page by page.

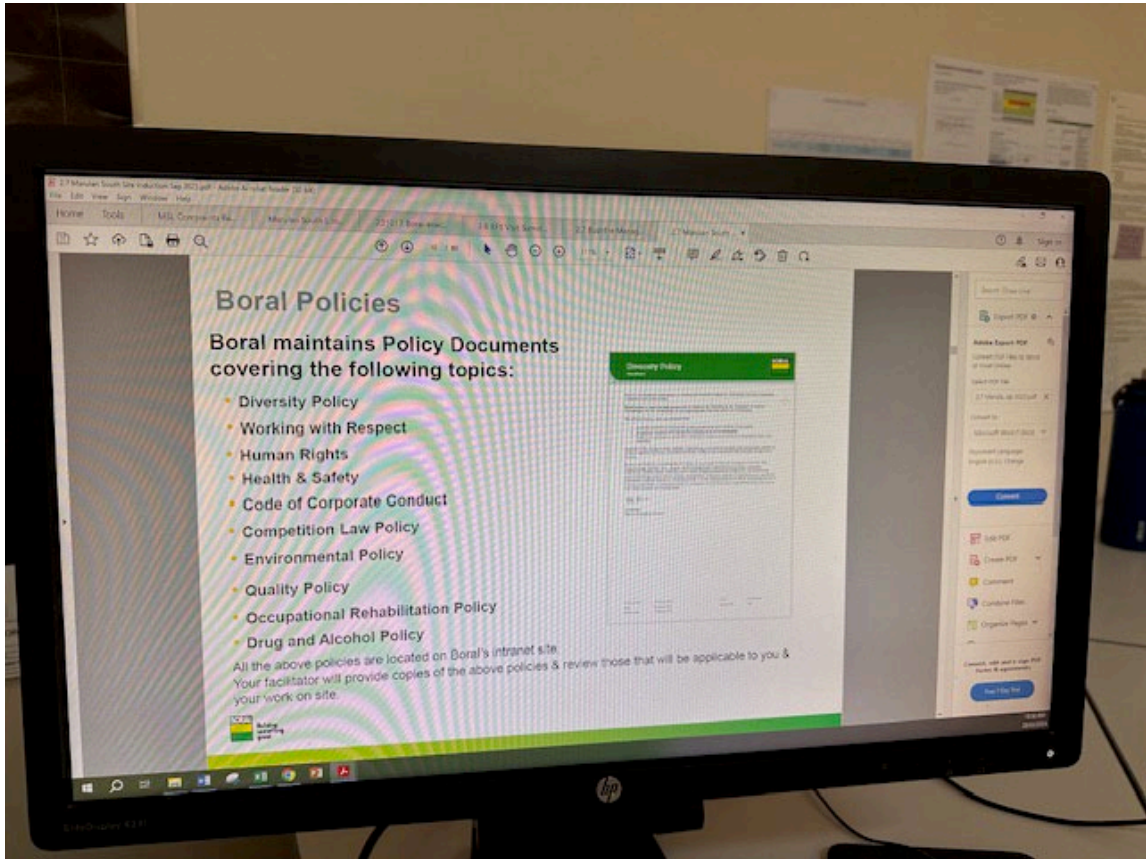
More information: Should you require further information or technical assistance, please submit your request to water.enquiries@waternsw.com.au or contact 1300 662 077



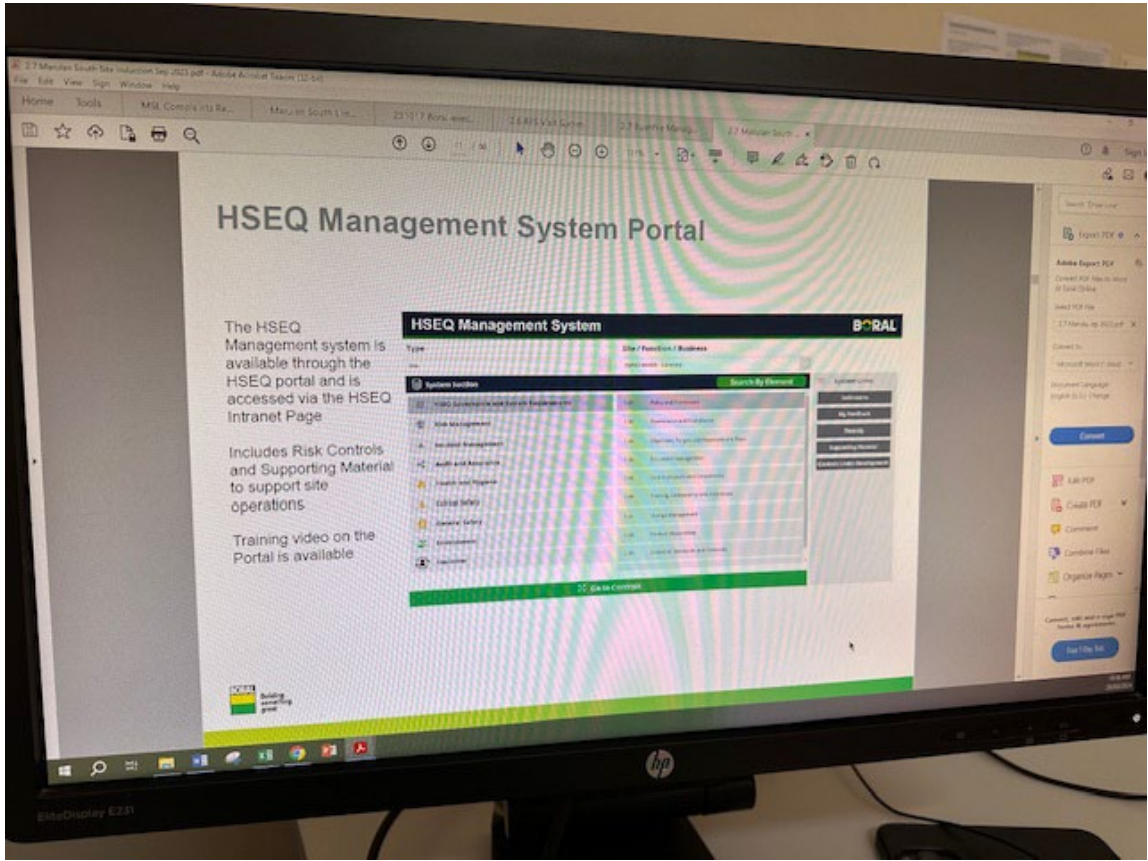
APPENDIX 5
2024 Audit Evidence



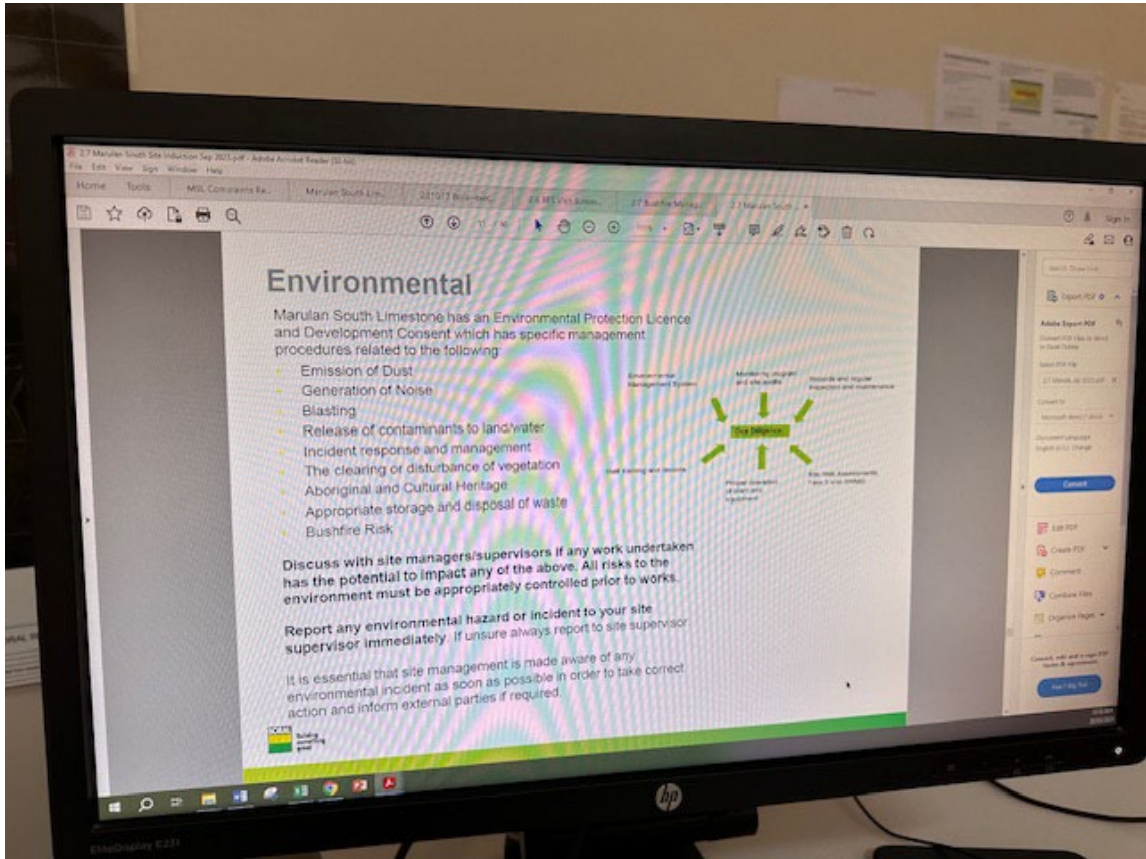
View of Marulan South Limestone Mine from Bungonia Gorge Lookout



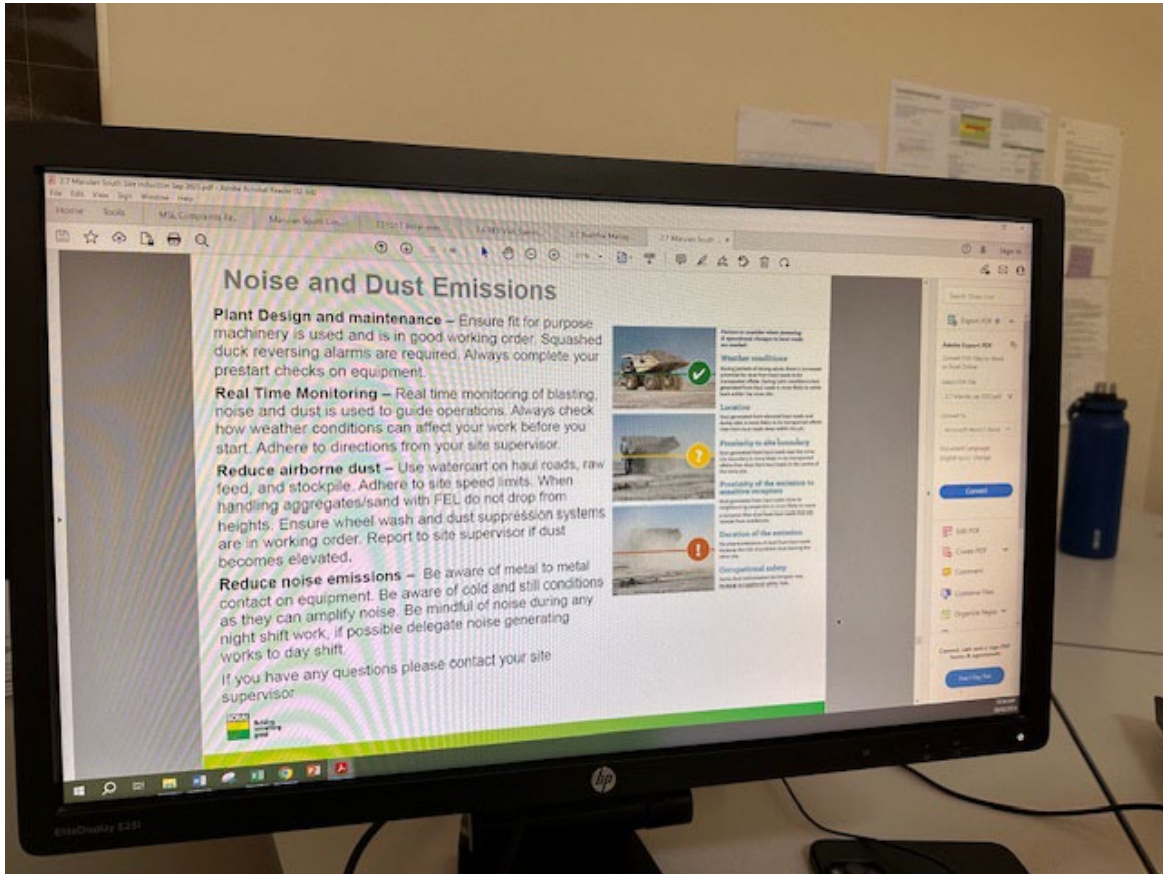
Boral induction slide example



Boral induction slide example



Boral induction slide example



Boral induction slide example



Building something great

TOOLBOX TALK

Ground Disturbance

Toolbox Talks are to be conducted by all personnel and/or contractors before a shift begins. Where there are staggered starts on site OR a person arrives after the initial delivery, then they are to read, clarify (where necessary) and sign off in the presence of the Shift Supervisor before they commence their shift.

Delivery Date: 29/2/24 Time: 9:45 Shift: (circle)
Delivery Location: TRN Shift Supervisor: ANCOUS SHEPHERD

Toolbox Talk – Ground Disturbance

This Ground Disturbance Toolbox Talk is to be undertaken on the day of clearing by all involved or in the vicinity of the clearing activities.

Ground disturbance includes tree pruning or clearing, track maintenance, fencing and digging.

Ground disturbance form

Before any ground disturbance can take place outside of the pit, confirm with the environmental representative that a Boral ground disturbance form has been approved. The form ensures that the works are undertaken lawfully and protects biodiversity, heritage and our licence to operate.

Some of the items covered by the form include, where necessary:

Planning:

- Disturbance is within the approved disturbance area and stage as set out by SSD and Mining lease/RMP
- BCT credits have been retired

Biodiversity Management Plan

- Demarcation
- Clearing is planned in stages to minimise dust and impact on fauna
- Pre-clearance surveys undertaken by ecologist for threatened species (e.g. Solanum Celatum), hollows and fauna
- Seed collection has been undertaken/planned
- Erosion and sedimentation controls have been implemented
- Topsoil recovery has been undertaken/planned
- Clearing is supervised by an ecologist
- Disturbance area is demarcated and the area outside of this is kept completely clear of equipment.
- Remnant Vegetation is protected where necessary

Historic and Aboriginal Heritage Management Plans

- Remaining Historic and Aboriginal Heritage items are clearly marked and protected (5m buffer for historic and 20m buffer for aboriginal)
- Unexpected finds protocol is ready for enactment

Example of toolbox talk presentation

Ground Disturbance Vegetation Clearing Form **BORAL**
 BORAL HSEQ MANAGEMENT SYSTEM

8-03 Land Management
 8-08 Ecosystems and Biodiversity Management
 8-09 Culture & Heritage Protection

When to use this form?
 If you are planning to, or have the potential to:

- disturb areas of virgin ground (including activities such as, but not limited to, stripping, stockpiling material, exploration, fire management, installing fencing or access tracks); or
- clear / cut / disturb any vegetation, including shrubs or ground covers (excluding maintenance of landscaped gardens); or
- impact Aboriginal Cultural Heritage or European Heritage

Engage early with your Environment Manager as the approval process (via this form) may require a long lead time.
 Once the form is approved it is valid for three (3) months or until there is a change of scope.

Who uses this form?
 Site Managers or their delegate.

Who is responsible for managing actions resulting from this form?
 The Site Manager.

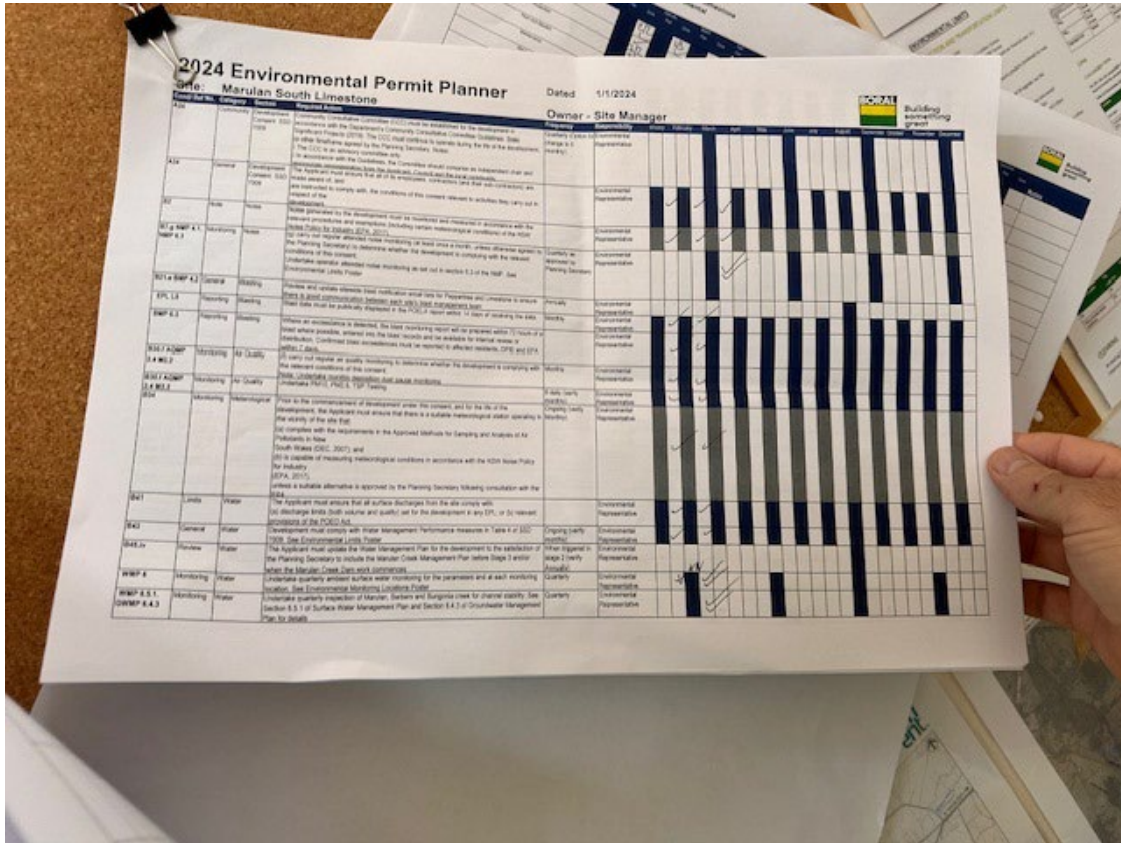
If in doubt, call your regional Environment Manager (see below)

Environmental contacts

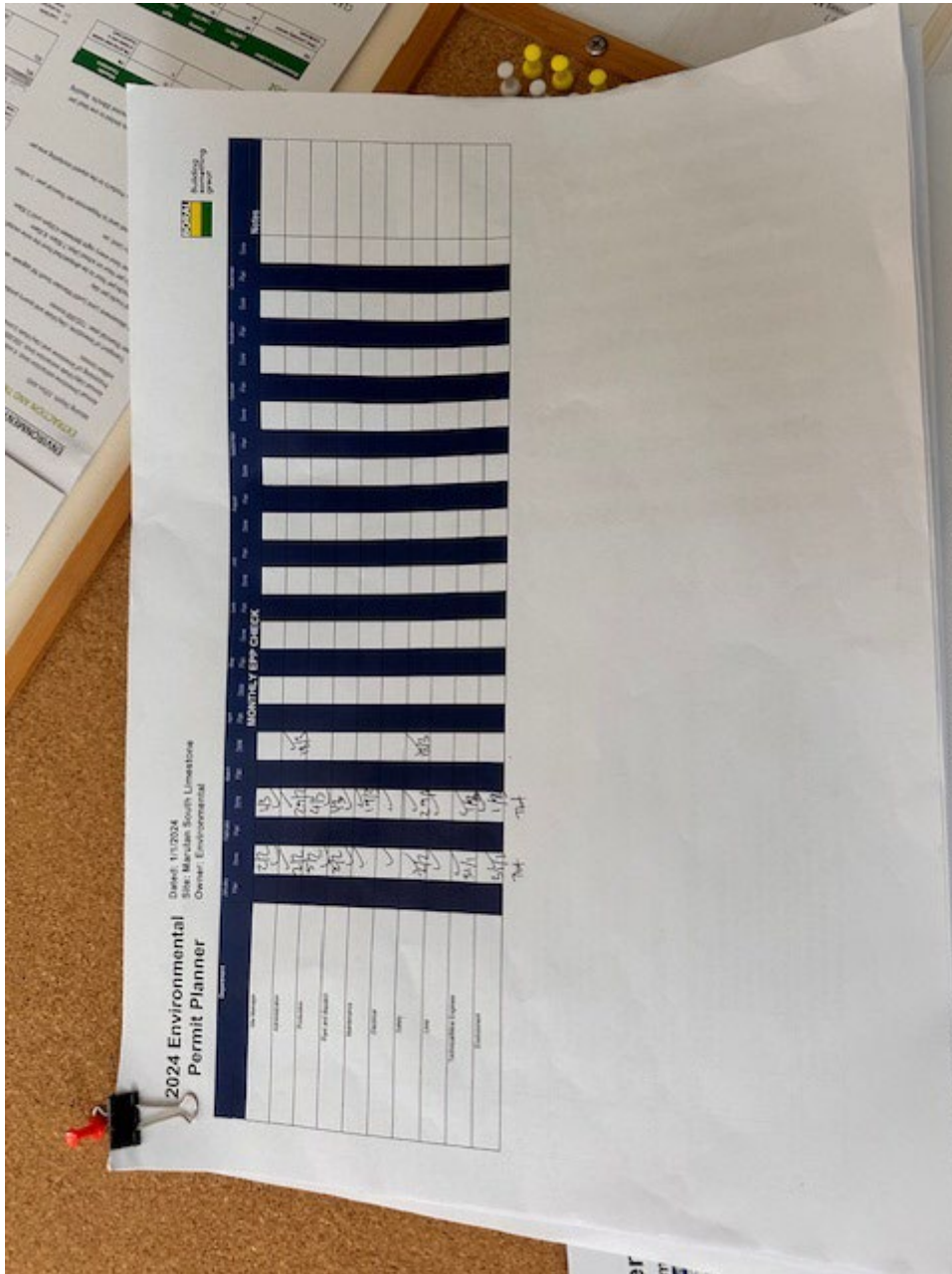
Region / business	Environment contact	Contact details
NSW/ACT	Greg Johnson	0401 893 420
QLD	Matthew Allan	0466 405 885
VIC/TAS	Mirela Halilovic	0401 893 848
SA	Peter Snell	0401 892 327
WANT	Maree Heath	0401 893 977
Cement	Greg Johnson	0401 893 420

THINK DIFFERENTLY HSEQ-8-08-F01 Ground Disturbance Vegetation Clearing Form Date of Issue: August 2022 Page 1 of 11

Example of ground disturbance work form



Copy of current Environmental Permit Planner – demonstrating monthly, quarterly and other review and compliance signed by site management



Copy of current Environmental Permit Planner – with monthly review dates of each site department

BORAL

Environment Inspection Checklist GRP-HSEQ-4-02-F04

This checklist must be completed once a month, by an allocated person as decided by the Site Management. Actions arising from the inspection are to be listed in the spaces provided below, uploaded to SEQUENCE and tracked by Site Managers. All completed checklists showing signed-off actions must be kept on file.

Division: (BCM, B&P, Cement)	Cement	Business Unit: (Quarters)	Cement	Date of Inspection:	October 2023
Site:	Mandarin South Limestone (Updated February 2023)			Signature:	
Inspector Name:	T. THOMAS				

C Comply	NC Not Comply	NI No Evidence	NA Not Applicable
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Item	Checklist Item	Status	Comments
GENERAL REQUIREMENTS			
1.	Inspect site entrance – document sediment on road, rubbish, drag out – action clean up	✓	
2.	Inspect site boundary quarterly, fence un-broken, fire tracks cleared as required etc.	✓	
3.	Check extraction boundaries are marked out and intact (select N/A if not required)	✓	
4.	Emergency Response Plan (or PRMP) up to date, tested and staff trained in the plan.	✓	
5.	Are weather conditions discussed during the toolbox? Do toolbox talks discuss management response to adverse conditions (noise, dust, water)?	✓	
6.	Is the weather station and central monitoring station operational and providing alerts to inform operations of adverse conditions	✓	- Dust meter still issue - working with B&P.
WATER MANAGEMENT			
7.	M305 Filtration Plant Tailong Volume G=003ENC+Plant history+WM Readings-Meter Readings 7/16/23: 95285	✓	
8.	CD-01 Workshop Bore volume 7/16/23: 50870	✓	
9.	M3049 B&D Dam		
10.	Watercart hours (current hours) TR14		
11.	Check rain event data. Has the site been able to hold 95 th percentile 5 day rain event (52.8mm) is there any water being discharged from the site, is it 'clear', has it been sampled via the autosampler and sent for analysis? – any non compliances reported internally and entered into SEQUENCES as an environmental incident. See Water TARP Section 7.1, 7.2, 7.3 and Appendix C of WMP for more information	✓	
12.	Inspect stormwater system. Is the system being maintained to hold 52.8mm of rain in 5 days – basin settling capacity, drains, spill ways, bund walls, and are they clear from litter and sediment? Are they leaking? Do they need clean out?	✓	
13.	Are site wedge pits (Maggie Dump Rd) and first flush pits maintained, and free from sediment build up? Do they need clean out? Engage specialist contractor if required	✓	
14.	No evidence of leaks (from taps/water, lines dams and tanks)	✓	

Example of a complete Monthly Environmental Inspection Checklist for the site



Evidence of slope stabilisation and active amelioration works for Bryce's Gully landslip area on eastern side of mine



Mine water management, with laydown rows of limestone visible to drain into site water management system



Mine truck loaded with limestone on haulage road



Fuel storage within bunded area at maintenance workshop



Maintenance workshop – in good order



Oil storage in maintenance workshop – within bunded area that connects to oil and water separator



Waste oil management alert system



Oil and water separator outside maintenance workshop



Appropriate storage of flammable goods with signage



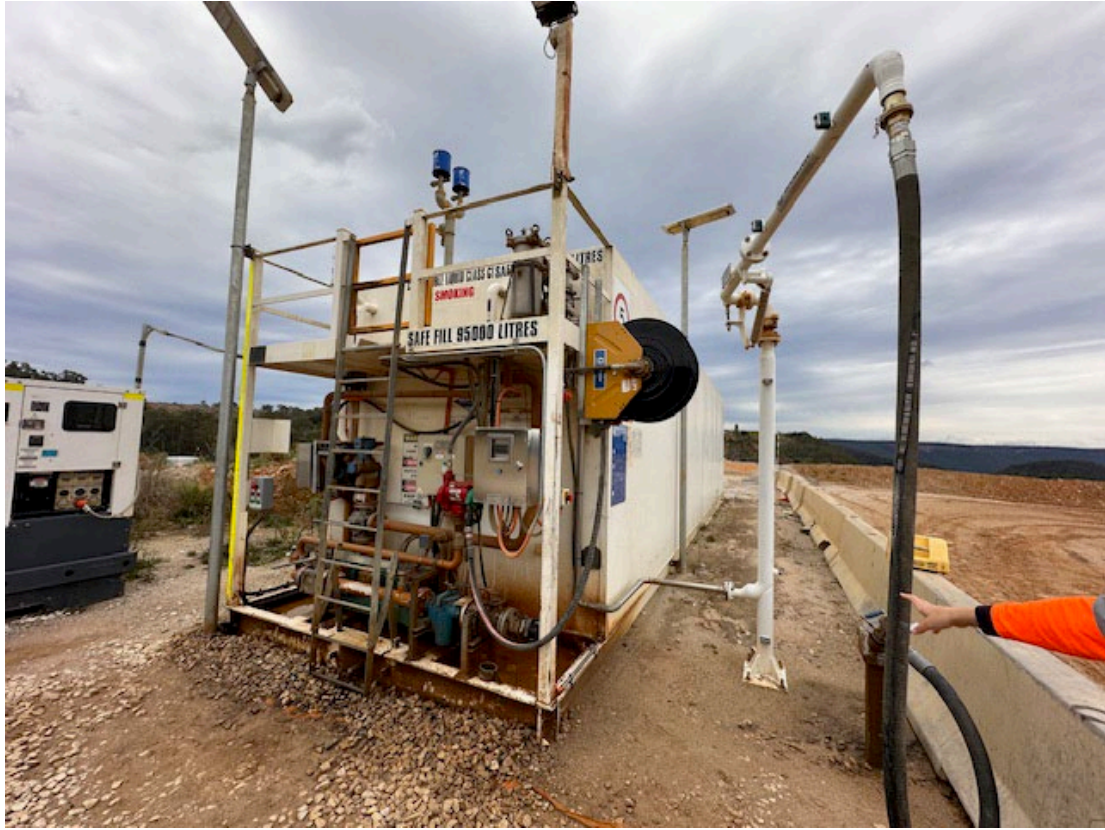
Waste separation bins



Train loading facility



Water cart, with water tank and Polo Citrus dust suppressant dosing station purpose built for dust suppression



Refuelling station with drainage to banded and lined area



Bunded lining visible as orange sheet material



Site spill kit example with one point lesson attached to top of container



Example of oil spill absorbent with spill kit



Aboriginal artefact fence in remote area – not part of active mine area



Area recently cleared under SSD 7009 and EPBC approval



Area recently cleared under SSD 7009 and EPBC approval



Rehabilitation areas on and adjacent to western emplacement area