Development Consent

Section 80 of the *Environmental Planning & Assessment Act 1979*

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), approve the Development Application referred to in Schedule 1, subject to the conditions in Schedules 3 to 5.

These conditions are required to:
- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the on-going environmental management of the development.

This instrument includes changes made by Modification 1 in December 2005 (marked in blue)
This instrument includes changes made by Modification 2 in June 2006 (marked in red)
This instrument includes changes made by Modification 3 in May 2008 (marked in green)
This instrument includes changes made by Modifications 4 and 5 in November 2008 (marked in pink)
Modification 6 (January 2014) marked in purple
Modification 7 (October 2015) marked in maroon
Modification 8 (November 2016) marked in orange

Diane Beamer, MP
Minister Assisting the Minister for Infrastructure and Planning (Planning Administration)

Sydney 2004 File No. S03/01960

SCHEDULE 1

Development Application:	DA 470-11-2003.
Applicant:	Boral Resources (NSW) Pty Limited (ABN: 51 000 756 507).
Consent Authority:	Minister Assisting the Minister for Infrastructure and Planning (Planning Administration).
Land:	See Appendix 1.
Proposed Development:	Increase production at the Dunmore Quarry from 1.2 million tonnes per annum (Mtpa) to 2.5 Mtpa, by: • increasing operating hours; • making minor changes to equipment types and configuration, mainly within the crushing and conveying circuit; and • increasing rail and road transportation of product.
State Significant Development:	The proposal is classified as State significant development, under section 76A(7) of the *Environmental Planning and Assessment Act 1979*, because it is an extractive industry where the proposed rate of production exceeds the threshold limits specified in the Ministerial declaration, dated 3 August 1999.
Integrated Development:	The proposal is classified as integrated development, under section 91 of the *Environmental Planning and Assessment Act 1979*, because it requires additional approvals under the: • *Protection of the Environment Operations Act 1997;*

- *National Parks & Wildlife Act 1974;*
- *Rivers and Foreshores Improvement Act 1948.*

Designated Development: The proposal is classified as designated development, under section 77A of the *Environmental Planning & Assessment Act 1979*, because it is for an extractive industry that would "obtain or process for sale, or reuse, more than 30,000 cubic metres of extractive material per year…". Consequently, it meets the criteria for designated development in schedule 3 of the *Environmental Planning & Assessment Regulation 2000*.

Note:

- *To find out when this development consent becomes effective, see Section 83 of the Environmental Planning and Assessment Act 1979* (EP&A Act);
- *To find out when this development consent is liable to lapse, see Section 95 of the EP&A Act; and*
- *To find out about appeal rights, see Section 97 of the EP&A Act.*

SCHEDULE 2
DEFINITIONS

Annual Review	Annual Review, as required under condition 9 of schedule 5
Applicant	Boral Resources (NSW) Pty Limited
BCA	Building Code of Australia
CCC	Community Consultative Committee
Council	Shellharbour City Council
DA	Development Application
Day	Day is defined as the period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Environment
DPI – Water	Department of Primary Industries – Water
DRE	Division of Resources and Energy, within the NSW Department of Industry
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2000*
EPA	Environment Protection Authority
EPL	An Environment Protection Licence applying to the development, issued by the EPA
Evening	Evening is defined as the period from 6pm to 10pm
Feasible	Feasible relates to engineering considerations and what is practical to build or carry out
GTA	General Term of Approval
Incident	A set of circumstances that: • causes or threatens to cause material harm to the environment; and/or • breaches or exceeds the limits or performance measures/criteria in this consent
Land	Land means the whole of a lot in a current plan registered at the Land Titles Office at the date of this development consent
Material harm to the environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Minister	Minister for Planning, or delegate
Night	Night is defined as the period from 10pm to 6am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
OEH	Office of Environment and Heritage
Privately-owned land	Land not owned by the Applicant or its related companies or where a private agreement does not exist between the Applicant and the land owner
Quarrying operations	Includes the removal of overburden and extraction, processing, handling, storage and transportation of extractive material on the site
Reasonable	Reasonable relates to the application of 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
RMS	Roads and Maritime Services
Secretary	Secretary of the Department, or nominee
SEE	Statement of Environmental Effects
Shoulder	Time interval from 6am to 7am, Monday to Saturday
Site	Land to which the DA applies

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SCHEDULE 3
ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

1. The Applicant must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the development.

Terms of Approval

2. The Applicant must carry out the development generally in accordance with the:
   (a) DA 470-11-2003;
   (b) EIS titled *Environmental Impact Statement for the proposed Dunmore Quarry Production Increase*, Volumes 1 & 2, dated November 2003, and prepared by R. W. Corkery & Company Pty Limited;
   (c) The letter from Boral Quarries to the Department dated 20 October 2005 about the application to modify Dunmore Quarry development consent DA 470-11-2003, and accompanying plans 4034032_01 issue E, and 4034032_EL issue B;
   (d) modification application MOD 59-4-2006 and letter from Boral Quarries to the Department dated 13 April 2006;
   (e) Modification Application 470-11-2003 Mod 3, letter to the Department dated 28 March 2008, and accompanying plans GE-DU-2961-02 Rev D; GE-DU-2962-01 Rev B; GE-DU-2963-01 Rev 0; and GE-DU-2964-02 Rev 0;
   (f) Modification Application 470-11-2003 Mod 4 and accompanying SEE titled *Statement of Environmental Effects for the proposed Dunmore Hard Rock Quarry Extension,* dated May 2008, and letter from Boral Quarries & Recycling to the Department dated 22 September 2008;
   (g) Modification Application 470-11-2003 Mod 5 and accompanying letter from Boral Quarries & Recycling to the Department dated 16 September 2008 (and accompanying plan GE-DU-2966-01 Rev E);
   (h) Modification Application 470-11-2003 Mod 6 and accompanying document titled *Environmental Assessment Dunmore Hard Rock Quarry– Modification 6,* prepared by EMGA Mitchell McLennan and dated 19 November 2012;
   (i) Modification Application 470-11-2003 Mod 7 and accompanying document titled *Proposed Blending Plant Dunmore Hardrock Quarry DA 470-11-2003 – Modification 7, Environmental Assessment*, dated December 2014; and
   (j) Modification Application 470-11-2003 Mod 8 and accompanying document titled *Dunmore Quarry – Modification 8 Environmental Assessment,* dated August 2016 and accompanying Response to Submissions, dated 22 September 2016.

2A. The Applicant must carry out the development in accordance with the conditions of this consent.

3. If there is any inconsistency between the documents in condition 2, the most recent document shall prevail to the extent of the inconsistency. The conditions of this consent shall prevail over the documents in condition 2 to the extent of any inconsistency.

4. The Applicant must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
   (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent (including any stages of these documents);
   (b) any reviews, reports or audits commissioned by the Department regarding compliance with this consent; and
   (c) the implementation of any actions or measures contained in these documents.

Quarrying Operations

5. The Applicant may carry out quarrying operations on the site until 30 September 2034.

   Note: Under this consent, the Applicant is required to rehabilitate the site and carry out additional undertakings to the satisfaction of the Secretary. Consequently, this consent will continue to apply in all other respects other than the right to conduct quarrying operations until the rehabilitation of the site and those undertakings have been carried out to a satisfactory standard.

6. The Applicant must not produce or transport more than 2.5 million tonnes of quarry products a calendar year from the development.

Transportation

7. The Applicant must not transport, or permit to be transported, more than 1.5 million tonnes of quarry products from the site a calendar year by road, except in an emergency with the written approval of the Secretary.

7a. The Applicant must maximise transport of quarry products from the site by rail, so far as is reasonable and feasible.

Surrender of Consents

8. Deleted.

Structural Adequacy

9. The Applicant must ensure that any new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Notes:
- *Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for any building works.*
- *Part 8 of the EP&A Regulation sets out the detailed requirements for the certification of development*

Demolition

10. The Applicant must ensure that all demolition work is carried out in accordance with *AS 2601-2001: The Demolition of Structures,* or its latest version.

Protection of Public Infrastructure

11. The Applicant must:
    (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
    (b) relocate, or pay the full costs associated with relocating any public infrastructure that needs to be relocated as a result of the development.

Operation of Plant and Equipment

12. The Applicant must ensure that all plant and equipment at the site, or used in connection with the development, are:
    (a) maintained in a proper and efficient condition; and
    (b) operated in a proper and efficient manner.

SCHEDULE 4
SPECIFIC ENVIRONMENTAL CONDITIONS

IDENTIFICATION OF BOUNDARIES

1. Within 6 months of the date of this consent and any subsequent modification involving a change to the approved limits of extraction, the Applicant must:
   (a) engage a registered surveyor to mark out the boundaries of the approved limits of extraction;
   (b) submit a survey plan of these boundaries to the Secretary; and
   (c) ensure that these boundaries are clearly marked at all times in a permanent manner that allows operating staff and inspecting officers to clearly identify those limits.

ACQUISITION UPON REQUEST

2. Upon receiving a written request for acquisition from the landowner of the land listed in Table 1, the Applicant must acquire the land in accordance with conditions 3 and 4 below.

Land Owner(s)	Land Identification
Creagan	Lot 5 DP1001931
Stocker	Lot 1 DP745632
McParland/ Fogarty	Lot 10 DP977931
Kimmorley Property	Lot 1 DP998321

Table 1: Land Subject to Acquisition on Request

Note: Land titled 'McParland/Fogarty' has been acquired and is now quarry-owned.

3. Within 6 months of receiving a written request from the landowner, the Applicant must pay the landowner:
   (a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development the subject of this DA, having regard to the:
      - existing and permissible use of the land, in accordance with the applicable environmental planning instruments at the date of the written request; and
      - presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date; and
   (b) the reasonable costs associated with:
      - relocating within the Shellharbour or Kiama local government areas, or to any other local government area determined by the Secretary; and
      - obtaining legal and expert advice for determining the acquisition price of the land and the terms upon which it is to be acquired; and
   (c) reasonable compensation for any disturbance caused by the land acquisition process.

   However, if within 6 months of receiving this written request, the Applicant and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.

   Upon receiving such a request, the Secretary shall request the NSW President of the Australian Property Institute to appoint a qualified independent valuer to consider submissions from both parties, and determine a fair and reasonable acquisition price for the land, and/or the terms upon which the land is to be acquired.

   If either party disputes the independent valuer's determination, the independent valuer must refer the matter back to the Secretary for resolution.

   If the landowner refuses to accept this offer within 6 months of the date of the Applicant's offer, the Applicant's obligations to acquire the land cease, unless otherwise agreed by the Secretary.

4. The Applicant must bear the costs of any valuation or survey assessment requested by the independent valuer or the Secretary, and the costs of determination referred to in Condition 3 above.

5. If the Applicant and landowner agree that only part of the land should be acquired, then the Applicant must pay all reasonable costs associated with obtaining Council approval for any plan of subdivision, and registration of the plan at the Office of the Registrar-General.

6. While the land listed in Table 1 is privately-owned land, the Applicant must comply with the requirements applying to this land in these conditions of consent.

NOISE

Noise Limits

7. [1]The Applicant must ensure that the noise generated by the development does not exceed the criteria specified in Table 2.

Receiver Locations	Noise Limits dB(A)					
	$L_{Aeq\ (15minute)}$				$L_{A1\ (1minute)}$	
	Day	Evening	Night	Shoulder	Night	Shoulder
Location K Stocker Residence	49	44	38	47	48	55
Location O Dunmore Lakes	49	44	38	47	48	55
Location J Creagan Residence	Negotiated Agreement in Place					

Table 2: Noise Impact Assessment Criteria for the Development

Notes:

1. *Receiver locations nominated in Appendix A Figure A2 of the report prepared by Richard Heggie Associates Report No.605/03 Titled Part 1: Noise Assessment – Dunmore Quarry Production Increase.*
2. *The above table may be varied if the Applicant enters into a negotiated agreement with any of the affected residents, or if existing agreements become void.*
3. *Noise from the development is to be measured at the most affected point on or within the residential boundary or at the most affected point within 30m of the dwelling (rural situations) where the dwelling is more than 30m from the boundary, to determine compliance with the $L_{Aeq(15\ minute)}$ noise limits in the above table. Where it can be demonstrated that direct measurement of noise from the development is impractical, the EPA may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors presented in Section 4 of the NSW Industrial Noise Policy must also be applied to the measured noise levels where applicable.*
4. *Noise from the development is to be measured at 1m from the dwelling façade to determine compliance with the $L_{A1(1minute)}$ noise limits in above table.*
5. *The noise emission limits identified in Table 1 apply under meteorological conditions of:*
   - *Wind speed up to 3m/s at 10 metres above ground level; or*
   - *Temperature inversion conditions of up to 3^{o}C/100m and wind speed up to 2m/s at 10 metres above the ground.*

Noise Investigations

8. Deleted.

Operating Hours

9. The Applicant must comply with the operating hours in Table 3:

Activity	Days of the Week	Time
Extraction and Processing	Monday – Saturday	6-00am to 10-00pm
Product Transfer to Stockpiles	Monday - Saturday	6-00am – Midnight
Distribution	Monday – Saturday	24 hrs
	Sunday	See Condition 10, Schedule 4
Maintenance	Monday – Sunday	24 hrs
Construction (including construction of the bund under Modification 8)	Monday – Saturday	7-00am to 6-00pm Monday to Friday 8-00am to 1-00pm Saturday

Table 3: Operating Hours for the Development

[1] Incorporates EPA GTA

10. [2]The Applicant may only distribute quarry products off-site by road on up to 15 Sundays a year, between 8am and 6pm, unless the EPA approves otherwise. This restriction does not apply to distribution by rail, which is allowed 24 hours a day, 7 days a week.

Oversized Material

11. [3]The Applicant must not process any oversized raw feed material at the development during the shoulder period.

Note: For the purpose of this condition "oversized raw feed material" is defined as where more than 50% of the shot is over 900mm in diameter.

Noise Monitoring

12. Deleted

13. [4]Within 3 months of the date of this consent, and annually thereafter, unless directed otherwise by the Secretary, the Applicant must:
    (a) commission a suitably qualified person to assess whether the development is complying with the noise impact assessment criteria in Table 2, in general accordance with the NSW Industrial Noise Policy and Australian Standard (AS) 1055-1997: "Description and Measurement of Environmental Noise"; and
    (b) provide the results of this assessment to the EPA and Secretary within a month of commissioning the assessment.

14. Within 3 months of the date of this consent, the Applicant must prepare a Noise Monitoring Program for the development, in consultation with the EPA, and to the satisfaction of the Secretary.

The Applicant must implement the approved monitoring program as approved from time to time by the Secretary.

Reporting

15. Deleted

BLASTING AND VIBRATION

Airblast Overpressure Criteria

16. The Applicant must ensure that the airblast overpressure level from blasting at the development does not exceed the criteria in Table 4 at any residence or sensitive receiver on privately-owned land.

Airblast overpressure level [dB(Lin Peak)]	Allowable exceedance
115	5% of the total number of blasts over a period of 12 months
120	0%

Table 4: Airblast Overpressure Limits

Ground Vibration Criteria

17. The Applicant must ensure that the peak particle velocity from blasting at the development does not exceed the criteria in Table 5 at any residence or sensitive receiver on privately - owned land.

Peak particle velocity (mm/s)	Allowable exceedance
5	5% of the total number of blasts over a period of 12 months
10	0%

[2] Incorporates EPA GTA
[3] Incorporates EPA GTA
[4] Incorporates EPA GTA

Table 5: Ground Vibration Limits

Blasting Restrictions

18. [5]Blasting operations at the site may only take place:
    a) between 9am and 5pm Monday to Saturday inclusive;
    b) are limited to 2 blasts each day; and
    c) at such other times as may be approved by EPA.

Public Notice

19. During the life of the development, the Applicant must operate a blasting hotline, or alternative system agreed to by the Secretary, to enable the public to get up-to-date information on blasting operations at the development.

Blast Management Plan

20. The Applicant must prepare a Blast Management Plan for the development to the satisfaction of the Secretary. This plan must:
    (a) be submitted to the Secretary for approval within 6 months of Modification 8, unless otherwise agreed by the Secretary;
    (b) describe the measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this consent;
    (c) include measures to manage and monitor the avoidance of impacts on the heritage values on the buildings on Lot 10 DP977931;
    (d) include measures to manage flyrock;
    (e) include a monitoring program for evaluating and reporting on compliance with the blasting criteria in this consent;
    (f) include community notification procedures for the blasting schedule, in particular to nearby residences; and
    (g) include a protocol for investigating and responding to complaints.

    The Applicant must implement the approved Blast Management Plan as approved from time to time by the Secretary.

    Note: Prior to the approval of the Blast Management Plan revised under Modification 8, the most recent approved version must continue to have full force and effect and must be implemented.

Blast Monitoring

21. [6]The Applicant must monitor the airblast overpressure and peak particle velocity impacts of the development at the permanent monitoring station as approved by the EPA, to the satisfaction of the EPA and Secretary, using the specified units of measure, frequency, sampling method, and location in Table 6.

Parameter	Units of Measure	Frequency	Sampling Method	Measurement Location
Airblast overpressure	dB(Lin Peak)	During every blast	AS2187.2-1993[1]	Not less than 3.5m from a building or structure *(or as otherwise agreed by EPA)*
Peak particle velocity	mm/s	During every blast	AS2187.2-1993	Not more than 30m from a building or structure *(or as otherwise agreed by EPA)*

Table 6: Airblast overpressure and peak particle velocity monitoring

[1] Standards Australia, 1993, AS2187.2-1993: Explosives - Storage, Transport and Use of Explosives

[5] Incorporates EPA GTA
[6] Incorporates EPA GTA

AIR QUALITY

Impact Assessment Criteria

22. The Applicant must ensure that the air pollution generated by the development does not cause exceedances of the ambient air quality standards and goals listed in Tables 7, 8, and 9 at any privately-owned land.

Pollutant	Averaging period	Criterion
Total suspended particulate (TSP) matter	Annual	90 µg/m^3
Particulate matter < 10 µm (PM_{10})	Annual	30 µg/m^3

Table 7: Long Term Impact Assessment Criteria for Particulate Matter

Pollutant	Averaging period	Criterion
Particulate matter < 10 µm (PM_{10})	24 hour	50 µg/m^3

Table 8: Short Term Impact Assessment Criterion for Particulate Matter

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
Deposited dust	Annual	2 g/m^2/month	4 g/m^2/month

Table 9: Long Term Impact Assessment Criteria for Deposited Dust

Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 2003, AS 3580.10.1-2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.

Management

23. [7]The Applicant must minimise and/or prevent the emission of dust from the site.

24. The Applicant must implement all reasonable and feasible measures to stabilise the surface of stockpiles of crusher fines to minimise wind-blown dust emissions, erosion and sedimentation.

Note: Fines are < 4mm in diameter.

Monitoring

25. [8]The Applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant in Table 10 to the satisfaction of the EPA and the Secretary, using the specified unit of measure, averaging period, frequency, sampling method and minimum number of locations.

Pollutant	Unit of Measure	Averaging Period	Frequency	Sampling Method	Locations
Dust deposition	g/m2/month	Month, annual	Continuous	AM-15	4
PM_{10}	µg/m^3	24 hour, annual	Continuous	AM-18 (or equivalent)[1]	1

Table 10: Sampling of Air Pollutants

[1] The Applicant may use an equivalent sampling method to AM-18, with the approval of EPA.

26. Within 3 months of the date of this consent, the Applicant must prepare an Air Quality Monitoring Program for the development, in consultation with the EPA, and to the satisfaction of the Secretary.

The Applicant must implement the approved monitoring program as approved from time to time by the Secretary.

[7] Incorporates EPA GTA
[8] Incorporates EPA GTA

METEOROLOGICAL MONITORING

27. The Applicant must establish a permanent meteorological station at a location approved by the EPA, and to the satisfaction of the Secretary, to monitor the parameters specified in Table 11, using the specified units of measure, averaging period, frequency and sampling method.

Parameter	Units of measure	Averaging period	Frequency	Sampling method[1]
Rainfall	*mm/hr*	*1 hr*	*Continuous*	*AM-4*
Temperature @ 2 m	*K*	*1 hr*	*Continuous*	*AM-4*
Temperature @ 10 m	*K*	*1 hr*	*Continuous*	*AM-4*
Wind direction @ 10 m	*Compass points*	*1 hr*	*Continuous*	*AM-2*
Wind speed @ 10 m	*m/s*	*1 hr*	*Continuous*	*AM-2*
Siting	-	-	-	*AM-1*

Table 11: Meteorological Monitoring

[1] *NSW EPA, 2001, Approved Methods for the Sampling and Analysis of Air Pollutants in NSW.*

SURFACE AND GROUND WATER

Pollution of Waters

28. Except as may be expressly provided by an Environment Protection Licence, the Applicant must comply with section 120 of the *Protection of the Environment Operations Act 1997* during the carrying out of the development.

Water Supply

28A. The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of quarrying operations to match its available water supply.

Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.

Water Discharge Limit

29. Except as may be expressly provided by an Environmental Protection Licence, the Applicant must ensure that the discharges from any licenced discharge point/s comply with the limit in Table 12:

Pollutant	Units of Measure	100 Percentile Concentration Limit
TSS	mg/L	50
pH	pH	6.5 – 8.5

Table 12: Water Discharge Pollution Limits

Site Water Balance

30. In each Annual Review, the Applicant must:
   (a) recalculate the site water balance for the development; and
   (b) provide information on evaporative losses, dust suppression, dam storage levels and implications of obtaining any water supplies from off-site; and
   (c) evaluate water take against licensing requirements.

Storm Water Management System

31. The Applicant must ensure that the storm water management system for the development is designed, constructed and operated to capture and treat polluted waters from storm event(s) of up to and including the 5-day, 95th percentile rainfall event.

32. The Applicant must ensure that the basins in the storm water management system are managed in accordance with the operating principles within the revised Water Management Plan prepared by Evans and Peck, dated April 2008, or any subsequent Water Management Plan approved by the Secretary, to maintain the required storm water storage volume.

Offline Dam

33. By 18 May 2008, or as otherwise agreed to by the Secretary, the Applicant must:
    (a) modify the existing dam at the site to create a dam with a capacity of at least 61.4ML offline from Rocklow Creek;
    (b) ensure the discharge and overflow points of the dam do not cause erosion at the point of discharge/overflow;
    (c) rehabilitate and stabilize the banks of the dam;
    (d) construct a baffle and macrophyte zone downstream of the dam; and
    (e) ensure the integrity of the dam would not be compromised by any flooding in Rocklow Creek;

    to the satisfaction of the EPA and the Secretary.

34. Prior to carrying out any of these works, the Applicant must prepare a Dam Upgrade Plan in consultation with the EPA, and to the satisfaction of the Secretary. This plan must include:
    (a) the detailed design and specifications of the proposed works, which have been certified by a practicing registered engineer;
    (b) an erosion and sediment control plan for the proposed works, that is consistent with the requirements in the Department of Housing's *Managing Urban Stormwater: Soils and Construction* manual;
    (c) a vegetation and rehabilitation plan, setting out how the banks of the dam would be rehabilitated and stabilized, and the baffle and macrophyte zone would be constructed;
    (d) an acid sulfate soil management plan that is consistent with the *NSW Acid Sulfate Soil* manual;
    (e) a construction program for the proposed works; and
    (f) a program setting out how the modified dam and associated revegetation works would be maintained during the life of the development.

    The Applicant must implement the approved management plan as approved from time to time by the Secretary.

35. Within 1 month of completing the construction works in the Dam Upgrade Plan, the Applicant must submit an as-executed report, certified by a practicing registered engineer, to the satisfaction of the EPA and Secretary.

Flocculant Management

36. The Applicant must not use flocculants on the site.

37. Deleted

Other Water Management Works

38. [9]Within 18 months of the date of this consent, the Applicant must carry out the following works:
    (a) Workshop and Fuel Storage Area
    - desilt drains and culverts upstream of the workshop to limit flooding;
    - construct a first flush collection basin to capture and store the first 13mm of run-off from the external service bays before it is treated by the oil/water separator; and
    - bund and roof the drum storage area;

    (b) Magazine Area
    - reinstate drain through access road to magazines to direct stormwater flows to the main drain;

    (c) deleted

    to the satisfaction of EPA and the Secretary.

Bunding

39. [10]Impervious bunds must be constructed around all fuel, oil and chemical storage areas and the bund volume must be large enough to contain 110 per cent of the volume held in the largest container. The bund must be designed and installed in accordance with the requirements of the EPA Environment Protection Manual Technical Bulletin *Bunding and Spill Management*.

[9] Incorporates EPA GTA
[10] Incorporates EPA GTA

Monitoring

40. The Applicant must:
    (a) measure:
        - the volume of water discharged from the site via licenced discharge points;
        - water use on the site;
        - water transfers across the site;
        - dam and water structure storage levels;
    (b) monitor the quality of the surface water:
        - discharged from the licence discharge point/s of the development;
        - upstream and downstream of the development;
    (c) monitor flows in Rocklow Creek; and
    (d) monitor regional groundwater levels and quality;

    to the satisfaction of the EPA and the Secretary.

    Note: On the provision of two years of monitoring data that shows negligible impact on the regional groundwater network, the Secretary may agree to suspend monitoring of regional groundwater levels and/or quality.

Management

41. Within 12 months of the date of this consent, the Applicant must prepare a Site Water Management Plan for the development, in consultation with the DPI - Water, and to the satisfaction of the Secretary. This plan must include:
    (a) the predicted site water balance;
    (b) an Erosion and Sediment Control Plan;
    (c) a Surface Water Monitoring Program
    (d) a Ground Water Monitoring Program; and
    (e) an Integrated Water Management Strategy.

    The Applicant must implement the approved management plan as approved from time to time by the Secretary.

42. The Erosion and Sediment Control Plan must:
    (a) be consistent with the requirements of the Department of Housing's *Managing Urban Stormwater: Soils and Construction* manual;
    (b) identify activities that could cause soil erosion and generate sediment;
    (c) describe measures to minimize soil erosion and the potential for the transport of sediment to downstream waters;
    (d) describe the location, function, and capacity of erosion and sediment control structures; and
    (e) describe what measures would be implemented to maintain the structures over time.

43. The Surface Water Monitoring Program must include:
    (a) detailed baseline data on surface water flows and quality in Rocklow Creek;
    (b) surface water impact assessment criteria;
    (c) a program to monitor surface water flows and quality in Rocklow Creek;
    (d) a program to monitor bank and bed stability in Rocklow Creek; and
    (e) a program to monitor the effectiveness of the Erosion and Sediment Control Plan.

44. The Ground Water Monitoring Program must include:
    (a) detailed baseline data on ground water levels and quality, based on statistical analysis;
    (b) ground water impact assessment criteria; and
    (c) a program to monitor regional ground water levels and quality.

    Note: On the provision of two years of monitoring data that shows negligible impact on the regional groundwater network, the Secretary may agree to suspend monitoring of regional groundwater levels and/or quality.

45. [11]The Integrated Water Management Strategy must:
    (a) explore a range of options for a sustainable resource alternative for water supply to the site;
    (b) identification of all possible and available sources of water;
    (c) consistency with Government Water Reform initiatives and policies;
    (d) quality of water to meet usage requirements including any possible effects on product;
    (e) costs of supply;

[11] Incorporates EPA GTA

(f) health and environmental impacts;
(g) legislative requirements;
(h) assessment of the feasibility, benefits and costs of options;
(i) a process to identify and evaluate preferred options for implementation; and
(j) the identification of a timetable for implementation of the selected options.

FLORA AND FAUNA

Vegetation Offset Strategy

46. The Applicant must:
    (a) establish, conserve, and maintain at least:
        - 4.6 hectares of *Melaleuca armillaris* Tall Shrubland; and
        - 8.2 hectares of Blue Gum-White Box Woodland/Forest,

        on Boral-owned land adjacent to the development;
    (b) conserve, maintain, and enhance the vegetation in the area to the south of the development marked on the map in Appendix 2;
    (c) conserve, maintain, enhance and establish the vegetation in the area to the south of the development marked on the map in Appendix 3, in accordance with the letter from Boral to the Department dated 22 September 2008 titled *Dunmore Quarry – Revised Offset for Quarry Extension*; and
    (d) within 12 months of the date of Modification 8, the Applicant must provide a biodiversity offset strategy outlining the measures to offset 48 Illawarra Zieria individuals and 1.94 ha of native vegetation clearing (including 0.05 ha of Illawarra Subtropical Rainforest EEC), to the satisfaction of OEH and the Secretary. The offset must demonstrate that the biodiversity values in the general vicinity of the site have been maintained or improved.

46A. Within 12 months of the date of Modification Application 470-11-2003 Mod 4, the Applicant must make suitable arrangements in consultation with the OEH to provide appropriate long term security for the biodiversity offset referred to in condition 46 (c), to the satisfaction of the Secretary.

46B. Within 12 months of the date of providing the biodiversity offset strategy required under condition 46(d), the Applicant must make suitable arrangements to provide long term security for this strategy, to the satisfaction of the Secretary.

Flora and Fauna Management Plan

47. Within 12 months of the date of this consent, the Applicant must prepare a Flora and Fauna Management Plan for the development to the satisfaction of the Secretary. This plan must include:
    (a) a Vegetation Clearing Protocol;
    (b) a Compensatory Habitat Management Plan; and
    (c) a Remnant Vegetation Conservation Plan.

    The Applicant must implement the approved management plan as approved from time to time by the Secretary.

48. The Vegetation Clearing Protocol must:
    (a) delineate the areas of remnant vegetation to be cleared; and
    (b) describe the procedures that would be implemented for:
        - pre-clearance surveys;
        - progressive clearing;
        - fauna management;
        - conserving and reusing topsoil;
        - collecting seed from the site;
        - salvaging and reusing material from the site; and
        - controlling weeds.

49. The Compensatory Habit Management Plan must:
    (a) describe the compensatory habitat proposal for the:
        - *Melaleuca armillaris* Tall Shrubland; and
        - Blue Gum-White Box Woodland/Forest;
    (b) justify why this area(s) is suitable for the compensatory habitat proposal;
    (c) establish baseline data for the existing habitat in the proposed compensatory habitat area(s);
    (d) describe how the compensatory habitat proposal would be implemented;
    (e) set completion criteria for the compensatory habitat proposal; and
    (f) describe how the performance of the compensatory habitat management proposal would be monitored over time.

50. The Remnant Vegetation Conservation Plan must:
   (a) describe what measures would be implemented to conserve, maintain and enhance the vegetation in the area to the south of the development marked in the map in Appendix 2;
   (b) establish baseline data for the existing vegetation in the area; and
   (c) describe how the performance of the measures described in (a) above would be monitored over time.

Reporting

51. The Applicant must include a progress report on the implementation of the Flora and Fauna Management Plan in the Annual Review.

Independent Audit

52. Within 3 years of the date of this consent, and every 5 years thereafter unless the Secretary directs otherwise, the Applicant must commission, and pay the full cost of an Independent Audit of the Flora and Fauna Management Plan. This audit must:
   (a) be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Secretary;
   (b) assess the performance of the Flora and Fauna Management Plan;
   (c) review the adequacy of the Flora and Fauna Management Plan; and, if necessary,
   (d) recommend actions or measures to improve the performance and/ or adequacy of the Flora and Fauna Management Plan.

REHABILITATION

Rehabilitation

53. The Applicant must progressively rehabilitate the site to the satisfaction of the Secretary.

Rehabilitation Management Plan

54. Within 6 months of the date of this consent, the Applicant must prepare a Rehabilitation Management Plan for the site to the satisfaction of the Secretary. This plan must:
   (a) identify the disturbed area at the site;
   (b) describe in general the short, medium, and long-term measures that would be implemented to rehabilitate the site;
   (c) describe in detail the measures that would be implemented over the next 5 years to rehabilitate the site; and
   (d) describe how the performance of these measures would be monitored over time.

   The Applicant must implement the approved management plan as approved from time to time by the Secretary.

55. Within 5 years of providing the Rehabilitation Management Plan to the Secretary, and every 5 years thereafter, the Applicant must review and update the plan to the satisfaction of the Secretary.

Rehabilitation and Conservation Bond

56. Within 6 months of the date of this consent, the Applicant must lodge a suitable rehabilitation and conservation bond for the development with the Secretary. The sum of the bond must be calculated at:
   (a) \$2.50/ m^2 for the area of disturbance at the development; and
   (b) \$3.00 /m^2 of the area of the compensatory habitat proposal (see Condition 49 above)

   to the satisfaction of the Secretary.

   Notes:
   - *If the rehabilitation and compensatory habitat proposal is completed to the satisfaction of the Secretary, the Secretary will release the rehabilitation and conservation bond.*
   - *If the rehabilitation and compensatory habitat proposal is not completed to the satisfaction of the Secretary, the Secretary will call in all or part of the rehabilitation and compensation bond, and arrange for the satisfactory completion of these works.*

57. Within 3 years of lodging the rehabilitation and conservation bond with the Secretary, and every 5 years thereafter, unless the Secretary directs otherwise, the Applicant must review, and if necessary revise, the sum of the rehabilitation bond to the satisfaction of the Secretary. This review must consider:
   (a) the effects of inflation;
   (b) any changes to the area of disturbance; and

(c) the performance of the compensatory habitat proposal.

Reporting

58. The Applicant must include a progress report on the Rehabilitation Management Plan in the Annual Review.

TRAFFIC AND TRANSPORT

North Kiama Bypass

59. The Applicant must facilitate access to the North Kiama Bypass along Tabbita Road in accordance with the terms set out in the Deed of Agreement between the Applicant and Dunmore Sand and Soil Pty Ltd, dated 29 July 2004.

Transport Management Plan

60. The Applicant must prepare a Transport Management Plan for the development to the satisfaction of the Secretary. This plan must:
    (a) be prepared by a suitably qualified traffic consultant, in consultation with RMS and Council, and submitted to the Secretary for approval by 31 May 2014;
    (b) include a drivers' code of conduct for the development;
    (c) describe the measures that would be implemented to ensure:
    - all drivers of development-related vehicles comply with the drivers' code of conduct; and
    - compliance with the relevant conditions of this consent; and

    (d) include a program to monitor the effectiveness of the implementation of these measures.

    The Applicant must implement the approved management plan as approved from time to time by the Secretary.

Cumulative Traffic Impact Study

60A. The Applicant must, in conjunction with the operators of the Bass Point Quarry and the Albion Park Quarry, cause to be prepared an independent Cumulative Traffic Impact Study. The study must:
    (a) be undertaken by a suitably qualified traffic consultant, whose appointment has been approved by the Secretary;
    (b) be commissioned by 30 June 2014, and completed by 31 October 2014, or as otherwise agreed in writing by the Secretary;
    (c) be co-funded by the operators of the Dunmore, Bass Point and Albion Park quarries, proportionate to the quarries' respective quarry product road transport limits, as approved at 30 June 2014;
    (d) include a comprehensive assessment of current and future projected cumulative traffic impacts of the three quarries on the classified road network, undertaken in consultation with the RMS; and
    (e) identify any reasonable and feasible measures that can be implemented to minimise the traffic and road safety impacts of quarry trucks on Mount Ousley Road, and the likely cost of implementing these measures.

60B. The Applicant must, in conjunction with the operators of the Bass Point Quarry and the Albion Park Quarry, prepare and implement a program to implement any reasonable and feasible measures identified in the Cumulative Traffic Impact Study not already undertaken by the Applicant, in an equitable manner with the two other quarry operators, to the satisfaction of the Secretary. The program must be submitted to the Secretary for approval by 28 February 2015, or as otherwise agreed in writing by the Secretary.

Parking

61. The Applicant must provide sufficient parking on-site for all quarry-related traffic to the satisfaction of the Secretary.

Road Haulage

62. The Applicant must ensure that all loaded vehicles entering or leaving the site are covered.

63. The Applicant must ensure all loaded vehicles leaving the site are cleaned of materials that may fall on the road before they are allowed to leave the site.

ABORIGINAL HERITAGE

64. The Applicant must not destroy Aboriginal site DQ2 before it has obtained approval from the OEH under section 90 of the *National Parks & Wildlife Act 1974*.

    Notes:
    - *The OEH has indicated that it will issue this approval subject to conditions.*
    - *If a salvage component (including "community collection") is to accompany the application under section 90, the application should include a methodology/research design for the salvage activity, and an application for care and control of any recovered and collected Aboriginal objects by the Aboriginal community involved.*

65. Within 6 months of the date of this consent, the Applicant must conserve Aboriginal site DQ2004/1 in consultation with the Aboriginal community, and to the satisfaction of the OEH.

VISUAL IMPACT

Visual Amenity

66. The Applicant must minimise the visual impacts of the development to the satisfaction of the Secretary.

67. Prior to carrying out any development that would be visible from the areas to the south west of the quarry, the Applicant must construct, and subsequently maintain, the proposed visual/ noise bund between the Croome Farm extraction area and the Jamberoo Valley to the satisfaction of the Secretary.

67A. The Applicant must:
   a) construct the blending plant in the location shown on the figure in Appendix 4; and
   b) ensure the maximum height of the blending plant is no greater than 15.2 m.

Lighting Emissions

68. The Applicant must take all practicable measures to prevent and/or minimise any off-site lighting impacts from the development.

69. All external lighting associated with the development must comply with *Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting*.

WASTE MANAGEMENT

Waste Minimisation

70. The Applicant must minimise the amount of waste generated by the development to the satisfaction of the Secretary.

Waste Classification

71. [12]All liquid and non liquid wastes resulting from activities and processes at the site must be assessed, classified and managed in accordance with the EPA's Environmental Guidelines*: Assessment, Classification and Management of Liquid and Non-liquid Wastes (1999),* or any other EPA document superceding this guideline.

Reporting

72. The Applicant must describe what measures have been implemented to minimise the amount of waste generated by the development in the Annual Review.

EMERGENCY AND HAZARDS MANAGEMENT

Dangerous Goods

73. The Applicant must ensure that the storage, handling, and transport of dangerous goods is done in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the Dangerous Goods Code.

[12] Incorporates EPA GTA

Safety

74. The Applicant must secure the development to ensure public safety to the satisfaction of the Secretary.

Emergency Management

75. [13]Within 6 months of the date of this consent, the Applicant must document, and subsequently implement measures to minimise the environmental impacts of any emergency situations that could arise as a result of the operation of the Dunmore Quarry to the satisfaction of the EPA. This documentation must:
    (a) identify any significant threats to the environment and/ or public health that could arise from activities associated with the operation of the quarry or construction works associated with the production increase. These threats may include excessive rainfall, problems during construction and operation, pump failures, excess flocculation, power or other utility failure, natural disaster, landslip, accidental spills and discharges, train derailment, spillage from trucks, fire etc;
    (b) identify any subsequent direct or indirect environmental effects as a result of the threats;
    (c) identify the pollution that would result due to these threats and impacts on operations and what impact the pollution would have on the health of the community and the environment;
    (d) develop actions to effectively respond to the disruption of operations so the risk of pollution is minimised;
    (e) develop a communications strategy for alerting relevant agencies and the potentially affected community in the event of the disruption to operations leading to significant pollution;
    (f) ensure that all relevant employees are familiar with the documentation; and
    (g) when developing this documentation identify any opportunities to integrate with Boral Emergency plans.

BUSHFIRE MANAGEMENT

76. The Applicant must:
    (a) ensure that the development is suitably equipped to respond to any fires on-site; and
    (b) assist the Rural Fire Service and Emergency Services as much as possible if there is a fire on-site.

77. Within 6 months of the date of this consent, the Applicant must prepare a Bushfire Management Plan for the development, to the satisfaction of Council and the Rural Fire Service.

PRODUCTION DATA

78. The Applicant must:
    (a) provide annual production data to the DRE using the standard form for that purpose; and
    (b) include a copy of this data in the Annual Review.

[13] Incorporates DECC GTA

SCHEDULE 5
ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. If the Secretary requires, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:
   (a) be submitted to the Secretary for approval within 6 months of the Secretary requiring preparation of the strategy by notice to the Applicant;
   (b) provide the strategic framework for the environmental management of the development;
   (c) identify the statutory approvals that apply to the development;
   (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
   (e) describe the procedures that would be implemented to:
   - keep the local community and relevant agencies informed about the operation and environmental performance of the development;
   - receive, handle, respond to, and record complaints;
   - resolve any disputes that may arise during the course of the development;
   - respond to any non-compliance; and
   - respond to emergencies; and

   (f) include:
   - copies of any strategies, plans and programs approved under the conditions of this consent; and
   - a clear plan depicting all the monitoring required to be carried out under the conditions of this consent.

   The Applicant must implement any Environmental Management Strategy as approved from time to time by the Secretary.

Management Plan Requirements

2. The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:
   (a) detailed baseline data;
   (b) a description of:
   - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
   - any relevant limits or performance measures/criteria; and
   - 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) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
   (d) a program to monitor and report on the:
   - impacts and environmental performance of the development; and
   - effectiveness of any management measures (see (c) above);

   (e) 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;
   (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
   (g) a protocol for managing and reporting any:
   - incidents;
   - complaints;
   - non-compliances with statutory requirements; and
   - exceedances of the impact assessment criteria and/or performance criteria;

   (h) a protocol for periodic review of the plan; and
   (i) a document control table that includes version numbers, dates when the management plan was prepared and reviewed, names and positions of people who prepared and reviewed the management plan, a description of any revisions made and the date of the Secretary's approval.

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

Updating & Staging Submission of Strategies, Plans or Programs

3. To ensure the strategies, plans or programs under this consent are updated on a regular basis, and that they incorporate any appropriate mitigation measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis.

   With the agreement of the Secretary, the Applicant may revise any strategy, plan or program approved under this consent without consulting with all the parties nominated under the applicable conditions of consent.

   Notes:
   - *While any strategy, plan or program may be submitted on a staged basis, the Applicant will need to ensure that the existing operations associated with the development are covered by suitable strategies, plans or programs at all times.*
   - *If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program.*

Revision of Strategies, Plans & Programs

4. Within 3 months of the submission of an:
   (a) incident report under condition 7 below;
   (b) Annual Review under condition 9 below;
   (c) audit report under condition 10 below; and
   (d) any modifications to this consent,

   the Applicant must review, and if necessary revise, the strategies, plans, and programs required under this consent, to the satisfaction of the Secretary.

   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.

Adaptive Management

5. The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 4. Any exceedance of these criteria and/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 and/or performance measures has occurred, the Applicant must, at the earliest opportunity:
   (a) take all reasonable and feasible measures 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 remediation measures as directed by the Secretary,

   to the satisfaction of the Secretary.

COMMUNITY CONSULTATIVE COMMITTEE

6. The Applicant must operate a Community Consultative Committee (CCC) for the development, to the satisfaction of the Secretary. This CCC must be operated in general accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007, or its latest version)

   Notes:
   - The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent.
   - In accordance with the guideline, the committee should be comprised of an independent chair and appropriate representation from the Applicant, Council, and the local community.
   - The requirement for this CCC may be fulfilled by a regional CCC for any two or more of Boral's quarrying operations in the South Coast area.

REPORTING

Incident Reporting

7. The Applicant must immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

Regular Reporting

8. The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.

Annual Review

9. By the end of September each year, or other timing as may be agreed by the Secretary, the Applicant must submit a report to the Department reviewing the environmental performance of the development to the satisfaction of the Secretary. This review must:
   (a) describe the development (including 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, which includes a comparison of these results against the:
      - relevant statutory requirements, limits or performance measures/criteria;
      - requirements of any plan or program required under this consent;
      - monitoring results of previous years; and
      - relevant predictions in the documents listed in condition 2 of Schedule 3;
   (c) identify any non-compliance over the last financial year, and describe what actions were (or are being) taken to ensure compliance;
   (d) identify any trends in the monitoring data over the life of the development;
   (e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
   (f) describe what measures will be implemented over the current financial year to improve the environmental performance of the development.

   The Applicant must ensure that copies of the Annual Review are submitted to Council and are available to the Community Consultative Committee (see condition 6 of Schedule 5) and any interested person upon request.

INDEPENDENT ENVIRONMENTAL AUDIT

10. Prior to 1 April 2017, and every three years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:
   (a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
   (b) include consultation with the relevant agencies and the CCC;
   (c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL and/or Water Licences (including any assessment, plan or program required under these approvals);
   (d) review the adequacy of any approved strategies, plans or programs required under the abovementioned approvals;
   (e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under the abovementioned approvals; and
   (f) be conducted and reported to the satisfaction of the Secretary.

   Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.

11. Within 12 weeks of commencing this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report.

ACCESS TO INFORMATION

12. By 31 December 2016, unless otherwise agreed by the Secretary, the Applicant must:
    (a) make the following information publicly available on its website:
    - the documents listed in condition 2 of Schedule 3;
    - current statutory approvals for the development;
    - approved strategies, plans or programs required under the conditions of this consent;
    - 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;
    - a complaints register, updated quarterly;
    - the Annual Reviews (over the last 5 years);
    - any independent environmental audit, and the Applicant's response to the recommendations in any audit;
    - any other matter required by the Secretary; and

    (b) keep this information up-to-date,

    to the satisfaction of the Secretary.

APPENDIX 1
SCHEDULE OF LAND

Land to which the Development Application refers:

Local Government Area:

Shellharbour

Suburb, town or locality:

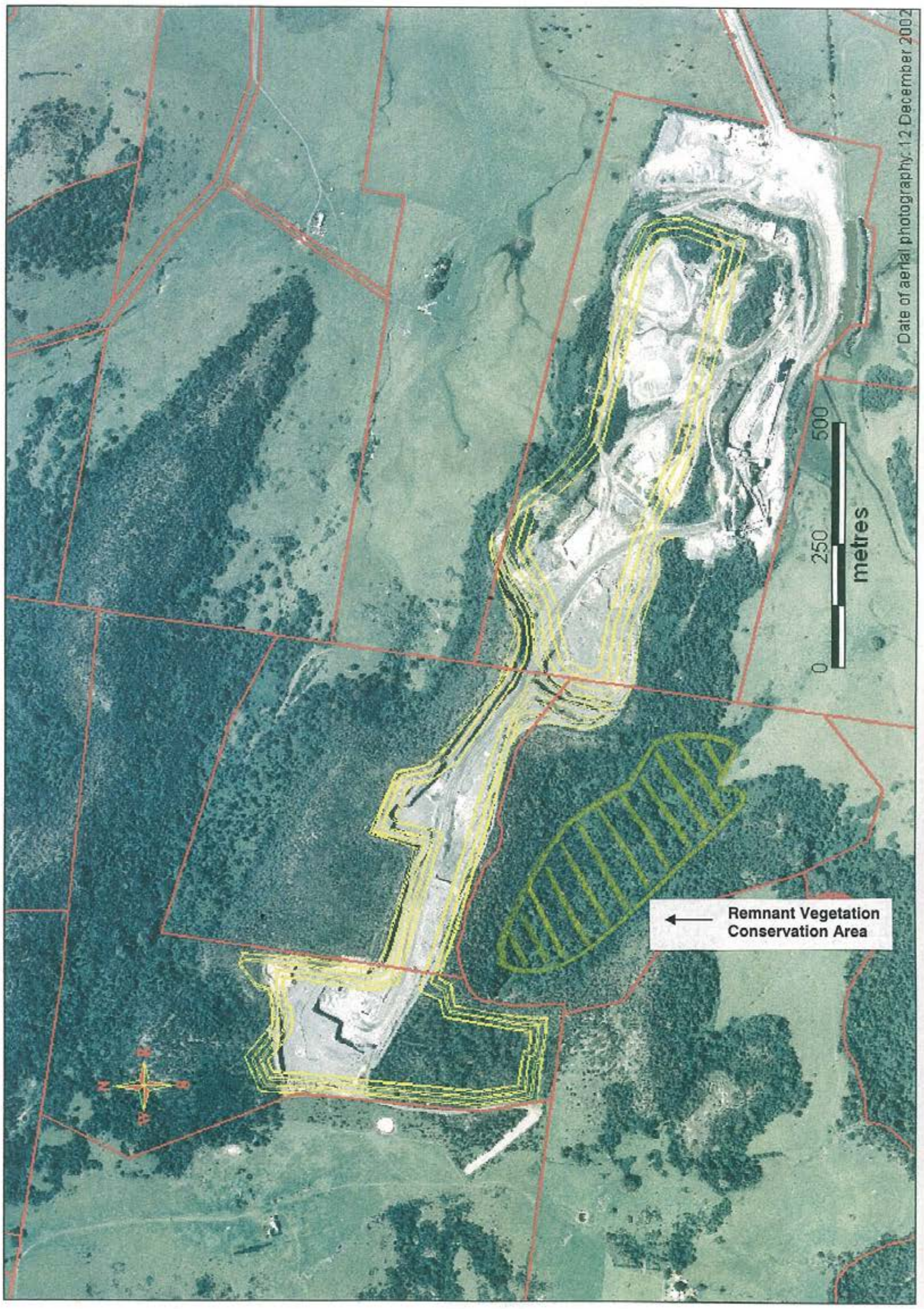
Dunmore

Land:

Lot No.	DP No.
Lot 1	DP 213575
Lot 3	DP 1030504
Lot 4	DP 1030504
Lot 4	DP 227046
Lot 1	DP 1002951
Lot 1	DP 224597
Lot 2	DP 224597
Lot 4	DP 571406
Lot 6	DP 1001931

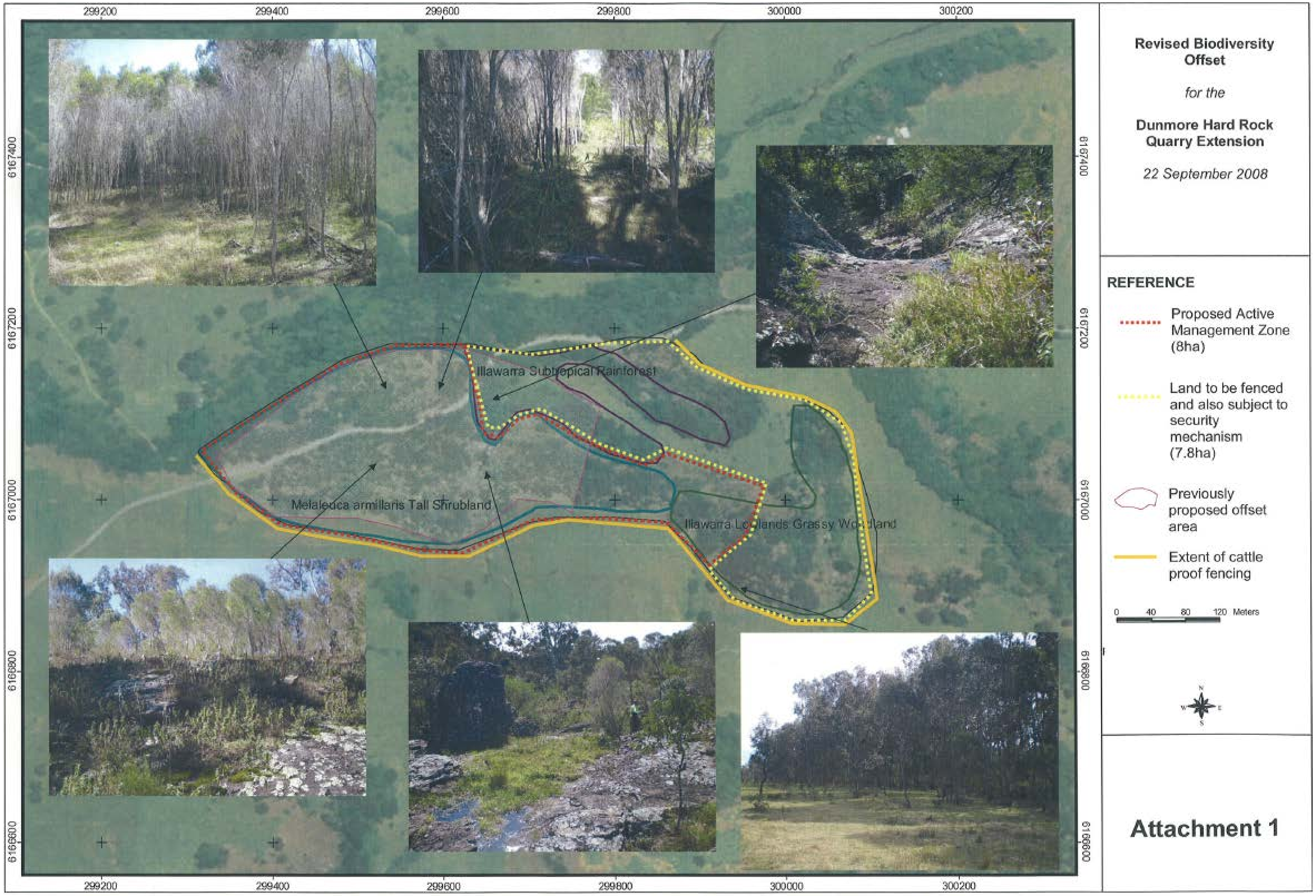
APPENDIX 2

REMNANT VEGETATION CONSERVATION AREA



APPENDIX 3

BIODIVERSITY OFFSET



Appendix 4
Location of Blending Plant

FIGURE 3
Blending plant location

DUNMORE HARD ROCK QUARRY - PROPOSED BLENDING PLANT

031043 F3 281014_V02

PACT.

Appendix 5
Location of Bund