

Appendix 4

Independent Environmental Audit

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FINAL REPORT

Independent Environmental Audit Oberon White Granite Quarry

Prepared for

Mudgee Stone Company Pty Ltd

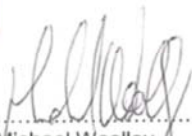
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17 July 2008

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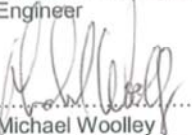
INDEPENDENT ENVIRONMENTAL AUDIT OBERON WHITE GRANITE QUARRY

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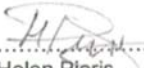
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Section 1

Introduction

1.1 Background

URS Australia Pty Ltd (URS) was engaged by Mudgee Stone Company Pty Ltd ("the Company") to undertake an independent environmental audit report of the Oberon White Granite Quarry, Oberon, NSW.

The requirement for the independent environmental audit arises from the Director – General's requirements for an environmental assessment for a proposed extension of the quarry.

The audit has been completed according to the Director-General's Requirements as detailed in URS' proposal dated 21 February 2008 and as described in Section 1.2 below.

This is the first independent audit to be undertaken at Oberon Quarry and covers the life of the quarry, from 2004/2005 until March 2008. This report presents the findings of the audit. Limitations to the report are detailed in Section 6 of this report.

1.2 Scope of Work

The audit was conducted in accordance with the requirements set out in the Director - General's Requirements issued on 18 September 2007 for Project Application no. 07_0122.

The requirement states that the environmental assessment for the proposed extension of the Oberon White Quarry must include:

"the results of a recent independent environmental audit of the environmental performance of the approved quarry and whether it is complying with the existing conditions of approval"

1.3 Audit Methodology

The audit methodology comprised:

- A site inspection and interviews with key site personnel on 19 March 2008. No site excavation or crushing activities were underway during the site inspection;
- Review of relevant documentation provided by the Company and RW Corkery & Co Pty Limited (has been commissioned by the Company to prepare an Environmental Assessment for the extended operations of the quarry); and
- Submission of a Report to Mudgee Stone Company outlining the audit findings.

1.4 Personnel and Timing

Michael Woolley, Principal Environmental Engineer and Helen Pieris, Senior Environmental Scientist, both with URS, conducted the audit.

The site visit for the audit was conducted at the Oberon White Granite Quarry on 19 March 2008.

Michael is registered by RABQSA as a Certified Lead Auditor for Environmental Management, Site Contamination Assessment and Compliance Auditing.

Personnel interviewed comprised:

- Robert Murdoch, General Manager – Mudgee Stone Company.

In addition, some information was provided post site inspection by R.W Corkery & Co Pty Limited.

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Section 1

Introduction

1.5 Format of the Report

The format of this report is as follows:

- Section 1 is introductory and defines the scope and nature of the audit;
- Section 2 describes the Oberon White Granite Quarry operations as observed during the site inspection;
- Section 3 provides an assessment of the environmental performance of the development and its effects on the surrounding environment;
- Section 4 provides an assessment against the Conditions of Consent issued for operation of the quarry with details provided in Appendix A; and
- Section 5 provides a summary of the findings and recommendations of the audit.

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Section 2

Overview of Operations at Oberon Quarry

2.1 Oberon White Granite Quarry

2.1.1 Site Description and Development

The Oberon White Granite Quarry is located approximately 6 kilometres east south east of Oberon on the NSW Central Tablelands in the Oberon Council Local Government Area. The subject land is defined as Lot 2 DP1089826 and encompasses an area of approximately 40 hectares of which less than 2 hectares has been disturbed by quarrying activities.

The Land and Environment Court approved development application (DA) 126/03 for the operation of a granite quarry in January 2005. The approval was for the extraction of 20,000-25,000 tonnes of white granite per annum and one to two blasts per year. Crushing campaigns occur approximately four times per year for 2-3 weeks at a time. Loading and transportation is the only activity on site for approximately 10 months per year.

The site does not currently require an Environment Protection Licence as the amount extracted is below the quantity triggering a licence under Schedule 1 of the Protection of the Environment Operations Act 1997.

The Company is currently seeking an extension of the quarry for extracting, processing and transporting up to 250,000 tonnes of extractive materials a year for 30 years.

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Section 3

Environmental Performance

This Section of the report addresses the requirement to assess the environmental performance of the approved development as stated in the Director – General's Requirements.

The assessment of environmental performance of the approved development has been undertaken through a review of environmental performance data and observations made during the site visit on 19 March 2008.

This section provides a review of the environmental performance through consideration of the following aspects of the operation:

- Air quality;
- Erosion and sedimentation;
- Waste;
- Surface water pollution;
- Groundwater pollution;
- Contaminated or polluted land and hydrocarbon contamination;
- Threatened flora and fauna;
- Rehabilitation;
- Weeds;
- Blasting;
- Operational noise;
- Traffic and Access,
- Visual/light pollution;
- Aboriginal heritage;
- Natural heritage; and
- Bushfire management.

Where the findings of the assessment have led to recommendations being made to improve performance, these are presented in Section 5 of the report.

3.1 Air Quality

Potential dust sources include blasting (1-2 times per year), occasional crushing activities, loading of trucks and fugitive dusts.

It was reported that dust is visually monitored during crushing campaigns and control measures implemented as required. The Quarry Procedure for Excavation (contained in the Drill, Crushing and Screening Safety Management Manual) states that water suppression should be used on windy days.

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The Quarry Procedure for Crushing and Screening states that water spray should always be used if available to control dust emissions.

No complaints have been reportedly received to date relating to dust. No dust was observed during the site visit (although it is acknowledged no crushing or loading activities were observed during the site visit). Given the relatively small size and occasional nature of the operation, dust emissions or related issues are not considered significant.

3.2 Erosion and Sedimentation

A Sediment and Erosion Control Plan for the quarry has been prepared by Jammel Environmental & Planning Services in consultation with the then Department of Infrastructure Planning and Natural Resources (DIPNR, now Department of Planning and Department of Water and Energy). The Department conducted a site inspection on the 5 October 2005 to determine compliance with the Sediment and Erosion Control Plan and, subject to some minor issues being actioned, was satisfied with the surface run off management and erosion control measures implemented.

During the audit site inspection, the sediment controls generally appeared to be effective. Clean water is diverted away from the quarry face and into natural gullies either side of the quarry. Runoff from quarrying activities collects in the extraction area before overflowing through a pipe (or seeping through the earth bund) then through a series of sediment fences across the main drainage line and into the sediment dam.

The sediment dam was observed to be almost empty and beyond the dam there was no evidence of silt deposits from the quarry.

It was reported that the former Department of Land and Water Conservation recommended that the walls of the sediment dam are battered back and lined with rip rap. It is noted that undertaking these works would involve clearing a path in the vegetation for machinery to access the dam causing some vegetation and soil disturbance.

Some areas where improvements could be made were noted as follows.

- Some sediment was observed in sections of the drainage line upstream from the sediment dam indicating movement of some soils from the quarry area to immediately downstream of the quarry footprint (but not beyond the sediment dam).
- Some overburden was stored in piles close to the drainage channel to the west of the quarry. Management should ensure stockpiled soils are not stored where they could be transported to the drainage line.

Given the age of the Sediment and Erosion Control Plan, a review of the plan is considered to be warranted to ensure controls are effective and still relevant to the operation.

3.3 Waste Management

Due to the small scale of the site operations, waste was not considered a significant issue. Apart from waste rock, general waste management is not reported in the AEMR.

No inappropriate waste disposal within the quarry area was sighted.

3.4 Surface Water Pollution

No water pollution incidents or complaints were reported in the 2005-2006 AEMR or 2006-2007 AEMR.

During the site visit, the sediment dam was almost empty with no evidence of a recent overflow event observed. It was reported that there had been no instances of overflow from the sediment dam to date.

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3.5 Groundwater

The 2005-2006 and 2006-2007 AEMRs state that groundwater is monitored visually (monitoring involved simply noting the presence or absence of groundwater during drilling) with "no irregularities identified". It was also advised that significant quantities of groundwater had not been encountered during operations. It was also advised that groundwater inflow into the quarry is limited to surficial flows following rainfall events. No groundwater quality monitoring has been undertaken on site and hence no results were available for review.

3.6 Contaminated or Polluted Land and Hydrocarbon Management

It was reported that fuels are brought on site as required. Minor quantities are stored within the storage sheds. A 205 L drum of oil was observed during the site inspection stored on a bunded spill pallet outside the storage shed.

All scheduled maintenance and repair is reportedly undertaken off site at the Mudgee Dolomite and Lime workshop. Machinery oil levels are checked as part of the pre-start inspections and oil levels topped up as required.

No stains or evidence of hydrocarbon spills were noted at the quarry.

3.7 Threatened Flora and Fauna

The Flora and Fauna Assessment conducted as part of the Statement of Environmental Effects accompanying the development application for the approved quarry recommended that, apart from the area proposed for quarrying, the remainder of the site be managed for conservation values. Other recommendations included excluding grazing, controlling weeds, removing the fruit trees fringing the access road, and using species indigenous to the locality for rehabilitation.

During the site visit the following were observed:

- Stock proof fencing appeared to be in good condition. Some evidence of cow pads were observed though these were minimal and the site did not appear to be used for general grazing. No cows were observed in the quarry area.
- Some weeds were observed to have colonised the stockpile of stripped topsoil. Weeds were also identified in small numbers in some areas of disturbance around the quarry.
- No fruit trees were observed during the site inspection.

The 2005-2006 and 2006-2007 AEMR reported that no evidence of feral animal problems have been recorded at the site to date.

3.8 Rehabilitation

Rehabilitation works have been limited by operational restrictions limiting areas available for rehabilitation. The stockpile of stripped top soil was observed to have reseeded with native grasses although some weeds were noted as mentioned above.

Compensatory planting was carried out along the roadway at the entrance to the site. Some seedlings were sighted during the site inspection however full scale plant establishment has been affected by drought conditions. It was unable to be verified during the audit that the total area of reseeded was equivalent to the area of disturbance as required by the quarry approval.

A Landscape Plan has been prepared for the site and approved by Oberon Council, however, the plan was not sighted during the audit and an assessment of its implementation was therefore not able to be made.

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3.9 Weeds

It was reported that weed control is undertaken on an as-needs basis. The 2005-2006 and 2006-2007 AEMRs reported that weed management had not been undertaken to date. Some weeds were observed to have colonised the topsoil stockpile as indicated above, and weeds were also observed in some other disturbed areas of the quarry.

3.10 Blasting and Vibration

Blasting is currently limited to one to two blasts per year by the Conditions of Consent. It was advised that blast frequency is assessed over a financial year which is coincident with the AEMR reporting period. A review of the Drill and Blast records indicated that blasting was undertaken on two occasions during the financial year 2005 – 2006, two occasions in financial year 2006 – 2007 and once during the current financial year (2007 – 2008) to date. Blasts were generally undertaken in the afternoon complying with the 9 am to 5 pm time period.

Monitoring of blasting is undertaken by Orica Quarry Services. Blasting results were sighted for blasts undertaken on the 8 April 2005 and the 23 July 2007. In both instances monitoring was undertaken at two locations within the quarry property boundary approximately 150 m and 350 m from the blast. In both instances and at both locations the measured ground vibration was below the ANZECC guideline recommended limit of 5 mm/s and the overpressure level below the 115 dBL recommended limit. Compliance at these locations would be expected to indicate compliance would be achieved at more distant locations ie at surrounding residences.

3.11 Operational Noise

Noise monitoring was undertaken by Indigo Acoustics on the 3 August 2006 at two locations within the site boundary (in front of the shed and behind the shed). The report noted that whilst the quarry was occasionally audible in front of the shed it wasn't measurable and the measured noise levels were not believed to represent quarrying noise. The report stated that 20 m outside the boundary of the site (in view of the closest house approximately 250 m away) the quarry operation was not audible.

The sound pressure level of the crusher at 50m, 100m and 150m was measured by Indigo Acoustics on the 1 August 2007 and a noise level of 30dBA predicted at the nearest residence to the south west. This is below the reported noise goal of 35dBA.

The following noise mitigation measures have been implemented on site:

- A six metre high acoustic barrier comprising of an earth bund topped with large boulders has been constructed adjacent to the south west corner of the processing storage area.
- Avoiding the simultaneous operation of drilling and crushing activities.
- Setting a 40km/hour speed limit on site for all vehicles.
- Reported installation of low frequency reversing alarms on the loader and excavator (not verified during site inspection).

It was reported that there was one instance where a rock hammer was used on site (for a period of approximately 15 minutes). This activity ceased upon contact from Oberon Council. An application for a three month rockbreaking trial was rejected by Oberon Council.

3.12 Traffic and Access

The Consent Conditions limit off-site transport to three truck arrivals and departures per day (ie total of six movements). This appears to be based on the Statement of Environmental Effects which indicates that truck movements were predicted, on average, to be six per day. Hence, for the purposes of this audit, it

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has been assumed that the Consent Condition requirement of 6 truck movements per day is an average figure.

Sales records provided by Mudgee Stone Company and reviewed by URS indicated that whilst on some days the daily truck movements exceeded the six movement per day requirement, truck movements averaged over the period of operations were below the requirement. The truck movements were averaged over for the entire reporting period and over the days that carting was carried out and in both instances average movements were below the 6 movement per day (averaged) requirement.

No other assessment of Traffic and Access operations has been carried out as part of this review.

3.13 Visual

The site is located within an approximately 80 hectare patch of remnant bushland of which less than two hectares within the site is disturbed by quarrying activities. Considering the small scale of the operations it is not considered that the quarry represents significant visual impact to the area. A full assessment of the visual impact of the quarry was not undertaken during the site inspection.

3.14 Aboriginal and European Heritage

A representative of the Pejar Local Aboriginal Land Council (LALC) conducted a site survey in 2003 and noted that nothing of cultural significance was located on the actual proposed quarry site. An additional site assessment was undertaken by the Pejar LALC on the 28 November 2006 for a new area of approximately 4ha relating to potential extensions at the quarry during which it was recorded that no Aboriginal heritage was identified.

No buildings or items of European heritage were identified in the Statement of Environmental Effects.

3.15 Bushfire Management

A Fire Management Plan is required to be developed for the site in accordance with the recommendations made in the Flora and Fauna Assessment and CoC 6f). A plan has reportedly been prepared and submitted to Oberon Council however was not sighted as part of the audit.

Section 4

Compliance with Conditions of Approval

4.1 Conditions of Consent (CoC) Compliance

The status of Oberon Quarries' performance, during URS's audit, in respect of each of the Conditions of Consent (CoC) is presented in Appendix A.

Performance categories in respect of compliance are defined as follows:

- Compliant - currently in compliance;
- Non-compliant - currently not in compliance;
- Not applicable - condition of consent not applicable at time of audit;
- Indeterminate - it has not been possible to determine whether compliance exists.

Comments are listed beside each condition to explain aspects of the audit review. Where considered relevant, observations have been made regarding specific compliance issues.

In general, no specific or rigorous assessment of documents required as part of meeting the CoC has been undertaken during the assessment, particularly where they have been signed off by other parties (for example DoP).

A summary of the non-compliance issues identified in the assessment against the consent conditions and other recommendations made as part of the assessment of the environmental performance of the site is provided in Section 5.

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Section 5 Summary of Non Compliances and Recommendations

Table 5-1 below presents a summary of the Conditions of Consent that were assessed as non compliant or indeterminate as well as the recommendations presented. Table 5-2 summarises additional recommendations relating to Conditions of Consent that were assessed as compliant as well as recommendations made following the assessment of the environmental performance of the site.

Table 5-1 Summary of non compliances and recommendations

CoC No.	Summary of Requirement	Non Compliant / Indeterminate	Comment	Recommended Action
2	Operating Parameters	Non compliant with one of the operating parameters	Exceeded maximum permitted site disturbance.	Specifying recommendations for addressing this non-compliance is difficult as the area has been exceeded and this cannot be reversed.
6(f)	Prepare Fire Management Plan and submit to Oberon Council	Non - Compliant	Fire Management Plan was not made available.	Prepare Fire Management Plan as required and issue to Council.
19 (b)	There shall be no storage of fuels, oils or other contaminants on Lot 13 DP 603429.	Non – Compliant	It was reported that fuels are brought on site as required. Minor quantities are stored within the storage sheds outside of the quarry. A 205L drum of oil was observed during the site inspection stored on a bundled spill pallet outside the storage shed.	In order to comply with 19b) there shall be no storage of fuels, oils or other contaminants. If storage of minor quantities is continued on site they should be provided with secondary containment.
7 a)	Carry out compensatory planting to replace equivalent area cleared by quarry	Indeterminate	Compensatory planting was carried out along the roadway at the entrance to the site. Some seedlings were sighted during the site inspection however full scale plant establishment has been effected by drought conditions. The area of seedlings/planting did not appear to match the area of disturbance of the quarry.	Replanting should be conducted to ensure that the replanted area is similar to the area of disturbance. Measurement of the area of planting would be required to demonstrate compliance with this Condition.

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Section 5 Summary of Non Compliances and Recommendations

CoC No.	Summary of Requirement	Non Compliant / Indeterminate	Comment	Recommended Action
16 b) and c)	Implement the recommendations listed in the Blast Impact Assessment Report. Operate the site in accordance with Clause 3.3.5 of the Statement of Environmental Effects.	Indeterminate	Best practice noise control features such as the fitting of low level reversing alarms were not sighted or verified.	Noise controls should be installed as required by the consent condition.
19 c)	Provide to Council a Spill Management and Clean-Up Plan prior to the commencement of any quarrying activity.	Indeterminate	It was reported that a Spill Management Plan was prepared and submitted to Council (this plan was not observed)	A spill management plan should be developed and implemented as required by the condition.

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Section 5 Summary of Non Compliances and Recommendations

Table 5-2 Summary of additional recommendations not relating to Consent Condition non-compliances

CoC No.	Summary of Requirement	Recommended Action
6 b) & e)	Encourage regeneration of native vegetation. Include report on progress of rehabilitation in AEMR.	Develop and implement documented weed control /management of topsoil stockpile and across the site. Implement a process for review of the adequacy of weed controls across the site. Include more information in the AEMR on progress of rehabilitation.
9	Council and all neighbouring residents within a 2 km radius of the quarry shall be given notice in writing of the proposed blasting schedule, at least 24 hours prior to blasting commencing.	Site should keep copies of letters to demonstrate compliance with the requirement.
10	Prepare and submit Annual Environmental Monitoring Report to Council	The AEMRs could be improved by adding more information on progress and performance. For example the following data could be included: -Dates of blasting -Details of notifications to surrounding residences -Details of traffic movements -Results of noise and blasting monitoring -Details of rehabilitation works etc
16 b)	Implement recommendations in Blast Impact Assessment Report	If the oversized boulders are removed from site, the height of the earth bund should be checked to ensure compliance with the 6m height requirement. Ensure time fired is recorded on all Drilling and Blasting Reports (some reports did not contain this information).
-	Sediment and Erosion Control	Some sediment was observed in the upstream sections of the drainage line indicating movement of some soils from the quarry area to immediately downstream of the quarry footprint. Controls should be improved to prevent movement of soils from this area. Some overburden was stored in piles close to the drainage channel to the west of the quarry. Management should ensure stockpiled soils are not stored where they could be transported to the drainage line. Given the age of the Sediment and Erosion Control Plan, a review of the plan may be warranted to ensure controls are effective and still relevant to the operation.

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Section 6

Limitations

URS has prepared this report in accordance with the usual care and thoroughness of the consulting profession for the use of Mudgee Stone Company Pty Ltd and only those third parties who have been authorised in writing by URS to rely on the report. It is based on generally accepted practices and standards at the time it was prepared. No other warranty, expressed or implied, is made as to the professional advice included in this report. It is prepared in accordance with the scope of work and solely for the purpose outlined in the Proposal dated 21 February 2008 (ENV_358).

The methodology adopted and sources of information used by URS are outlined in this report. URS has made no independent verification of this information beyond the agreed scope of works and URS assumes no responsibility for any inaccuracies or omissions. No indications were found during our investigations that information contained in this report as provided to URS was false.

This report was prepared between March and June 2008 and is based on the conditions encountered and information reviewed at the time of preparation. URS disclaims responsibility for any changes that may have occurred after this time.

This report should be read in full. No responsibility is accepted for use of any part of this report in any other context or for any other purpose or by third parties. This report does not purport to give legal advice. Legal advice can only be given by qualified legal practitioners.

INDEPENDENT ENVIRONMENTAL AUDIT OBERON WHITE GRANITE QUARRY			
Appendix A		Consent Condition Compliance	
Consent Condition	Evidence Sighted	Compliance Status	Recommendations
1. Except as modified by the following conditions the proposed development is to be carried out in accordance with the stamped approved document "Oberon White Granite Quarry –Amended Statement of Environmental Effects" dated 10 February 2004, prepared by Mudgee Stone Company Pty Ltd (the Statement of Environmental Effects). The reference to manufacturers names and equipment model numbers in clause 2.6 of the Statement of Environmental Effects shall be disregarded and the descriptions of equipment and sound power levels in the Atkins Report table 9 takes precedence	The Development has been carried out generally in accordance with the above documents. URS did not complete a detailed compliance assessment against all documents. Assessment of compliance with the Conditions of Consent are addressed individually below.	See Status of Compliance with rest of the Consent Conditions.	

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Appendix A

Consent Condition Compliance

Consent Condition	Evidence Sighted	Compliance Status	Recommendations
2. The quarry is to be established and operated within the following parameters described in the statement of environmental effects and associated documents: Extracted material: White granite Maximum permitted site disturbance: 1,409 ha Annual production: 20,000 -25,000 tonnes Blasting: One-two blasts per year Off site transport: 3 x 28 tonne truck departures and arrivals per day (Total of 6 movements) Number employees on site: 2 Days/Hours of Operation: 7am to 5pm Mon-Fri 8am to 6pm Sat & Sun Closed public holidays Life of Quarry: Maximum of 20 years from the date of consent Maximum depth of excavation: RL 1140 AHD. Any increase in the operational parameters or expansion of the quarry will require the further consent of Council.	The material extracted from the site was observed to be white granite. The maximum permitted site disturbance was reported to have exceeded 1,409 ha as indicated by a survey drawing provided by the Company which depicted the estimated total area of disturbance to be 2.86 ha (this includes tracks and the small shed). It was observed that the stockpiles of secondary oversize rock were taking up substantial amount of the sites area. It is noted that under the current approval the quarry can not crush this rock and can therefore only continue to stockpile it on site. This limitation appears to have had an impact on the area of site operations available for crushing and other activities. Annual production was reported in the AEMR as 12,987 tonnes for the 2005-2006 reporting period and 17,760 tonnes for the 2006-2007 reporting period. These figures are calculated from a survey that is conducted annually by Tableland Surveyors Pty Ltd to determine the quantity of rock removed. These figures are below the specified annual production parameter. According to the Drill and Blasting Reports, blasting was undertaken on the following dates: 12.08.05, 27.03.06, 6.07.06, 21.8.06 and 23.7.07. This complies with the specified one to two blasts per year (on the basis of assessment over financial years rather than calendar years as correlated with AEMR reporting period).	Non compliant with maximum permitted area of site disturbance. Compliant with truck movements per day on the basis of daily truck movements averaged over the whole year. It is acknowledged that on individual days, there have been in excess of 6 truck movements per day. Compliant with other parameters	Specifying recommendations for addressing this non-compliance is difficult as the area has been exceeded and this cannot be reversed.

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Appendix A

Consent Condition Compliance

Consent Condition	Evidence Sighted	Compliance Status	Recommendations
	A camera was recently installed at the entrance to the property to track the number of vehicles entering and exiting the site. These photos are used to reconcile the truck dockets. It was reported that on average 3 trucks enter and exit the site per day. Site records as provided by Corkery and reviewed by URS indicate on average, truck movements were recorded on 194 days out of a possible 275 days during the period July 2007 to March 2008 (excluding December 2007 for which the monthly breakdown of data was not available). On the days where carting was carried out, truck movements averaged 5.7 movements per day. The average number of truck movements when averaged across the period (July 2007 to March 2008) was 4.2 movements per day. The maximum truck movements recorded on any one day was 22 movements. Both the average truck movements per day of carting and average per day across the period were below the 6 movement per day requirement (as defined as an average of truck movements which was the basis of discussion in the Statement of Environmental Effects). It was reported that as a minimum two employees are on site during operations for OH&S reasons. Hours of operation are reportedly communicated to all personnel and contractors. The survey conducted by Tableland Surveyors Pty Ltd dated 1.05.07 indicated the depth of excavation was yet to reach 1140 AHD. It is understood that since that time quarrying activities have focused on progressing the quarry face northwards which has not affected the depth requirement. Another survey is planned later this year to be submitted with the 2007-2008 AEMR.		
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Appendix A

Consent Condition Compliance

Consent Condition	Evidence Sighted	Compliance Status	Recommendations
3. Legal and practical vehicular access shall be provided from Duckmaloi Road to head of the quarry to the following standard and the reasonable requirements of the RTA: The Road is to be constructed in the location shown on the plan titled "Legal Access Diagram" Contained in the report by Mudgee Stone Company Pty Ltd dated 10 February 2004, as follows: Construction of a NSW intersection at the access road and Duckmaloi Road in accordance with the conditions of approval of the Roads and Traffic Authority. a) Construction of a 6 metre wide bitumen sealed road on a 8 metre wide gravel base, together with associated survey work, drainage, road signage and any other works necessary to make the road effective from Duckmaloi Road to the north-western corner of Lot 4 DP562300. b) The road over the Carriageway over Lot 4 DP562300 and Lot 11 DP603429, and over Lot 13 DP 603429 being 4 metre wide bitumen seal, ending at a point on the road 200 metres within Lot 13 DP603429. c) The provision of stock proof fencing along the public road and the provision of appropriate grid and gate combinations on the roads to be constructed on the rights of way where traversing existing fence lines. d) The submission to Council of a Construction Certificate Application together with civil engineer design plans for the road design including on-site bitumen and "gravel only" roads, showing levels, cross sections, longitudinal sections, pavement / design, culverts, drainage design including dams and other drainage works, and erosion and sedimentation control plans and specifications for approval prior to the commencement of works. A fee for the assessment of design plans will be charged in accordance with council's Fees and Charges Schedule.	An access road was constructed from Duckmaloi Road to the quarry. The road was observed to be 6 m wide bitumen sealed on an 8 metre wide gravel base narrowing to a 4 metre wide bitumen seal at the entrance to the site. Fencing was observed along the public road. Cattle grids and gates were observed at the entrance to the site. The intersection was reportedly constructed by Oberon Council with funding and materials provided by Mudgee Stone Company. All other road works were reportedly commissioned and paid for by Mudgee Stone Company. The soil investigation and pavement design for the road was undertaken by Macquarie Geotechnical (sighted report dated 17.02.05). The detailed design of the access road and intersection was undertaken by Tableland Surveyors (sighted civil engineering plans dated 7.02.05 and 12.02.05). A Construction Certificate was issued by Oberon Council on the 30.03.05 (sighted Oberon Council stamped plans and Notice of Determination letter dated 30.03.05). The road between Duckmaloi road and the entrance to the site was observed to be dedicated as a public roadway. In a letter dated 24.03.05 Oberon Council advised Mudgee Stone Company that it is acquiring the land for dedication as public road.	Compliant.	-

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e) Works-as-executed and final survey plans being submitted to Council upon completion of the road works. f) Road works being fully completed and where necessary dedicated as a public road prior to the commencement of operation of the quarry. It shall not be a breach of this condition for the applicant to extract gravel from the quarry for use in the roadworks required by this condition, but for no other purpose. g) The costs of all road works and associated costs being met by the applicant.			
4. Prior to commencement of works and release of a Construction Certificate, payment of Section 94 contributions in accordance with the schedule below, or those applicable at the time of payment, as prescribed in Council's Annual Fees and Charges Schedule. Service Required Contribution in 2004/2005 Public Open Space \$500.00 Emergency Services \$500.00 Total if paid in the 2004/5 financial year \$1,000.00	Section 94 Contributions in the order of \$1,000 were paid to Oberon Council (sighted receipt from Oberon Council dated 21.02.05).	Compliant	-
5. In accordance with the Oberon Council Contributions Plan (2004) the applicant shall pay Council for road maintenance an amount of 5 cents (indexed annually on 1 July) per tonne of extracted material exported from the development site. The amount is payable by the 14 July every year. Note: the amount is to be determined and reconciled with annual production figures and volumetric surveys.	The following contributions were paid to Oberon Council: \$126.70 contribution plan for 2004-2005 (sighted remittance dated 27.09.2005) \$649.36 (0.05 X 12,987) for 2005-2006 (sighted remittance dated 24.07.06) \$923.52 (0.05 X 17,760) for 2006-2007 (sighted remittance dated 6.09.07) \$53.28 balance for 2006-2007 (sighted remittance dated 14.09.07)	Compliant	-

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6. a) The area of Lot 13 identified as the "area unaffected by proposed development" on Figure 2.1, of the Statement of Environmental Effects shall be managed for conservation values having regard to the ecological importance of the land within the Oberon farm landscape as outlined in Section 2.2.2 of the Flora and Fauna Assessment which is incorporated in the Statement of Environmental Effects. b) Regeneration of native vegetation shall be encouraged on Lot 13 including: i) no de-pasturing and the exclusion of any use for grazing purposes; ii) the applicant shall eradicate weeds; iii) only vehicles and machinery which is clean and free from exotic weeds, seeds and vegetation will be permitted on Lot 13 c) Species (including grasses) indigenous to the locality shall be used for any planting programme or rehabilitation works. d) The applicant shall remove the cultivated fruit trees fringing the access road near the northern boundary of Lot 13 prior to the commencement of any quarrying activity. e) The Annual Report on flora and fauna management shall include progress and performance in relation to weed control, planting and rehabilitation. f) The applicant shall prepare a fire management plan, a copy of which shall be provided to the Council prior to the commencement of any quarrying activity.	Section 3.2 of the Flora and Fauna assessment makes the recommendations included in this Condition of Consent. b) Stock proof fencing was observed to be in good condition during the site inspection (not all of the fence length was inspected). Some evidence of cow pads were observed though these were only occasional and no cows were seen in the area during the site inspection. Some weeds were observed to have colonised the stockpile of stripped topsoil. It was reported that weed control is undertaken on an as-needs basis. The AEMRs for the 2005-2006 and 2006-2007 reporting periods reported that no weed management activities were undertaken. It was reported that only clean vehicles and machinery are permitted on site with all machinery washed down in accordance with the procedures outlined in the "Drill, Crushing and Screening Safety Management Manual". P4 Mobile Crushing and Screening states that plant are to be washed down with high pressure cleaners at the finish of a job to ensure no foreign material or vegetation leaves the site. c) rehabilitation works have been limited with no operational areas available for rehabilitation. The stockpile of stripped top soil was observed to have reseeded with native grasses although some weeds were noted as mentioned above. d) The fruit trees were reportedly removed. No fruit trees were observed during the site inspection.	a) to e) Compliant f) Non-Compliant as Fire Management Plan was not provided.	Implement weed control of topsoil stockpile. Implement a process for review of the adequacy of weed controls across the site. Include more information in the AEMR on progress of rehabilitation. Prepare Fire Management Plan as required and issue to Council.

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	e) The AEMR includes brief comments on weed management, compensatory planting and rehabilitation. The comments on rehabilitation in particular are very brief stating only that a security bond has been paid. f) A Fire Management Plan has reportedly been prepared and submitted to Oberon Council however the plan or evidence of its submittal were not sighted.		
7. a) Compensatory planting is to be carried out on existing cleared areas of the site to replace an equivalent area of native vegetation cleared for the quarry site, as recommended in the Flora and Fauna Assessment prepared by Central West Environmental Services dated November 2003. b) A landscape plan shall be submitted to and approved by Council in consultation with the Department of Infrastructure Planning and Natural Resources (DIPNR) prior to the commencement of the operation of the quarry. The plan shall include a site plan, list of plant species indigenous to the locality, proposed planting programme, weed management programme and management programme.	a) Compensatory planting was carried out along the roadway at the entrance to the site. Some seedlings were sighted during the site inspection however full scale plant establishment has been effected by drought conditions. The area of seedlings/planting did not appear to match the area of disturbance of the quarry. b) A letter was sighted from Council (dated 15.03.08) stating that the documentation recently submitted by Mudgee Stone Company satisfies condition 7b). The Landscape Plan was not sighted during this audit.	a) Indeterminate b) Compliant (based on letter from Council, however Plan was not sighted)	Replanting should be conducted to ensure that the replanted area is similar to the area of disturbance. Measurement of the area of planting would be required to demonstrate compliance with the condition.
8. The applicant shall liaise with the Pejar Local Aboriginal Land Council regarding having a representative attend the site during initial stages of development works.	A representative of the Pejar Local Aboriginal Land Council (LALC) conducted a site survey in 2003 and noted that nothing of cultural significance was located on the actual proposed quarry site (sighted letter from Pejar LALC dated 19.09.03). An additional site assessment was undertaken on 28.11.06 for a new area of approximately 4ha including a new access road and it was recorded that no Aboriginal heritage was identified during the Pejar LALC inspection (sighted Pejar LALC record dated 25.01.07).	Compliant	-

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9. Council and all neighbouring residents within a 2 km radius of the quarry shall be given notice in writing of the proposed blasting schedule, at least 24 hours prior to blasting commencing.	It was reported that notifications are mailed out to neighbouring residences within a 2km radius of the quarry prior to blasting. A database with the names and addresses of residences within 2 km and a notification template letter was observed. An example notification letter dated 9 April 2008 for the most recent blast undertaken on the 16 April 2008 was sighted. In addition the date of the next scheduled blast is noted on the sign at the entrance to the site.	Compliant	Site should keep copies of letters to demonstrate compliance with the requirement
10. Submission to Council of an Annual Environmental Performance Report for the site, which addresses progress and performance in relation to: - Environmental management - Annual production in tonnes - Annual certified volumetric survey of the quarry pit - Compensatory planting and weed management programme - Erosion and sedimentation controls - Meeting of noise level predictions - Blasting activities - Traffic movements - Dust management - Pit advancement - Groundwater quality and quantity monitoring in the vicinity of the quarry site - Any incidents requiring implementation of the Spill Management and Clean-Up Plan. - Flora and fauna management	Annual Environmental Management Reports (AEMRs) were prepared for the 2005-2006 and 2006-2007 reporting periods. The AEMRs were reportedly submitted to Council. The AEMRs were observed to be brief documents with a general comment made against each of the requirements. Apart from production data, no specific data is included in the reports. It was reported that no comments have been received from either Oberon Council or the Department of Primary Industries relating to the AEMRs to date.	Compliant	The AEMRs could be improved by adding more information on progress and performance. For example the following data could be included: - Dates of blasting - Details of notifications to surrounding residences - Details of traffic movements - Results of noise and blast monitoring - Details of rehabilitation works etc

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Consent Condition	Evidence Sighted	Compliance Status	Recommendations
11. A separate Development Application shall be submitted for Council's consideration and approval for site rehabilitation works upon ceasing of quarry operations. The site must be fully rehabilitated at the completion of quarry operations and before 1 March 2024. Prior to commencement of any quarrying activity a Security Bond of \$30,000 is to be lodged with the Oberon Council that will be forfeited if the site is not fully rehabilitated by the 1 March 2024.	A Security Bond of \$30,000 was lodged with Oberon Council (sighted letter from Westpac to Oberon Council dated 4.03.05).	Compliant however it was noted the bond was lodged following commencement of quarrying activities.	-
12. Prior to the commencement of works, temporary toilet facilities shall be provided on site for the use of contractors during the quarry and road construction works.	Temporary toilet facilities (portaloo's) are reportedly provided during drilling and crushing campaigns. A portaloo was observed on site during the site inspection.	Compliant	-
13. At the commencement of site works, a sign is to be erected in a position at the entrance to Lot 13 DP 603429, identifying the site, stating that unauthorised Access is prohibited, and showing the name and contact phone number of the person or company in charge of the site.	A sign has been erected at the entrance to the site. The sign was observed to identify the site, stating that only authorised persons are allowed on site and included contact numbers for the Production Manager.	Compliant	-
14. Any proposed building structures on the site will require Development Consent from Council and a Construction Certificate approval, unless the work fits the exempt development criteria of Part N of the Oberon Development Control Plan 2001.	No building structures have been constructed on site. The sheds which were already present on site prior to quarrying operations were being used by the site as minor stores.	Not applicable	-

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Consent Condition	Evidence Sighted	Compliance Status	Recommendations
15. This approval does not permit the use of rock hammers or any other noise producing equipment/ machinery not specified in the Statement of Environmental Effects. Should a rock hammer or any other noise producing equipment be proposed to be used, an amendment to the consent pursuant to Section 96 of the Environmental Planning and Assessment Act 1979, will be required.	It was reported that there was one instance where a rock hammer was used on site (indicated to have been for a very short period). This activity ceased upon contact from Council. A three month trial of secondary rockbreaking using hydraulic rock hammers or small charge popping was proposed by Mudgee Stone Company to reduce the productive stockpile area that has been taken up by oversized rocks. This trial was put forward to Oberon Council along with an accompanying application to modify Consent Condition No.15 (sighted letter from Mudgee Stone Company to Oberon Council dated 18.05.06). Oberon Council refused the modification application (sighted letter from Council dated 14.08.06 and Notice of Modification of Development Application dated 9.08.06). Hence site did not undertake further rock breaking works.	Compliant (other than one occasion noted)	No further recommendations.

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16. a) The quarry management is to manage operations so that drilling, dozing, crushing, loading or other noise generating activities are not done simultaneously if the weather conditions result in background noise levels of less than 30dB(A)_LAeq measured at the quarry site. b) The applicant is to implement the recommendations listed in Section 7.4, 8.4 and 9.3 of the Blast Impact Assessment Report prepared by Atkins Acoustics and Associates Pty Ltd dated October 2003. c) The site is to be operated in accordance with Clause 3.3.5 of the Statement of Environmental Effects. d) Boulders larger than those that could pass through a sieve grid 1.4m x 0.8m shall be taken away from the site to be processed for crushing.	a) It was reported that it is unlikely that these activities occur simultaneously as drilling is usually carried out first followed by crushing. b) Section 7.4, 8.4 and 9.3 of the Blast Impact Assessment Report list the following recommendations (comments on compliance are provided following each recommendation): Plant sound levels nominated in Table 9 of the report are satisfied Monitoring of plant sound levels has not been undertaken. The sound pressure level of the crusher at 50m, 100m and 150m was measured by Indigo Acoustics on the 1 August 2007 and a noise level of 30dBA predicted at the nearest residence to the south west. This is below the reported noise goal of 35dBA (report dated 11.08.06). Noise monitoring was also undertaken by Indigo Consultants on the 3 August 2006. Noise levels were measured in front of the shed and behind the shed and it was noted that whilst the quarry was occasionally audible in front of the shed it wasn't measurable and the measured noise levels were not believed to represent quarrying noise. The report stated that 20m outside the boundary of the site (in view of the closest house approximately 250m away) the quarry operation was not audible (report dated 11.08.06).	a) & d) Compliant. b) & c) Indeterminate best practice noise control features such as the fitting of low level reversing alarms were not sighted or verified.	If the oversized boulders are removed from site, the height of earth bund should be checked to ensure compliance with the 6m height requirement. Ensure time fired is recorded on all Drilling and Blasting Reports (some reports did not contain this information).

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	- A six metre high acoustic earth bund constructed adjacent to the south west corner of the processing storage area. The earth bund was observed during the site inspection. The height of the bund was increased with the use of large boulders taking the final height of the barrier to approximately 6m. - Site operated trucks comply with Australian Design Rule 28/01 It was reported that all road trucks comply with this rule. URS did not formally assess the trucks against this requirement. - Truck drivers are instructed and contracted to operate trucks on site and haul roads at less than 50km/h. It was reported that the carting contractors have been informed of all Conditions of Consent including operating hours and speed limits. In addition speed signs at the entrance to the site were observed stating the speed limit as 40km/hr. - Where practical remove reversing alarms from mobile plant or replace with low level alarms and flashing lights It was reported that it is not practical for safety reasons to remove reversing alarms from mobile plant. It was reported that the loader and excavator have a low frequency reversing alarms installed, however this was not verified on site due to the absence of the plant. Other plant on site is stationary.		

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	- Site access road and haul road sealed and maintained free from corrugations The site access road and haul road were observed during the audit to be sealed and in good condition. - Blasting should generally be conducted between 9:00am and 5:00pm Monday to Saturday and limited to once per day. Blasting records indicated that blasting has been undertaken during these times. There were two instances where the time fired was not recorded on the Drilling and Blasting Reports. c) The general noise control measures outlined in Section 3.3.5 of the SEE (5m high noise bund, use of, maintenance of plant and equipment, fitment of OEM muffler, acoustic hoods and covers, adhering to normal working hours) have generally been complied with. Best practice noise control features were not sighted or verified during the audit. d) Where possible large boulders are taken off site mostly for use in river restoration projects. Some boulders are too large to be transported and are therefore stockpiled on site.		

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17. a) The applicant shall fence the perimeter of the pit as indicated on figure 3.4 of the Statement of Environmental Effects with a child and small animal proof safety fence b) The applicant shall maintain a stock proof fence on the perimeter of Lot 13 DP 603429.	a) A safety fence was not observed around the perimeter of the extraction area during the site inspection. It was reported that a safety fence had previously been installed but was damaged due to close proximity to blasting activities. Following the site inspection it was advised that the safety fence had been re-erected and photos were provided demonstrating this. The adequacy of the fence in providing child restraint was not able to be assessed from these photos. b) A stock proof fence was observed around the perimeter of the site.	Compliant	-
18. The applicant shall pay an annual contribution of \$500 increased on an annual basis by the CPI, to the Council. The contribution shall be payable when lodging the Annual Environmental Performance Report as required by Condition 10 until the quarry is decommissioned and the site rehabilitation is determined by the Council to be self-sustaining.	The following annual contributions were paid to Council: 2005-2006: \$500 (sighted remittance dated 24.07.06) 2006-2007: \$527 (sighted remittance dated 14.09.07)	Compliant	-

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19. a) The applicant is to install appropriate measures so as to prevent groundwater contamination as a result of site operations. b) There shall be no storage of fuels, oils or other contaminants on Lot 13 DP 603429. c) The applicant shall provide to Council a Spill Management and Clean-Up Plan prior to the commencement of any quarrying activity. d) No scheduled maintenance or scheduled repair of equipment shall occur on Lot 13 DP 603429	a) The 2005-2006 and 2006-2007 AEMRs state that groundwater has been visually monitored during drilling with no irregularities to report and that no spill incidents have occurred on site. No verification of this was possible on site. b) It was reported that fuels are brought on site as required. Minor quantities are stored within the storage sheds outside of the quarry. A 205L drum of oil was observed during the site inspection stored on a bundled spill pallet outside the storage shed. c) It was reported that a Spill Management Plan was prepared and submitted to Council (this plan was not observed) d) All scheduled maintenance and repair is reportedly undertaken off site at the Mudgee Dolomite and Lime workshop.	a) & d) Compliant b) Non Compliant c) Indeterminate	In order to comply with 19b) there shall be no storage of fuels, oils or other contaminants. If storage of minor quantities is continued on site they should be provided with secondary containment

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20. a) Prior to any works commencing (including road works) consult with the DIPNR, Natural Resource Project Officer Landscapes, Bathurst, (the Natural Resource Project Officer), with respect to proposed access road upgrading' A report on DIPNR requirements is to be Produced. b) The access road upgrading works are to be carried out to the satisfaction of the Natural Resource Project Officer. c) Manage surface run off within the site and control all points of water discharge within and from the site to the satisfaction of the Natural Resource Project Officer and Council. d) Conserve all topsoil from disturbed areas for use in rehabilitation and consult with the Natural Resource Project Officer in respect to erosion protection and long term protection of the stockpiles where immediate reuse is not possible. e) Consult with the Natural Resource Project Officer in respect to progressive and final implementation of rehabilitation works which are to be carried out to the satisfaction of the Natural Resource Project Officer.	It was reported that consultation was undertaken with DIPNR and in response the relevant guidelines were forwarded by DIPNR to Mudgee Stone Company. Council advised they were satisfied the documentation submitted satisfied Condition 20a) (sighted Council letter dated 15.03.05). A Sediment and Erosion Control Plan for the quarry (prepared by Jammel Environmental & Planning Services) was submitted to the Department of Infrastructure Planning and Natural Resources. The Sediment and Erosion Control Plan was reviewed by the Department and a site inspection carried out on the 5 October 2005 to assess compliance. The Department issued a letter stating that, provided some minor issues are addressed, it is satisfied Conditions 20 c,d and e have been complied with (Department of Natural Resources letter dated 6 October 2005). The issues identified by the Department included reducing the height of the topsoil stockpile, removal of felled timber from natural drainage lines and the installation of a small contour bank along the northern edge of the road. These issues had been addressed at the time of the audit site inspection.	Compliant	
21. In accordance with Section 80(3) Environmental Planning and Assessment Act this consent is not to operate until the applicant satisfies the Council in accordance with the Regulations of the matters contained in conditions 7(b) and 20(a).	Council advised they were satisfied the documentation submitted satisfied Condition 7(b) and 20a) (sighted Council letter dated 15.03.05).	Compliant.	-

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