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15 August 2017

Pre-Site Establishment Compliance Audit

Patons Lane Resource Recovery Centre Project

Trevor Brown & Associates
ENVIRONMENTAL MANAGEMENT CONSULTANTS

REPORT: PLRRC/15 AUGUST 2017/REV 1

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Independent Audit Certification Form	
Development Name	Patons Lane Resource Recovery Centre
Development Consent No.	Consent MP 09_0074
Description of Development	Resource Recovery Centre
Development Address	123-139 Patons Lane, Orchard Hills NSW 2748
Operator	SRC Operations Pty Ltd
Operator Address	P O Box 34 Wahroonga NSW 2076
Pre-Site Establishment Compliance Audit	
Title of Audit	Pre-Site Establishment Compliance Audit - Patons Lane Resource Recovery Centre dated 15 August 2017
I certify that I have undertaken the Pre-Site Establishment Audit and prepared the contents of the attached audit report and to the best of my knowledge: *• The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2014* *• The findings of the audit are reported truthfully, accurately and completely;* *• I have exercised due diligence and professional judgement in conducting the audit;* *• I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit;* *• I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;* *• I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);* *• Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit, except as otherwise declared to the lead regulator prior to the audit; and* *• I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party.* *Note. a) The Independent Audit is an 'environmental audit' for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect.*	
Signature	
Name of Lead/Principal Auditor	Trevor Brown
Address	136 Sanctuary Point Road, Sanctuary Point, NSW 2540
Email Address	tebrown@bigpond.com
Auditor Endorsement	Approved by Department of Planning and Environment, 31 Aug 2015 Royal Australian Chemical Institute Chartered Member 2428
Date:	15 August 2017

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Pre-Site Establishment Compliance Audit

Patons Lane Resource Recovery Centre

August 2017

trevor brown & associates
applied environmental management consultants

Report ID: Patons Lane RRC/15 August 2017 /Rev1

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by

trevor brown & associates

ABN: 65 850 181 279

136 Sanctuary Point Road, Sanctuary Point NSW 2540

15 August 2017

Trevor Brown

Principal Environmental Management Consultant/Auditor

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Executive Summary

An Independent Pre-Site Establishment Compliance Audit of the Patons Lane Resource Recovery Centre (RRC) Project was conducted in August 2017 to satisfy the requirement of Consent 09_0074 Schedule 3 Condition 11.

The Management Plans required to be prepared by the proponent and approved by the Secretary of Department of Planning and Environment (DP&E) prior to the commencement of site establishment activities on the Patons Lane RRC site, have been approved in accordance with the Conditions of Consent by the DP&E on 7 August 2017. The Detailed Engineering Plans (dated March 2017) required under Consent MP09-0074 Schedule 3 condition 6 were submitted to the DP&E on 14 March 2017.

This Pre-Site Establishment Audit has verified that the documents and works required prior to commencement of site establishment works on the Patons Lane RRC site, have been completed to satisfy the Conditions of Consent and consequently, site establishment works can now commence.

Documentation and Works Verified as Approved/Completed during the Pre-Site Establishment Compliance Audit:

Schedule and condition	Pre-Site Establishment Consent Condition Requirement	Status
Schedule 3 condition 6	Detailed Engineering Plans, dated March 2017	Submitted to DP&E. (DP&E approval not required).
Schedule 3 condition 11	Pre-Site Establishment Compliance Audit, 11 July 2017	This document
Schedule 3 condition 14	Surrender of Existing Development Consent(s) (prior to commencement of operations)	DP&E approved - 9 August 2017
Schedule 3 condition 30	Protection of Public Infrastructure - Dilapidation Report, January 2017	Approved by Penrith City Council 2 February 2017
Schedule 4 condition 7	Contamination and Asbestos Management Plan, July 2017	Approved by DP&E – 9 August 2017
Schedule 4 condition 16	Air Quality and Greenhouse Gas Management Plan, 31 July 2017	Approved by DP&E – 9 August 2017
Schedule 4 condition 20	Soil, Water and Leachate Management Plan, June 2017	Approved by DP&E – 9 August 2017
Schedule 4 condition 26	Site Establishment Noise Management Plan, July 2017	Approved by DP&E – 9 August 2017
Schedule 4 condition 30 Schedule 4 condition 31	Construction Traffic Management Plan, July 2017and Bridge Capacity Investigation, 21 February 2017	Approved by DP&E - 9 August 2017
Schedule 4 condition 39	Landscaping at 202 Luddenham Road, 24 March 2017	DP&E approved Deed of Agreement with owner dated 24 March 2017
Schedule 4 condition 40	Bund Wall, Landscaping and Vegetation Management Plan, 20 July 2017	Approved by DP&E – 9 August 2017

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Schedule and condition	Pre-Site Establishment Consent Condition Requirement	Status
Schedule 4 condition 43	Fire and Emergency Management Plan, July 2017	Approved by DP&E – 9 August 2017
Schedule 4 condition 45	Site Security completed January 2017	Fencing and security gates installed with monitoring cameras A
Schedule 4 condition 46	Rehabilitation Plan, 20 July 2017	Approved by DP&E – 9 August 2017
Schedule 5 condition 4	Quarry Operation Management Plan, May 2016	Approved by DP&E – 21 December 2016
Schedule 5 condition 5	Landfill Environmental Management Plan (LEMP), July 2017	DP&E approved – 9 August 2017
Schedule 7 condition J	Construction Quality Assurance Plan, September 2016	Included in the LEMP
Schedule 4 condition 29	Meteorological Station, installed 29 March 2017	Weather station installed 29 March 2017

The finding of this Pre-Site Establishment Audit conducted between 7 and 10 August 2017, has verified that the documentation required prior to commencement of site establishment works on the Patons Lane RRC site, under Consent MP 09_0074, has been completed where required. The documents have been submitted to the DP&E and approved as required by DP&E prior to commencement of any site establishment works on the Patons Lane RRC site. In addition, the Pre-Site Establishment Compliance Audit has verified that the works required prior to commencement of site establishment works have been undertaken.

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1. Introduction

1.1 Patons Lane Resource Recovery Centre - Background

Conditions of Consent MP09_0074 were granted for the establishment and operation of the Orchard Hills Waste and Resource Management Facility (now known as the Patons Lane Resource Recovery Centre) at 123 – 179 Patons Lane, Orchard Hills, NSW (Lot 40 DP738126), by the NSW Land and Environment Court in August 2012.

This Pre-Site Establishment Compliance Audit was commissioned by Patons Lane RRC and conducted by Trevor Brown (endorsed by the Secretary of the Department of Planning and Environment (DP&E) on 31 August 2015), to satisfy the requirements of Consent MP09_0074 Condition Schedule 3 condition 11:

> ***Pre-Site Establishment Compliance Audit***
>
> *The Proponent shall commission and pay the full cost of an independent pre-site establishment compliance audit. The audit must:*
>
> *a) be conducted by a suitably qualified, experienced and independent team of experts covering all facets of the Project whose appointment has been endorsed by the Director-General;*
>
> *b) assess compliance with all pre-site establishment and pre-work conditions of this approval;*
>
> *c) assess all pre-site establishment and pre-work management plans, strategies and programs for consistency with the conclusions and recommendations in the documents listed in condition 2 of Schedule 3 and Schedule 6 and condition 6 of Schedule 3; and*
>
> *d) be submitted to the Department prior to the commencement of any work.*

The Conditions of Consent requires specific documentation to be completed and in some cases approved by the Secretary of Department of Planning and Environment (DP&E) as well as certain works undertaken, prior to the commencement of site establishment works and activities (i.e. construction works). Verification of the status of this documentation has been assessed via the Pre-Site Establishment Audit process prior to the commencement of any site establishment works.

1.2 Pre-Site Establishment Compliance Audit - Scope of Work

The Pre-Site Establishment Compliance Audit was conducted generally in accordance with the Australian/New Zealand Standards ISO 19011:2002 – *Guidelines for Quality and/or Environmental Systems Auditing* and the *Independent Audit Guideline*, (DP&E October 2015).

The Pre-Site Establishment Audit has been conducted to assess compliance with conditional requirements to be completed prior to commencement of site establishment works and included:

- review of compliance with Conditions of Consent for 09_0074 required prior to commencement of site establishment works;
- conduct of a site inspection and review of pre-site establishment and pre-work condition documentation for the project;
- review the consistency of strategies, plans or programs prepared for Conditions of Consent 09_0074;
- prepare the Pre-Site Establishment Compliance Audit Report providing assessment of compliance with each relevant consent condition required to be completed prior to site establishment.

The consent conditions required to be complied with prior to commencement of site establishment works are identified below in Table 1.2.

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Table 1.2: Pre-Site Establishment Compliance Requirements

Schedule and condition	Pre-Site Establishment Consent Condition Requirement
Schedule 3 condition 6	Detailed Engineering Plans, dated March 2017
Schedule 3 condition 11	Pre-Site Establishment Compliance Audit, 11 July 2017
Schedule 3 condition 14	Surrender of Existing Development Consent(s)
Schedule 3 condition 30	Protection of Public Infrastructure - Dilapidation Report, January 2017
Schedule 4 condition 7	Contamination and Asbestos Management Plan, July 2017
Schedule 4 condition 16	Air Quality and Greenhouse Gas Management Plan, 31 July 2017
Schedule 4 condition 20	Soil, Water and Leachate Management Plan, June 2017
Schedule 4 condition 26	Site Establishment Noise Management Plan, July 2017
Schedule 4 condition 30/31	Construction Traffic Management Plan, July 2017and Bridge Capacity Investigation, 21 February 2017
Schedule 4 condition 39	Landscaping at 202 Luddenham Road, 24 March 2017
Schedule 4 condition 40	Bund Wall, Landscaping and Vegetation Management Plan, 20 July 2017
Schedule 4 condition 43	Fire and Emergency Management Plan, July 2017
Schedule 4 condition 45	Site Security completed January 2017
Schedule 4 condition 46	Rehabilitation Plan, 20 July 2017
Schedule 5 condition 4	Quarry Operation Management Plan, May 2016
Schedule 5 condition 5	Landfill Environmental Management Plan, July 2017
Schedule 5 condition 10	Access to Information
Schedule 7 condition J	Construction Quality Assurance Plan, September 2016
Schedule 4 condition 29	Meteorological Station, installed 29 March 2017

The Landfill Environmental Management Plan (Schedule 5 Consent Condition 5(k)) is required to include copies of the various strategies, plans and programs required under the conditions of Consent MP09-0074 once they have been approved, to provide the overarching environmental management framework for the project: These documents include

- Detailed Engineering Plans
- Asbestos and Contamination Management Plan
- Air Quality and Greenhouse Gas Management Plan
- Soil, Water and Leachate Management Plan
- Site Establishment Noise Management Plan
- Construction Management Plan
- Fire and Emergency Management Plan
- Bund Wall, Landscaping and Vegetation Management Plan
- Rehabilitation Plan
- Quarry Operations Management Plan
- Construction Quality Assurance Plan

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1.3 Structure of the Pre-Site Establishment Audit Report

The Pre-Site Establishment Compliance Audit Report has been prepared to assess the specific conditional requirements that are required to be completed prior to commencement of site establishment activities at the Patons Lane RRC site. Discussion of each conditional requirement is provided in the main text of the Pre-Site Establishment Compliance Audit Report with assessment of compliance on each pre-site establishment condition of consent provided in a tabulated form in Attachment A of this Report. The structure of the Pre-Site Establishment Compliance Audit Report is:

Executive Summary
Section 1 Introduction
Section 2 Patons Lane RRC Project Development
Section 3 Consent Conditions and Other Approvals
Section 4 Review of Compliance
Section 5 Conclusions and Recommendations
Attachment A Conditions of Consent 09_0074 - Compliance Table

1.4 Compliance Table

This audit assessed the activities for compliance with the intent of the Conditions of Consent with review and verification of relevant documentation required for the pre-site establishment audit conditions. The compliance status for each condition is expressed in Attached Table A to this report as:

Assessment Status	Criteria Description
Compliant	Where verifiable evidence has been collected to demonstrate that the intent of the elements of the conditions of the regulatory approval and appropriateness of implementation against the Consent MP09_0074 has occurred.
Compliant Ongoing	The intent and specific requirements of the condition have been met and the requirements are an ongoing requirement for the operation of Patons Lane RRC project.
Administrative Non-compliance	A non-compliance with a regulatory approval that would not impact on performance and that is considered minor in nature (e.g. report submitted but not on the due date, failed monitor or late monitoring session), or A technical non-conformance with a condition of approval that would not result in any risk or material harm to the environment (e.g. the submission of a report to government later than required under the approval conditions)
Non-Compliant – (Low Risk)	Non-compliance with a condition of approval with the potential for moderate environmental consequences, but is unlikely to occur, or, potential for low environmental consequence but is likely to occur.
Non-Compliant – (Moderate Risk)	Non-compliance with a condition of approval with the potential for serious environmental consequences but unlikely to occur, or, potential for moderate environmental consequence but likely to occur.
Non-Compliant – (High Risk)	Non-compliance of a condition of approval with the potential for significant environmental consequences, regardless of the likelihood of occurrence.
Not triggered	A regulatory approval requirement / condition that has activation or timing that had not been triggered at the date of the audit, therefore a determination of compliance could not be made.
Noted	A statement or fact where no assessment of compliance is required.

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Any Non-compliance (if identified) would be subject to a risk assessment in accordance with the *Independent Audit Guideline* section 4.2 and reported in section 4 Conclusions of this Independent Pre-Site Establishment Compliance Audit Report.

1.5 Limitations of the Audit

The auditor received complete cooperation from Patons Lane RRC personnel during the Pre-Site Establishment Audit.

The findings of the audit are based upon visual observations on the site inspection conducted on 7 August 2017, interviews with Patons Lane RRC personnel (David White – Operations and Compliance and Lee Smith – Communication and Development) and documentation provided by Patons Lane RRC. The adequacy of strategy/ plans / programs required under the Conditions of Consent MP09_0075 were assessed by reference to the requirements of each condition.

Opinions presented within the audit apply to the site inspection and information provided by Patons Lane RRC personnel. Any changes to this information of which the Trevor Brown is not aware and has not had the opportunity to evaluate, are therefore not considered in this report. The auditor has taken due care to consider all reasonably available information provided during the audit and has taken this information to represent a fair and reasonable characterisation of the status of the site and documentation.

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2. Patons Lane RRC Project Development

2.1 Project Description

2.1.1 Background

On 23 November 1981, the site was approved by Penrith City Council (DA No. 116/80), as a clay and shale quarry. Extraction of clay and shale occurred intermittently from 1981 from two principal areas of the site in the north-western Clay/Shale Extraction Area and the southwestern Clay/Shale Extraction Area.

In 2002, Orchard Holdings Pty Ltd acquired the site and in 2008 the site was sold to Dellara Pty Ltd (Dellara).

From April 2010 to September 2011, Dellara developed a series of proposals for the site culminating in the Further Modified Preferred Project Report (dated September 2011) that incorporates a range of modifications to the project in the light of the Land and Environment Court Proceedings (Case 10928 of 2010), Expert Witness Reports, and Joint Expert Conference Reports. Consent was given for a proposal incorporating significant resource recovery initiatives by the NSW Land and Environment Court in August 2012 (MP09_0074).

In March 2015, SRC Pty Ltd (Patons Lane RRC) purchased the site and is seeking to construct and operate the facilities permitted by the development approval MP09_0074.

2.1.2 Project Location

The Patons Lane RRC site covers approximately 60 hectares (ha) on Lot 40 DP 738126, within Penrith City Council local government area. The site is bordered to the west and south by land owned by the Defence Establishment Orchard Hills (DEOH) property, The Vines Estate residential development to the north and private farming land to the north and east.

Access to the Patons Lane site is from Luddenham Road that connects to the M4 Motorway via Mamre Road and to the M7 Motorway 10 km to the east via Elizabeth Drive.

2.1.3 Topography

Regionally, the Project Site is located approximately 11km east of the Nepean River, which marks the eastern extent of the foothills of the Great Dividing Range and the beginning of the gently undulating topography that characterises the western Sydney Basin. To the north, east and south of the Patons Lane site, the topography is similarly flat to gently undulating.

Since commencement of clay/shale extraction on the Project Site in 1981, the natural topography has been substantially modified.

Elevations range from 65m AHD at the top of the southern bund wall to approximately 17m AHD at the base of the north-western clay/shale extraction area. The maximum slopes occur on the batter slopes of the perimeter bund walls. These slopes typically vary from 24º to 38º.

The eastern and north-eastern bund walls vary in height from 50m AHD to 58m AHD in an area where the ground level is approximately 40m AHD to 45m AHD with clay/shale stockpiles between 5m and 10m high. The southwestern bund wall is the highest bund wall on site, reaching 19m and the void within the north-western extraction area (in Cell 1) is up to 24m below the natural ground level.

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2.1.4 Surface Hydrology, Catchment and Drainage

The Patons Lane RRC site forms part of the Blaxland Creek Catchment that ultimately drains into the Hawkesbury-Nepean Catchment. Very little of the current site drains off the property as it is contained by the surrounding bund walls and collected in existing dams. The north and west perimeter of the site drains into Blaxland Creek. The south and east drain into the depression running east alongside Patons Lane.

2.1.5 Local Geology

The geology and soils of the Orchard Hills area is part of the Hawkesbury River flood plain and is typified by Wianamatta Shale Group consisting of Bringelly Shale, Ashfield Shale and Minchinbury Sandstone units.

The valuable light-firing shale was the resource exploited in the previous quarry operations and is to be further utilized in the ongoing operations of the Patons Lane RRC site. The soils on site are dispersive and relatively erosive. Various fill materials have been imported onto the site in the past and this will be reused in the operation of the landfill as cover material and capping material.

The clay/shale resources within the Project Site occur within the Bringelly Shale, a geological unit common throughout Sydney's western suburbs and comprising interbedded claystones, siltstones, laminites and minor sandstones and carbonaceous units (Herbert, 1979).

2.1.6 Resources

When the quarry commenced the definition of the resources within the Project Site focused on maximising the recovery of light-firing clay/shale materials for the Sydney brick industry.

Upon commencement of operations, up to 160,000 tonnes per annum of clay/shale clay/shale (the bulk of which is suited to brick manufacture) will be exported from the site.

2.1.9 Resource Recovery Centre Project Overview

The Patons Lane RRC project involves components designed to collectively recover clay/shale resource available on site and re-processing of wastes for re-use or recycling. Emplacement of wastes that have no economic value will occur into the constructed cells on-site.

Site establishment activities that must be completed to prepare the site for the receipt of waste materials for processing and recovery are:

- Construction/shaping of the northern face and much of the eastern face to their final rehabilitated landform and landscaping of those faces
- Construction of the northern face will be achieved through the following:
    - Reshaping the existing north-eastern and north-western bund walls, by reducing its height in some areas, raising its height in other areas to create an even northern face with a maximum elevation of 53 m AHD, and a gentle northerly slope than currently exists. The new northern face and acoustic mound will provide acoustic protection for the earthmoving and landfilling equipment/vehicles operating within Cells 1 and 2. The acoustic mound will be removed at the conclusion of capping in Cell 2 when it is no longer needed for acoustic protection

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- Areas to the north of the acoustic mound will be regraded to their final rehabilitated landform with slopes of approximately 5%. Final landscaping of these areas will occur during site establishment

- Partial rehabilitation of the existing southern and southwestern bund walls through the reduction in the elevation to an approximate elevation of between 57 m AHD and 58 m AHD such that they will not be visible from any residence within The Vines Estate. Once re-shaped, the surface and adjoining batter slopes will be revegetated
- Upgrading and sealing of Patons Lane and upgrading the entrance to the site (from Patons Lane) together with the refurbishment of the existing dual weighbridge and associated office
- Site preparatory works within the recycling and re-processing area to create the required landform and create a suitable pad for the materials recycling facility warehouse and mobile recycling equipment
- Construction and commissioning of the on-site wheel wash facility
- Upgrading and sealing the internal road network beyond the proposed wheel wash facility to the exit point from the recycling and re-processing area.
- Building and construction works and infrastructure works as shown in the Site Establishment Activities figure below.

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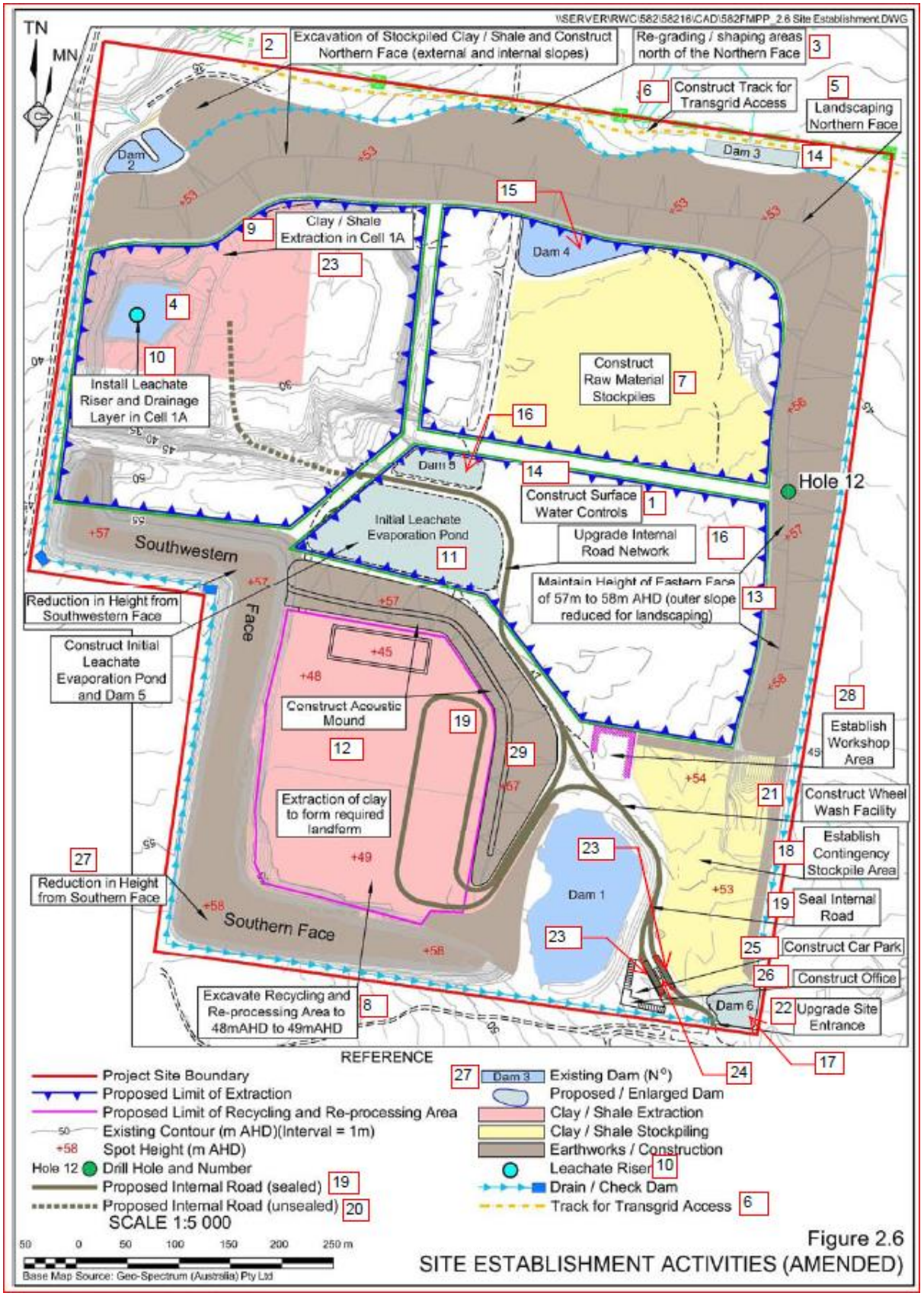

Figure 2.6
SITE ESTABLISHMENT ACTIVITIES (AMENDED)

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3. Conditions of Consent and Licenses

3.1 Conditions of Consent for Patons Lane RRC Development

An application under the provisions of Part 3A of the *Environmental Planning and Assessment Act* 1979 (EP&A Act) was made on 27 May 2009. This application was refused by the Planning Minister on 27 September 2010 and the decision was appealed by the then proponent, under section 75K of the EP&A Act to the NSW Land and Environment Court on 16 November 2010 (No. 10928 of 2010). On 13 July 2012 the Land and Environment Court upheld the appeal against the refusal by the Minister of MP09_0074 and in doing so, granted planning approval for the development.

The Conditions of Consent granted by the Land and Environment Court were for the construction and operation of a waste recovery and disposal facility at the Patons Lane site for the following principal approved activities:

- construction/establishment and operation of a materials recycling facility for materials from commercial and demolition activities;
- resumption of clay/shale extraction (particularly light-firing clay/shale) to recover raw materials for use by the brick industry and other clay/shale materials for use as cover material for the on-site waste emplacement;
- development and operation of staged waste emplacement cells to contain all residual wastes from the recycling and re-processing facility, other imported wastes (unable to be re-processed) and selected construction and demolition wastes recovered from the existing on-site perimeter bund walls;
- refurbishment of the former weighbridges and offices together with the construction of a range of on-site infrastructure including a site office for the recycling and re-processing facility, truck wheel wash, site workshop and water management structures; and
- selective removal and on-site disposal of material from the existing perimeter bund walls including disposal of waste materials previously illegally imported to site and incorporated into the bund walls in contravention of the requirements of the POEO Act and the existing development consent for the site.

In September 2015 a Modification Application under Section 75W of the EP&A Act was lodged with the DP&E. Modification 1 was granted on 30 March 2016 with administrative amendments to Definitions in Schedule 2 of the Conditions of Consent and the following changes to conditions in Schedules 3 and 4 (refer to Table 3.1) were made.

Table 3.1 Summary of Modification Conditions Granted

Current Consent Conditions	Modification 1 Conditions
Schedule 2, "Site Establishment" Definition Site establishment includes: − initial shaping of the northern and north-eastern bund walls; − reshaping of the southern and south-western bunds; − emplacement of onsite waste resulting from the reshaping of the bunds described above; − construction work for buildings and infrastructure; − road works required by this approval; and − construction work for cell 1 and any clay/shale extraction associated with the construction of cell 1, and as otherwise shown on Figure 2.6 'Site Establishment Activities (Amended)' of the FMPPR at p18 (Exhibit Z in Appeal No 10928 of 2010). Site establishment excludes works and activities referred to the definition of 'Operation' above.	**Schedule 2, "Site Establishment" Definition** Site establishment includes: − initial shaping of the northern and north-eastern bund walls; − reshaping of the southern and south-western bunds**;** − emplacement of onsite waste resulting from the reshaping of the bunds described above; − construction work for buildings and infrastructure; − road works required by this approval; and − construction work for **Cell 1A** and any clay/shale extraction associated with the construction of **Cell 1A**, and as otherwise shown on Figure 2.6 'Site Establishment Activities (Amended)' of the FMPPR at p18 (Exhibit Z in Appeal No 10928 of 2010). Site establishment excludes works and activities referred to **in** the definition of 'Operation' above.

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Schedule 3, Condition 18 – Site Establishment Duration Site establishment shall not exceed 6 months duration from the date of commencement of work, unless otherwise agreed to by the Director-General.	**Schedule 3, Condition 18 – Site Establishment Duration** Site establishment shall not exceed **18** months duration from the date of commencement of work, unless otherwise agreed to by the **Secretary.**
Schedule 3, Condition 19 – Lapsing of Approval This approval lapses 5 years from the date of issue unless Site Establishment is completed.	**Schedule 3, Condition 19 – Lapsing of Approval** This approval lapses 5 years from the date of issue unless the **development associated with this approval has physically commenced**.
Schedule 3, Condition 29 – Meteorological Monitoring The Proponent shall install a weather station to monitor (by sampling and obtaining results by analysis) the parameters specified in column 1 of Table 9, …….	**Schedule 3, Condition 29 – Meteorological Monitoring** **Prior to the commencement of site establishment**, the Proponent shall install a weather station to monitor (by sampling and obtaining results by analysis) the parameters specified in column 1 of Table 9, …….

3.2 Environment Protection Licence - 20184

Environment Protection Licence 20814 was issued to SRC Properties Pty Limited on 8 November 2016 for Schedule Activities – Extractive activities (land based), Resource recovery (general waste) and Waste disposal (by application to land). A Notice of Variation No. 1549714 was issued on 20 March 2017 to amend the licensee name from SRC Properties Pty Ltd to SRC Operations Pty Ltd and to add the scheduled activities of Resource Recovery and Waste Disposal (application to land) to the EPL.

3.3 Roads Works Approval

Development Consent (DA03/0627) was granted by Penrith City Council on 3 July 2003 for the 'Realignment of Patons Lane and construction of a new intersection at the intersection of Patons Lane and Luddenham Road'.

As part of this Development Consent approval, condition 15 required the applicant to also upgrade the entire length of Patons Lane so that it was adequate to accommodate heavy vehicle traffic associated with the ongoing operation of the quarry.

Engineering Construction Certificate No. v 05/0630 was issued by Penrith City Council for the realignment and intersection works and the upgrade of the remainder of Patons Lane. Roadworks were physically commenced following approval with the realignment of Patons Lane with construction of a new intersection at Luddenham Road and Patons Lane. The new intersection was designed and constructed to cater for heavy vehicles up to 26m in length to turn into or out of Patons Lane.

During the site establishment stage for the Patons Lane RRC, completion of the upgrade of the remainder of Patons Lane will occur in accordance with the engineering plans endorsed by Penrith City Council.

3.4 Other Approvals

Any other licence or approval required to undertake works related to the Patons Lane RRC project, will be obtained prior to the commencement of any works related to that licence or approval (pers. comm. - David White – Operations and Compliance).

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4. Review of Compliance

4.1 Environmental Management Plans

The environmental management plans required to be prepared for the Patons Lane RRC under the Conditions of Consent 09_0074 prior to commencement of site establishment activities are:

Environmental Management Documentation Required for Pre-Site Establishment Audit		
Consent Condition	**Management Plan**	**Status**
Schedule 3 condition 6	Detailed Engineering Plans	Lodged with DP&E 14 March 2017. DP&E approval not required.
Schedule 4 condition 7	Contamination and Asbestos Management Plan	DP&E approved – 9 August 2017
Schedule 4 condition 16	Air Quality and Greenhouse Gas Management Plan	DP&E approved – 9 August 2017
Schedule 4 condition 20	Soil, Water and Leachate Management Plan	DP&E approved – 9 August 2017
Schedule 4 condition 26	Site Establishment Noise Management Plan	DP&E approved – 9 August 2017
Schedule 4 condition 30	Construction Traffic Management Plan	DP&E approved – 9 August 2017
Schedule 4 condition 40 and 46	Bund Wall, Landscaping and Vegetation Management Plan and Rehabilitation Plan	DP&E approved – 9 August 2017
Schedule 4 condition 43	Fire and Emergency Management Plan	DP&E approved – 9 August 2017
Schedule 5 condition 4	Quarry Operation Management Plan	DP&E approved – 21 December 2016
Schedule 5 condition 5	Landfill Environmental Management Plan (LEMP)	DP&E approved – 9 August 2017
Schedule 6 condition J	Construction Quality Assurance Plan	DP&E approved – 9 August 2017

The Management Plans and Detailed Engineering Plans were required to be prepared and approved by the Secretary of DP&E, prior to the commencement of site establishment activities on the Patons Lane site. The following sections summarise the status of the Management Plans at the date of this Pre-Site Establishment Audit dated August 2017.

4.2 Detailed Engineering Plans

[Consent 09_0074 Schedule 3 condition 6]

Consent MP09_0074 Schedule 3 condition 6 requires detailed engineering plans to be prepared and certified by a registered NER engineer (NPER registration was automatically applied to the NER on the 1 July 2016) prior to commencement of site establishment.

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The detailed engineering plans were prepared by GHD to address the requirements of Condition of Consent 09_0074 Schedule 3 condition 6 and attached to a covering report[1] that described the planning and legal principals guiding the development of the detailed engineering plans and the key technical parameters and assumptions for the Stage 1 design. These plans also included a report by Douglas Partners setting out the results of detailed geotechnical investigation.

The Detailed Engineering Plans were submitted to the DP&E on 14 February 2017 and discussed with DP&E on 14 March 2017. The Certified Detailed Engineering Plans do not require formal approval from DP&E under Condition of Consent 09_0074 Schedule 3 condition 6. The Detailed Engineering Plans are generally consistent with the Further Modified Preferred Project Report, and Schedule 10 and other conditions of Consent MP09_0074.

Conclusion

The Detailed Engineering Plans design, are generally consistent with the Further Modified Preferred Project Report and other relevant plans and conditions specified in Consent MP09_0074.

4.3 Contamination and Asbestos Management Plan

[Consent 09_0074 Schedule 4 condition 7]

Consent MP09_0074 Schedule 4 condition 7 requires a Contamination and Asbestos Management Plan to be prepared by an independent expert, prior to commencement of site establishment.

The independent expert (Hibbs & Associates endorsed by the DP&E[2]) prepared the plan in consultation with WorkCover NSW, NSW Office of Water (NOW) and the NSW Environment Protection Authority (EPA). The Contamination and Asbestos Management Plan was reviewed and endorsed by an independent accredited site auditor (Dr Ian C Swane) and a Site Audit Statement No. 269 was issued for the review of the Plan on 23 December 2016.

The Contamination and Asbestos Management Plan specifies work practices and procedures that when implemented, will protect human health and the environment from asbestos and other contamination present in materials that make up the bund walls surrounding the Patons Lane RRC site and meets regulatory requirements to:

- Identify the presence of asbestos containing materials (ACM) and develop a Register of the locations. Any other contamination identified during the site works would also be documented (section 9.4).
- Provide adequate asbestos awareness training to site personnel (section 9.3);
- Minimise the risk of inadvertent or incidental disturbance to the ACM's and any other contaminants that may be identified during the site works (section 11);
- Document a strategy to manage and dispose / re-use the material in the bund walls in accordance with regulatory requirements (section 11);
- Describe the minimum safeguards required to complete the site works in a safe manner (section 11.3);
- Implemented a protocol for unexpected finds (section 11.13);
- Prevent the off-site migration of contamination associated with the bund walls (which will be subject to a Site Audit Statement) or, where there is off-site migration or its potential, manage or monitor the contamination such that it does not present an unacceptable risk to either the on-site or off-site environments (section 11).

Submission of the Contamination and Asbestos Management Plan to the EPA, WorkCover NSW and NOW occurred on 16 January 2017. The Contamination and Asbestos Management Plan was submitted to the DP&E on 15 March 2017 and was approved by DP&E on 9 August 2017.

[1] Covering Report – Audit Task 1 -Detailed Engineering Plans, March 2017
[2] Letter from DP&E re Endorsement of Independent Audit Team Experts, 31 Aug 2015

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Conclusion

The Contamination and Asbestos Management Plan was prepared for the Patons Lane RRC site to address each of the requirements of Consent MP09_0074 Schedule 4 condition 7 for the management of asbestos and other contaminants that may be encountered during site establishment activities The Contamination and Asbestos Management Plan was approved by the DP&E on 9 August 2017.

4.4 Air Quality and Greenhouse Gas Management Plan

[Consent 09_0074 Schedule 4 condition 16]

Consent 09_0074 Schedule 4 condition 16 requires preparation of an Air Quality and Greenhouse Gas Management Plan by an independent expert, prior to commencement prior to commencement of any work on the site.

The independent expert (Todoroski Air Sciences was endorsed by the DP&E[3]) prepared the Air Quality and Greenhouse Gas Management Plan to satisfy Consent 09_0074 Schedule 4 condition 16. The Air Quality and Greenhouse Gas Management Plan:

- describes the measures that would be implemented to manage the air quality (section 5.2) and greenhouse gas (section 5.5) impacts of the Project to ensure compliance with the Conditions of Consent and other relevant statutory controls;
- includes a monitoring program for real-time air quality impacts of the project (section 6);
- identifies the number and location of continuous monitoring points for fine particulates (PM_{10}) (section 6);
- includes development and identification of PM_{10} concentration trigger levels at which dust management actions shall be taken, specification of the relevant actions (section 5.3), and when work at the site shall cease (Table 5.1);
- includes a program for monitoring subsurface gas, surface gas emission, and gas accumulation in general accordance with the guidance *Environmental Guidelines for Solid Waste Landfills* EPA, 1996 Appendix A sections 15-18 (section 7); and
- includes a protocol to remedy any-non-compliances (sections 8.45 and 8.6).

The Air Quality and Greenhouse Gas Management Plan was submitted to the EPA on 14 January 2017 for consultation. The Air Quality and Greenhouse Gas Management Plan was submitted to the DP&E on 15 March 2017 and approved by DP&E on 9 August 2017.

Conclusion

The Air Quality and Greenhouse Gas Management Plan prepared for the Patons Lane RRC was approved by the DP&E on 9 August 2017, to provide the framework for the management of air quality and monitoring of dust and gas emissions from the Patons Lane RRC activities.

4.5 Soil, Water and Leachate Management Plan

[Consent 09_0074 Schedule 4 condition 20]

Consent MP09_0074 Schedule 4 condition 20 requires preparation and implementation of a Soil, Water and Leachate Management Plan for the Patons Lane RRC site, by an independent expert, prior to commencement of site establishment.

[3] Letter from DP&E re Endorsement of Independent Audit Team Experts, 31 Aug 2015

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The Soil, Water and Leachate Management Plan was prepared by an independent expert (GHD endorsed by the DP&E[4]) to satisfy Consent MP09_0074 Schedule 4 condition 20 and provides a soil, water and leachate management framework for the construction and operation of the Patons Lane RRC project.

The Soil, Water and Leachate Management Plan details the soil, water and leachate management strategy for site establishment works and the construction of Cell 1 and includes:

- a site water balance (Section 4.4 and Appendix 4 - Site Water Balance);
- an erosion and sediment control plan that is consistent with the requirements in the latest version of *Managing Urban Stormwater. Soils and Construction* Volume 1, Landcom 2004, and Volume 2b: *Waste Landfills*, DECCW, 2008 (Section 5- Erosion and Sediment Control Plan);
- a stormwater management scheme that is consistent with *Managing Urban Stormwater* Volume 2b; *Waste Landfills* (DECCW,2008), (Section 4.3.2 – Design Criteria and 4.3.4 – Drainage Catchments and Section 4.3.5 – Surface Water Management System);
- design specifications and plans for the leachate containment system that complies with the minimum design specifications in this Consent MP09_0074 Schedule 7 and relevant Benchmark Techniques in Appendix A of the *Environmental Guidelines for Solid Waste Landfills* EPA, 1996, unless otherwise approved by the EPA (Section 6.3.2 and Appendix 6 – Reconciliation of Minimum Design Specification in Schedule 7A);
- a surface water, groundwater and leachate monitoring program in accordance with the requirements of the EPL 20814 conditions P1.2, L2, and 5; and includes collection of baseline data; a proposed monitoring network; and the parameters for testing and respective trigger levels for action under the surface water, groundwater and leachate response plan (Section 7 – Monitoring);
- specifies that any stormwater from all areas of the site which has the potential to interact with waste shall be managed as leachate and directed into the leachate containment system (Section 6 – Leachate Management);
- Stormwater Dewatering Management Plan, Niche Environment & Heritage, 2016 for a sampling and testing program to be developed in consultation with the EPA, to further characterise the quality of the water in the quarry void as well as any settled sediment at the base of the flooded quarry void to be conducted prior to any of the permitter bunds being disturbed;
- includes a surface water, ground water and leachate response plan that includes a protocol for the investigation, notification to the EPA and mitigation of any exceedances of the respective trigger levels; and describes measures that could be implemented to respond to any surface or groundwater contamination that may be caused by any development (Section 7.6 – Response Plan).

The Soil, Water and Leachate Management Plan was submitted to the EPA, Penrith City Council and DPI-Water on 7 March 2017. The Soil, Water and Leachate Management Plan was submitted to the DP&E on 23 March 2017 and approved by DP&E on 9 August 2017

Conclusion

The Soil, Water and Leachate Management Plan prepared for the Patons Lane RRC site activities was approved by the DP&E on 9 August 2017 and provides a soil, water and leachate management framework for the construction and operation of the Patons Lane RRC site.

4.6 Site Establishment Noise Management Plan

[Consent 09_0074 Schedule 4 condition 26]

Consent MP09_0074 Schedule 4 condition 26 requires the preparation of a Site Establishment Noise Management Plan for the Patons Lane RRC site, by an independent expert, prior to commencement of site establishment.

[4] Letter from DP&E re Endorsement of Independent Audit Team Experts, 31 Aug 2015

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The Site Establishment Noise Management Plan was prepared by an independent expert (Wilkinson Murray endorsed by the DP&E[5]), to satisfy Consent MP09_0074 Schedule 4 condition 26 and provide a noise management framework for site establishment activities at the Patons Lane RRC site.

The Site Establishment Noise Management Plan details the noise management strategy for site establishment works and the construction of Cell 1.

The Site Establishment Noise Management Plan was submitted to the EPA on 14 January 2017 and approved on 27 May 2016. The Site Establishment Noise Management Plan was submitted to the DP&E on 15 March 2017 and approved by DP&E on 9 August 2017.

Conclusion

The Site Establishment Noise Management Plan prepared to provide the noise management framework for site establishment activities at the Patons Lane RRC site, was approved by the DP&E on 9 August 2017.

4.7 Construction Traffic Management Plan

[Consent 09_0074 Schedule 4 condition 30]

Consent MP09_0074 Schedule 4 condition 30 requires the preparation of a Construction Traffic Management Plan for the Patons Lane RRC site, in consultation with the Penrith City Council and RMS, prior to commencement of site establishment.

The Construction Traffic Management Plan was prepared by an independent expert (Traffic Solutions Pty Ltd endorsed by the DP&E[6]) to satisfy Schedule 4 condition 30, and provides a traffic management framework for site establishment activities at the Patons Lane RRC site.

Conclusion

The Construction Traffic Management Plan approved by the DP&E on 9 August 2017, provides a traffic management framework for site establishment activities at the Patons Lane RRC site.

4.8 Bridge Capacity Investigation

[Consent 09_0074 Schedule 4 condition 31]

Consent 09_0074 Schedule 4 condition 31 required the investigation of the bridge over South Creek on Luddenham Road to carry the anticipated heavy vehicle traffic loadings from the proposed development, in consultation with the Penrith City Council and to the satisfaction of the Secretary of DP&E prior to the commencement of site establishment at the Patons Lane RRC.

The investigation was carried out by Integrity Testing Pty Ltd on 21 February 2017 in consultation with the Council. The Level 3 Bridge Load Rating and Inspection Report concluded:

> *"The bridge is suitable for traversing by all legally loaded trucks to the Higher Mass Limit (HML) loadings for all categories".*

Conclusion

The Bridge Capacity Investigation Report approved by DP&E on 9 August 2017, confirmed the bridge was suitable for the anticipated heavy vehicle traffic loadings.

[5] Letter from DP&E re Endorsement of Independent Audit Team Experts, 31 Aug 2015
[6] Letter from DP&E re Endorsement of Independent Audit Team Experts, 31 Aug 2015

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4.9 Landscaping at 202 Luddenham Road

[Consent 09_0074 Schedule 4 condition 39]

Consent 09_0074 Schedule 4 condition 39 required: "*the Proponent shall offer and implement (if the offer is accepted) landscaping treatments, including fencing, to the residents at 202 Luddenham Rd. These measures must be reasonable and feasible and directed toward minimising visual and acoustic impacts of the operation on the residents.*"

Consultation occurred with the owners of 202 Luddenham Road between 8 February 2016 and 24 March 2017 in relation to Schedule 4 condition 39. On the 19 July 2016 Mr Mifsud formally declined the offer of any type of landscaping, and stated that he and Mrs Mifsud would prefer to have double-glazing installed on their windows facing Luddenham Road (west facing), rather than any type of landscaping treatment.

A Deed of Agreement was signed on 24 March 2017 by Mr Joseph Mifsud accepting double glazing treatment provided and paid for by SRC Operations Pty Limited. The signed Deed of Agreement was submitted to the DP&E. Receipt of the Deed was acknowledged by DP&E on 9 August 2017.

4.10 Bund Wall, Landscaping, Vegetation Management & Rehabilitation Plan

[Consent 09_0074 Schedule 4 condition 40]
[Consent 09_0074 Schedule 4 condition 46]

Consent MP09_0074 Schedule 4 condition 40 requires preparation of a Bund Wall, Landscaping Vegetation Management Plan and Consent MP09_0074 Schedule 4 condition 46 requires preparation of a Rehabilitation Plan for the Patons Lane RRC site prior to commencement of site establishment. The objective of both Plans is to achieve the final landform and landscaping in Figure 2.22 of the Further Modified Preferred Project Report for the Patons Lane RRC site.

The Bund Wall, Landscaping Vegetation Management Plan and Rehabilitation Plan were prepared within a single document by an independent expert (Huon Designs endorsed by the DP&E[7]) to satisfy Consent conditions 40 and 46, and provide a management framework to protect, conserve, rehabilitate and enhance the native plant communities in the area of the Patons Lane RRC site.

The Bund Wall, Landscaping Vegetation Management Plan details the management strategy to restore and maintain any disturbed areas during site establishment works and the operation of the RRC for Stage 1 of the project to minimize the impact of the proposed development on the surrounding natural ecosystem and the adjacent land uses, with the final, objective being restoration to pasture land and native bushland at the end of the operational life.

The Bund Wall, Landscaping Vegetation Management Plan and Rehabilitation Plan was prepared in consultation with NOW, EPA/OEH and the Rehabilitation Plan section with the Penrith City Council. The Bund Wall, Landscaping Vegetation Management Plan and Rehabilitation Plan was submitted to the DP&E on 15 March 2017 and approved by DP&E on 9 August 2017.

Conclusion

The Bund Wall, Landscaping Vegetation Management Plan and Rehabilitation Plan was prepared to provide a management framework to protect, conserve, rehabilitate and enhance the native plant communities in the area of the Patons Lane RRC site. The Bund Wall, Landscaping Vegetation Management Plan and Rehabilitation Plan was approved by the DP&E on 9 August 2017.

[7] Letter from DP&E re Endorsement of Independent Audit Team Experts, 31 Aug 2015

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4.11 Fire and Emergency Management Plan

[Consent 09_0074 Schedule 4 condition 43]

Consent MP09_0074 Schedule 4 condition 43 requires preparation of a Fire and Emergency Management Plan for the Patons Lane RRC to be prepared by an independent expert prior to commencement of any work on the site.

The Fire and Emergency Management Plan was prepared by an independent expert (Planager Consulting Pty Ltd endorsed by the DP&E[8]) and Patons Lane RRC, to satisfy Consent MP09_0074 Schedule 4 condition 43 and provides a system to deal with fires and emergencies to protect people, property and the environment and contain and minimise the effects of any threats to the environment and public health.

The Fire and Emergency Management Plan was submitted to the DP&E on 28 March 2017 and approved on 9 August 2017.

Conclusion

The Fire and Emergency Management Plan outlines the system and resources to deal with fires and emergencies to protect people, property and the environment and was approved by the DP&E on 9 August 2017.

4.12 Quarry Operation Management Plan

[Consent 09_0074 Schedule 5 condition 4]

Consent MP09_0074 Schedule 5 condition 4 requires the preparation of a Quarry Operation Management Plan for the Patons Lane RRC project to be prepared by an independent expert prior to commencement of site establishment.

The Quarry Operation Management Plan was prepared by an independent expert (R W Corkery & Co. Pty Limited endorsed by the DP&E[9]), to satisfy Schedule 5 condition 4 in consultation with the EPA and Penrith City Council. EPA advised on 27 May 2016 that the *"draft QOMP meets the requirements of the Land and Environment Court order for the premises"*. Penrith City Council reviewed the Quarry Operation Management Plan and did not raise any issues in relation to the staging or the operations proposed.

The Quarry Operation Management Plan provides an overview of the overall extraction plan for the life of the Patons Lane RRC, details for the extraction operations in Cell 1, provides for the separation of the extraction operations and waste placement activities, and provides a level of detail for the stockpiling activities for materials extracted from Cell 1. RPM Global P/L designs including the 3D resource profile model and conceptual quarrying plan are incorporated into the Quarry Operations Management Plan Version 6, (dated December 2016) prepared by RW Corkery & Co P/L for Stage 1 of the Patons Lane RRC (i.e. up to the completion of the excavation of Cell 1).

The Quarry Operation Management Plan was submitted to the EPA on 21 March 2016 and approved on 27 May 2016. The Quarry Operation Management Plan was submitted to the DP&E and approved on 21 December 2016.

[8] Letter from DP&E re Endorsement of Independent Audit Team Experts, 31 Aug 2015
[9] Letter from DP&E re Endorsement of Independent Audit Team Experts, 31 Aug 2015

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Conclusion

The Quarry Operation Management Plan was approved by the DP&E on 21 December 2016 and provides an overview of the overall extraction plan for the life of the Patons Lane RRC project.

4.13 Landfill Environmental Management Plan

[Consent 09_0074 Schedule 5 condition 5]

Consent MP09_0074 Schedule 5 condition 5 requires the preparation of a Landfill Environmental Management Plan for the Patons Lane RRC site to be prepared by an independent expert, prior to commencement of site establishment.

The Landfill Environmental Management Plan was prepared by an independent expert (GHD endorsed by the DP&E[10]) to satisfy Consent MP09_0074 Schedule 5 condition 5 and provides a framework of environmental management practices focussed on landfilling and associated activities, occurring or planned to occur at the Patons Lane RRC site.

The Landfill Environmental Management Plan addresses the environmental management measures, proposed monitoring program, description of the site closure and rehabilitation process and measures and reporting requirements and frequencies for the management of the landfill activities.

The Landfill Environmental Management Plan Schedule 5 condition 5(k) requires copies of the various strategies, plans and programs approved under the conditions of this Consent to be included with the Landfill Environmental Management Plan (attached) once they have been approved by the DP&E.

The Landfill Environmental Management Plan was submitted to the EPA on 7 March 2017 and comments were provided on 22 May 2016. The Landfill Environmental Management Plan was submitted to the DP&E and approved on 9 August 2017.

Conclusion

The Landfill Environmental Management Plan has been prepared to provide a framework of suitable environmental management practices focussed on landfilling and associated activities, planned to occur at the Patons Lane RRC site and was approved by the DP&E on 9 August 2017.

4.14 Construction Quality Assurance Plan

[Consent 09_0074 Schedule 73 condition J]

Consent MP09_0074 Schedule 7 condition J requires a Construction Quality Assurance Plan to be prepared and included in the Landfill Environmental Management Plan for the entire site, including site establishment and development works, cell construction, stormwater and leachate management measures, capping and post closure rehabilitation.

The Construction Quality Assurance Plan was prepared by an independent expert (GHD - endorsed by the DP&E[11]), to satisfy Schedule 7 condition J, and describes the construction quality assurance procedures and requirements necessary to demonstrate compliance with the Contract Documents relevant to the development and the Conditions of Consent 09_0074.

[10] Letter from DP&E re Endorsement of Independent Audit Team Experts, 31 Aug 2015
[11] Letter from DP&E re Endorsement of Independent Audit Team Experts, 31 Aug 2015

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Conclusion

The Construction Quality Assurance Plan has been prepared and included in the Landfill Environmental Management Plan that was approved by the DP&E on 9 August 2017.

4.15 Meteorological Monitoring

[Consent 09_0074 Schedule 4 condition 29]

Consent MP09_0074 Schedule 4 condition 29 requires installation of a weather station to monitor rainfall, wind speed and direction, temperature at 2m and 10m, Sigma-Theta at 10m, and solar radiation using the sampling method, units of measure, averaging period and sampling frequency specified in Table 9 of condition 29

The weather station was installed on 29 March 2017 at the Patons Lane RRC site in a secure fenced compound at a location consistent with the requirements of AS 2922-1987 (AM-1). The weather station is equipped to provide data on:

- Temperature at 2m and 10m
- Wind Speed and Direction
- Sigma-Theta
- Rainfall (mm)
- Relative Humidity
- Solar Radiation and
- Barometric Pressure

Conclusion

A review of documentation and a site inspection confirmed that the weather station installed on 29 March 2017 at the Patons Lane RRC site, was in accordance with the requirements of Consent MP09_0074 Schedule 4 condition 29.

The weather station has been located generally in accordance with the requirements for siting weather stations in the *Approved Methods for the Sampling and Analysis or Air Pollutants in NSW* (DEC January 2007) and siting directions described in Guide for the siting of sampling units: AS 2922-1987 (AM-1).

Conclusion

Review of documentation and a site inspection confirmed that the weather station installed on 29 March 2017 at the Patons Lane RRC site was in accordance with the requirements of Consent MP09_0074 Schedule 4 condition 29, at a location consistent with the siting requirements of AS 2922-1987 (AM-1).

4.16 Site Security

[Consent 09_0074 Schedule 4 condition 45]

The perimeter fence and security gates on the Patons Lane RRC site were erected to satisfy the requirements of Consent MP09_0074 Schedule 4 condition 45.

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The Patons Lane RRC site perimeter is secured with 2m chain-wire fencing on the boundaries of the site not common with the Defence Establishment Orchard Hills (DEOH) property. The boundary with the DEOH property has a 3m high secure chain-wire fencing that is maintained by the DEOH. All Hills Fencing was contracted by SRC Operations and fencing work completed at the main site entrance gate on Patons Lane and new 2m high chain-wire and barbed-wire fence and gate across Patons Lane from the DEOH boundary to the entrance to the RRC site. Site Entry Gate to the RRC site is secured by high-tensile chain and numbered security key system padlocks. There is also a security camera installed at the entrance gate.

Security Camera and Entrance Gate to RRC Site

DEOH 3m boundary fence adjoining the 2m Security Fence across Patons Lane

Security Fence and security gate at the entrance to Patons Lane RRC site.

Conclusion

The perimeter fence and security gates on the Patons Lane RRC site have been erected to satisfy the requirements of Consent Condition Schedule 4 condition 45. The security gates on-site are locked with numbered security key system padlocks, whenever the site is unattended.

4.17 Community Liaison Committee

[Consent 09_0074 Schedule 5 condition 1]

Consent MP09_0074 Schedule 5 condition 1 requires the establishment of a Community Liaison Committee(CLC), that has been established in generally in accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007), comprising:

- An independent chairperson who will report annually to the Secretary of DP&E on the operation of the CLC;
- Three-to-five representatives of the local community and other stakeholders;
- One representative of Penrith Council appointed the council;
- Patons Lane RRC representatives including the personnel with direct managerial responsibility for environmental management at the site, appointed by the company; and

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- State Government agencies may be invited to attend CLC meetings as needed at the request of the CLC.

The Proponent submitted details of the CLC members (including the Chairperson, procedures and frequency of meetings) for the approval of the Secretary of DP&E.

Mr Peter Gordon, Director of Economic Futures Australia, was selected as interim chairperson of the CLC and a request was submitted to the DP&E (dated 20 March 2017) for approval. The DP&E responded on 3 April 2017 approving the appointment of Mr Peter Gordon as interim chairperson until the CLC votes for the permanent chairperson in accordance with the Schedule 5 condition 1. The inaugural CLC meeting was held on 21 June 2016 with a site visit followed by a formal meeting. The appointment of Mr Peter Gordon as permanent chairperson was endorsed by all members of the CLC following the inaugural meeting.

Conclusion

The Community Liaison Committee(CLC) has been established and the interim Chairperson approved by the DP&E. The inaugural CLC meeting was held on 21 June 2016 with a site visit followed by a formal meeting and appointment of Mr Peter Gordon as permanent chairperson has been endorsed by all members of the CLC.

4.18 Access to Information

[Consent 09_0074 Schedule 5 condition 10]

Consent MP09_0074 Schedule 5 condition 10 identified information required to be freely available on a publicly accessible website from the commencement of site establishment.

Patons Lane RRC established a website (http://www.patonslane.com.au/) to satisfy Schedule 5 condition 10 with available information uploaded, and this will be updated progressively as documentation becomes available during the development and operation of the RRC project.

The website has statutory approvals (Land and Environment Court Conditions of Consent), reports (Further Modified Preferred Project Report and Modification Application), Community Liaison Committee and community information, Company information and project status, and Patons Lane RRC contact information.

Conclusion

Patons Lane RRC has complied with the requirements of Consent MP09_0074 Schedule 5 condition 10, with the establishment of a website (http://www.patonslane.com.au/). The information required to be publicly available will be updated progressively as documentation is approved by DP&E and monitoring data becomes available during the development and operation of the RRC project.

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5. Conclusions

The Independent Pre-Site Establishment Compliance Audit of the Patons Lane Resource Recovery Centre (RRC) Project was conducted between 7 and 10 August 2017 to satisfy the requirement of Consent MP09_0074 Schedule 3 Condition 11.

The Management Plans required to be prepared and approved by the Secretary of Department of Planning and Environment (DP&E) prior to the commencement of site establishment activities on the Patons Lane RRC site, have been developed and approved by the DP&E in accordance with the Conditions of Consent.

The Detailed Engineering Plans required under Consent MP 09-0074 Schedule 3 condition 6 have also been prepared, Certification by a Registered NER and were submitted to the DP&E on 14 March 2017.

The finding of this Pre-Site Establishment Audit conducted between 7 and 10 August 2017, has verified that the documents required prior to commencement of site establishment works on the Patons Lane RRC site, under Consent MP 09_0074, have been completed where required, submitted to the DP&E and approved by DP&E prior to commencement of any site establishment works on the Patons Lane RRC site.

In addition, the Pre-Site Establishment Audit has verified that the works required prior to commencement of site establishment works on the Patons Lane RRC site, have been undertaken.

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Attachment

Attachment A Consent Conditions – MP09_0074

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Attachment A

Consent Conditions – MP09_0074 (23 August 2012)

Modification 1 Conditions - 30 March 2016

Pre-Site Establishment Compliance Audit

Condition No.	MP09_0074 Consent Conditions	Verification	Comments	Compliance
SCHEDULE 3 - ADMINISTRATIVE CONDITIONS				
	OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT			
1	The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise harm to the environment that may result from the Project.			**Noted**
	TERMS OF APPROVAL			
2	The Proponent shall carry out the Project generally in accordance with the: a) *Environmental Assessment* prepared by RW Corkery & Co Pty Ltd dated April 2010; b) *Response to* Submissions prepared by RW Corkery & Co Pty Ltd dated July 2010; c) *Further Modified Preferred Project Report for the Orchard Hills Waste and Resource Management Facility September 2011* prepared by R.W. Corkery & Co. Pty. Ltd (Exhibit Z in Appeal No 10928 of 2010); d) *Report for Modifications to Modified Preferred Project – Overview Report:* September 2011 prepared by GHD (Exhibit Z in Appeal No 10928 of 2010); e) The documents listed in Schedule 6. f) *Environmental Assessment Patons Lane Landfill and Resource Recovery Centre Section 75W Modification Application* by EMGA Mitchell McLennan, dated September 2015 Where any plans and diagrams are marked with the word 'indicative', or 'indicative only' or similar terms, the plan or diagram is to be read as if that word does not appear on the plan or diagram unless otherwise approved by the **Secretary**.	• *Environmental Assessment* Apr 2010; • *Response to* Submissions Jul 2010; • *Further Modified Preferred Project Report for the Orchard Hills Waste and Resource Management Facility September 2011* (Exhibit Z in Appeal No 10928 of 2010); • *Report for Modifications to Modified Preferred Project – Overview Report:* September 2011 (Exhibit Z in Appeal No 10928 of 2010); • *Environmental Assessment Patons Lane Landfill and Resource Recovery Centre Section 75W Modification Application,* EMGA Mitchell McLennan, September 2015	This Pre-Site Establishment Audit has been conducted to determine compliance with the conditions of MP09_0074 in relation to documentation and approvals required to be completed and approved by the Secretary of DP&E prior to commencement of site establishment works on the Patons Lane RRC site.	**Compliant**
3	In the event of an inconsistency between the documents in condition 2 above, the later document prevails.			**Noted**
4	In the event of an inconsistency between the documents in condition 2 above and the conditions of this approval, the conditions of this approval prevail.			**Noted**
5	The Proponent shall comply with any reasonable requirement of the Secretary arising from the Department's assessment of:			**Noted**

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	a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and b) the implementation of any actions or measures contained in the submitted reports, plans, strategies, programs or correspondence.			
5A	The facility must not accept waste from members of the public.			**Noted**
	ENGINEERING PLANS			
6	Detailed engineering plans must be prepared and certified by a registered NPER3 engineer prior to commencement of site establishment. The engineering plans must include: a) a detailed geotechnical investigation of the site, including an assessment of the stability of the cell and quarry walls; b) design for battered slopes of the landfill waste no greater than 1:3 (Vertical: Horizontal), unless otherwise approved by the EPA; c) the engineering specifications for the internal haul road design, including sufficient width to carry two lanes of heavy vehicle traffic where appropriate, and all other internal roads, so as to minimise traffic conflicts within the site; d) a set of amended staging plans incorporating the results of the detailed geotechnical investigation and engineering design. The amended staging plans must include: • all stages of the quarrying and landfilling operations, to address the incorrect sub-vertical cut and batter slopes in the Further Modified Preferred Project Report Figures including Figure 2.10a, 2.10b, 2.10c, 2.11a, 2.11b, 2.11c, 2.11d, 2.12a, 2.12b, 2.12c, and more clearly show how the measures to be utilised to ensure separation between the landfilling and extraction operations will be undertaken, and the effect of the 1:3 (V:H) landfill batter slopes on the location of the acoustic mounds; • show all active quarrying and landfilling areas, internal bunds, batter slopes (of the earthworks, landfill cell walls, and landfill batter slopes), location of noise and visual bunds / barriers, location of landfill cell access roads and earthwork haul roads, stormwater drainage / management works and leachate manage works. e) These plans should be consistent with the Further Modified Preferred Project Report, other conditions of this approval and the Figure in Schedule 10.	• Further Modified Preferred Project Report, Sep 2011 • Report on Geotechnical Investigation, Proposed Landfill Facility, Patons Lane, Douglas Partners, April 2015 • Orchard Hills Waste and Resource Management Facility - Cell Design and Groundwater Assessment, Aquaterra Consulting Pty Ltd, 2010 • Covering Report Audit - Detailed Engineering Plans, Mar 2017 • Detailed Engineering Plans, 14 Mar 2017 • Letter from GHD re NER Certification of Detailed Engineering Plans, 14 Aug 2017 • Letter from DP&E re Receipt of Detailed Engineering Plans, 9 Aug 2017	The Detailed Engineering Plans for the Patons Lane RRC have been prepared and Certified by a registered NER engineer (David Gamble NER 18489) and include: a) geotechnical investigation of the site, including an assessment of the stability of the cell and quarry walls (Douglas Partners April 2015); b) design for battered slopes of the landfill waste no greater than 1:3 (Vertical: Horizontal), (GHD 3D Terrain Modelling); c) the engineering specifications for the internal haul road design, including sufficient width to carry two lanes of heavy vehicle traffic where appropriate, and all other internal roads, so as to minimise traffic conflicts within the site; d) a set of amended staging plans incorporating the results of the detailed geotechnical investigation and engineering design (Covering Report - Detailed Engineering Plans, Appendix 5, March 2017) e) The Detailed Design Plans are generally consistent with the Further Modified Preferred Project Report, and conditions of this approval.	**Compliant**
6A	The engineering plans and amended staging plans must be provided to the **Secretary** prior to the pre-site establishment compliance audit.	• Letter from DP&E re Staging of Site Establishment Management Plans, 18 May 2016 • Letter from DP&E re Receipt of Detailed Engineering Plans, 9 Aug 2017	The detailed engineering plans and management plans required for the site establishment works were provided to the Secretary prior to this Pre-Site Establishment Audit (August 2017).	**Compliant**
	SITE REHABILITATION PERFORMANCE BOND			

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7	Prior to the commencement of Operation, the Proponent shall lodge a rehabilitation bond in the form of a bank guarantee for the project with the **Secretary** to provide security for the carrying out of site rehabilitation in accordance with this Project approval. The sum of the bond shall be calculated at $5/m2 for the area marked with a red line and shown as 'Project Site Boundary' on the plans at schedule 8 and be to the satisfaction of the **Secretary** in consultation with the EPA. In determining the amount of the rehabilitation bond, the **Secretary** will have regard to the level of financial assurance provided to the EPA for the provision of the EPL so that the Proponent is not required to bond the rehabilitation of the site twice.		Not applicable to the site establishment stage.	**Not triggered**
8	Within 3 months of each Independent Environmental Audit (see condition 6 of schedule 5), the Proponent shall 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 (CPI); b) any changes to the total area of site disturbance as shown in schedule 8; and c) the performance of the rehabilitation and revegetation to date. In relation to (c) above, if the rehabilitation works or part thereof are completed to the satisfaction of the **Secretary**, the **Secretary** will release all or part of the rehabilitation bond. If the rehabilitation works are not completed to the satisfaction of the **Secretary**, the **Secretary** may call in all or part of the rehabilitation bond to arrange for the satisfactory completion of the relevant works to the extent that the bond allows.		Not applicable to the pre-site establishment stage.	**Not applicable**
9	Deleted			**Deleted**
10	Deleted			**Deleted**
	PRE-SITE ESTABLISHMENT COMPLIANCE AUDIT			
11	The Proponent shall commission and pay the full cost of an independent pre-site establishment compliance audit. The audit must: a) be conducted by a suitably qualified, experienced and independent team of experts covering all facets of the Project whose appointment has been endorsed by the **Secretary**; b) assess compliance with all pre-site establishment and pre-work conditions of this approval; c) assess all pre-site establishment and pre-work management plans, strategies and programs for consistency with the conclusions and recommendations in the documents listed in condition 2 of Schedule 3 and Schedule 6 and condition 6 of Schedule 3; and d) be submitted to the Department prior to the commencement of any work.	• Letter from DP&E re Endorsement of Auditors and Subject Experts, 31 August 2015 • Site Audit Statement, Dr Ian Swane & Associates, 23 Dec 2016 • Pre-Site Establishment Audit, 11 Aug 2017	This independent Pre-Site Establishment Audit has been prepared to address the requirements of Schedule 3 condition 11: a) the Pre-Site Establishment Compliance Audit was conducted by the Lead Auditor, whose appointment was endorsed by the Secretary of DP&E on 31 August 2015; b) the audit assessed compliance with the Conditions of Consent that apply to approvals required prior to commencement of site establishment works (section 4); c) assessed that all pre-site establishment management plans, strategies and programs were prepared and approved	**Compliant**

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			by the Secretary of DP&E were generally consistent with the conclusions and recommendations in the documents listed in Schedule 3 condition 2 and Schedule 6, and Schedule 3 condition 6 (section 3 and 4); and d) the Independent Pre-site Establishment Audit has been conducted for submission to the Secretary of DP&E prior to the commencement of any site establishment works.	
	PRE-OPERATION COMPLIANCE AUDIT			
12	The Proponent shall commission and pay the full cost of an independent pre-operation compliance audit. The audit must: a) be conducted by a suitably qualified, experienced and independent team of experts covering all facets of the Project whose appointment has been endorsed by the Secretary; b) assess compliance with all pre-operation conditions of this approval; c) assess all pre-operation management plans, strategies and programs for consistency with the conclusions and recommendations in the documents listed in condition 2 of Schedule 3 and Schedule 6 and condition 6 of Schedule 3; and d) be submitted to the Department prior to the commencement of operation.		To be submitted to the Department prior to the commencement of operations.	**Not triggered**
	SURRENDER OF EXISTING DEVELOPMENT CONSENT(S)			
13	Deleted			**Deleted**
14	Prior to the commencement of site establishment or as otherwise agreed by the **Secretary**, the Proponent shall surrender all existing development consent(s) and project approval(s) for the site and project (apart from this approval and DA 2003/0627) in accordance with the EP&A Act. *Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 4A of the EP&A Act. Surrender of a consent or approval should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.*	• Email to PCC re Surrender of Consents, 27 July 2017 • Email from PCC re Surrender of Consents, 27 July 2017 • Email to DP&E re Request to Delay Surrender of Consents, 27 Jul 2017 • Letter from DP&E re Approval of Deferring Surrender of Consent (to prior to operations), 9 Aug 2017	The surrender of all existing development consent(s) / project approval(s) for the site and project to the Penrith City Council will occur following receipt of approval to commence site establishment works from DP&E under this Consent 09_0074. The PCC had no objections to deferring the surrender of the existing consents to prior to the commencement of operations. A formal request to delay the surrender of the existing consents was lodged to the DP&E on 27 July 2017. DP&E advised on 9 August that surrender of the Consent should occur prior to commencement of operation.	**Surrender of Consent to occur prior to commencement of operation.**

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Condition No.	MP09_0074 Consent Conditions	Verification	Comments	Compliance
	LICENCES AND OTHER APPROVALS			
15	The Proponent shall obtain any licence or approval required to undertake the project including, but not limited to, an EPL, a water access licence, and permission for work in the electricity easement, on-site sewage management, and Roads Act approval.	• Environment Protection Licence 20814, 8 November 2016 • EPL 20814 Notice of Variation No. 1549714 • Development Consent - DA03/0627 • Engineering Construction Certificate No. v 05/0630 • Transgrid Easement Permission 2 Feb 2017	***Environment Protection Licence*** Environment Protection Licence 20814 was issued to SRC Operations Pty Limited on 8 November 2016 for Schedule Activities – Extractive activities (land based), Resource recovery (general waste) and Waste disposal (by application to land). A Notice of Variation No. 1549714 was granted on 20 March 2017 to: a. Amend the licensee name from SRC Properties Pty Ltd to SRC Operations Pty Ltd; and b. Add the scheduled activities of Resource Recovery and Waste Disposal (application to land) to the EPL. ***Road Works Approval*** Development Consent (DA03/0627) was granted by Penrith City Council on 3 July 2003 for the 'Realignment of Patons Lane and construction of a new intersection at the intersection of Patons Lane and Luddenham Road'. Engineering plans were endorsed by Penrith City Council, and Engineering Construction Certificate No. v 05/0630 was issued. ***Transgrid Easement Approval*** granted 2 February 2017, to conduct works in accordance with the *Transgrid Easement Guidelines for Third Party Development*.	**Ongoing**
	LIMITS OF APPROVAL			
16	Deleted			**Deleted**
17	The Project, including operation and all rehabilitation but excluding site establishment, shall not exceed 25years duration from the date of commencement of work. This limitation does not apply to any ongoing environmental management and monitoring of the site.			**Noted**
	Site establishment duration			
18	Site establishment shall not exceed **18** months duration from the date of commencement of work, unless otherwise agreed to by the Secretary.			**Noted**

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	Lapsing of approval			
19	This approval lapses 5 years from the date of issue unless the development associated with this approval has physically commenced.			**Noted**
	Waste receipt, emplacement and throughput			
20	The Proponent shall only receive waste on the site after an occupation certificate has been issued and while the Recycling and Re-Processing Area is operational.		No waste will be received on site during the site establishment works.	**Noted**
21	The Proponent shall obtain the **Secretary's** written approval prior to the emplacement of waste in Cell 3. Before granting approval, the **Secretary** must consider whether rehabilitation has been adequately progressed according to the approved Rehabilitation Plan.		Not triggered – Cell 3 (stage 3) expected to occur in year 20 of operations.	**Noted**
22	The Proponent shall not exceed the waste receipt and waste emplacement volumes specified in Table 1. ***Table 1 - Maximum waste receipt and emplacement*** ***Maximum total waste emplacement*** / ***Maximum annual waste receipt*** / ***Maximum annual on-site waste emplacement*** 4.300.000 tonnes / 450,000 tonnes / 205,000 tonnes		No receipt of waste or waste emplacement had occurred at the date of this audit (August 2017).	**Not triggered**
	Resource Extraction			
23	The Proponent shall not exceed clay/shale extraction and despatch specified in Table 2. ***Table 2 - Maximum clay/shale extraction and despatch*** ***Maximum total clay / shale extraction*** / ***Maximum total extracted clay / shale despatch*** / ***Maximum annual extracted clay/shale despatch*** 5,200,000 tonnes / 3,150,000 tonnes / 160,000 tonnes		No extraction of clay/shale had occurred pursuant to this approval at the date of this audit (August 2017).	**Not triggered**
	Stockpile Height			
24	No stockpile of any material shall exceed RL 54 metres AHD.			**Noted**
	Heavy Vehicle Movements			
25	Traffic generation for the Project does not exceed the maximum limit specified in Table 3. ***Table 3 - Maximum Daily Heavy Vehicle Movements*** ***Maximum daily heavy vehicle movements (including into and out of the site)*** 250		No extraction of clay/shale or transport of product had occurred pursuant to this consent at the date of this audit (August 2017).	**Not triggered**

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26	The Proponent shall keep an accurate register of daily heavy vehicle movements and provide the register to the **Secretary** upon request.			**Noted**
	STRUCTURAL ADEQUACY			
27	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the requirements of the BCA. *Note: Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building Works.*		Not applicable to the Pre-Site Establishment Compliance Audit. No new buildings had been constructed on site at the date of this audit (August 2017).	**Not applicable**
	DEMOLITION			
28	The Proponent shall ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601:2001: The Demolition of Structures*	• *Australian Standard AS 2601:2001: The Demolition of Structures*	No demolition works had occurred on Patons Lane site at the date of this audit (August 2017).	**Not triggered**
	OPERATION OF PLANT AND EQUIPMENT			
29	The Proponent shall ensure that all plant and equipment used for the Project is: a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner.		Not applicable at the date of this Pre-Site Establishment Compliance Audit.	**Not triggered**
	PROTECTION OF PUBLIC INFRASTRUCTURE			
30	Prior to commencement of any work, the Proponent shall: a) prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters, footpaths, etc) in consultation with Council; and b) submit a copy of this report to the Secretary	• Dilapidation Report, National Project Consultants Pty Ltd (NPC) Engineers Jan 2017 • Email to PCC re Submission of Dilapidation Report, 27 Jan 2017 • Letter from PCC re Dilapidation Report, 2 Feb 2017 • Letter from DP&E re Receipt of Dilapidation Report, 9 Aug 2017	Dilapidation Report (dated January 2017) was prepared by National Project Consultants Pty Ltd (NPC) Engineers and lodged with the Penrith City Council on 27 January 2017. PCC approved the Dilapidation Report on 2 February 2017. The Dilapidation Report was submitted to DP&E and a letter confirming receipt was received on 9 August 2017.	**Compliant**
31	The Proponent shall: a) repair, or if the **Secretary** agrees pay the full costs associated with repairing, any public infrastructure that is damaged by the Project; and b) relocate, or if the **Secretary** agrees pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the Project.		Not applicable to the Pre-Site Establishment Compliance Audit. No public infrastructure had been relocated or damaged on Patons Lane RRC site at the date of this audit (August 2017).	**Not triggered**
	STAGED SUBMISSION OF PLANS OR PROGRAMS			
32	The Proponent may submit any plan or program required by this approval on a progressive basis with the approval of the **Secretary**.	• Letter from DP&E re Staging of Site Establishment Management Plans, 18 May 2016	DP&E approved Staging of Site Establishment Management Plans for the Patons Lane RRC on 18 May 2016: 1. **Stage 1-** would cover the period to the end of the excavation of Cell 1;	**Compliant Ongoing**

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			2. **Stage 2** - would cover the period to the end of the excavation of Cell 2; and 3. **Stage 3** - would cover the period to the end of the excavation of Cell 3.	
	SCHEDULE 4 - SPECIFIC ENVIRONMENTAL CONDITIONS			
	WASTE MANAGEMENT			
	Restriction on waste types			
1	The Proponent shall only receive and/or emplace waste on-site that is classified as general solid (non-putrescible waste) unless otherwise authorised for receipt and/or emplacement by an EPL.		No operations had occurred on the Patons Lane RRC site at the date of this audit (August 2017).	**Not triggered**
2	No restricted solid waste shall be permitted to enter the site.		No operations had occurred on the Patons Lane RRC site at the date of this audit (August 2017).	**Not triggered**
3	Stockpiles of construction and demolition waste shall only be stored within the Material Recycling Facility Warehouse.		No operations had occurred on the Patons Lane site at the date of this audit (August 2017).	**Not triggered**
	Storage and Handling – Waste and Products			
4	The Proponent shall store all chemicals, fuels and oils on-site in accordance with the requirements of all relevant Australian standards, including DECCW's Environment Protection Manual, *Technical Bulletin Bunding and Spill Management*		No chemicals, fuels and oils were stored on the Patons Lane RRC site at the date of this audit (August 2017).	**Not triggered**
	Waste and Resource Monitoring			
5	The Proponent shall prepare and implement a Waste and Resource Recovery Monitoring Program for the Project to the satisfaction of the Secretary. This program must: a) be prepared in consultation with the EPA; b) be approved by the **Secretary** prior to commencement of operation; and c) include monitoring for: i) the quantity, type and source of waste received; and ii) quantity, type and quality of the outputs produced.		Pre-Operation Compliance Audit requirement.	**Not triggered**
	Waste Outputs			
6	Except for the following, the Proponent shall dispose of all outputs produced from the Material Recycling Facility Warehouse to the landfill on-site: a) recyclables extracted and exported off-site for resource recovery purposes; b) waste not authorised by an EPL extracted from the input waste stream, which shall be exported for lawful disposal off-site; and		No operations had occurred on the Patons Lane site at the date of this audit (August 2017).	**Noted**

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	c) output waste derived materials approved for use under the POEO Act and Regulations.			
	CONTAMINATION AND ASBESTOS MANAGEMENT			
	Asbestos and Contamination Management Plan			
7	The Proponent shall prepare and implement a Contamination and Asbestos Management Plan for the Project. This plan must: a) be prepared by an independent expert whose appointment is endorsed by the **Secretary**; b) be prepared in consultation with WorkCover NSW, NOW and EPA; c) be reviewed and endorsed at each stage by an independent accredited site auditor d) be approved by the Secretary prior to commencement of site establishment; e) be based on the results of such further testing or monitoring of the contaminated bunds, the site or groundwater as may be required by the independent accredited site auditor; f) adequately characterise the types and quantities of contaminants within the bunds that are proposed to be disturbed and in groundwater in the area of the bunds; g) provide for the appropriate remediation of any contaminated material; h) ensure that the environmental and human health risks posed by contamination are adequately addressed; i) provide a protocol for addressing the environmental and human health risks posed by any unexpected finds of contaminants; j) demonstrate that the proposed control measures will minimise emissions to the atmosphere of asbestos to the maximum extent achievable in accordance with the "*Approved methods for the sampling and analysis air pollutants in NSW*"; k) include a Section B Site Audit Statement under the CLM Act; and l) include a regime for the issue of Section A Site Audit Statements under the CLM Act at appropriate stages of work.	• Contamination and Asbestos Management Plan, Hibbs & Associates, July 2017 • Letter from DP&E re Endorsement of Auditors and Subject Experts, 31 August 2015 • Site Audit Statement, Dr Ian Swane & Associates, 23 Dec 2016 • Letter from DP&E re Approval of Contamination and Asbestos Management Plan, 9 Aug 2017	The Contamination and Asbestos Management Plan to satisfy Schedule 4 condition 7: a) was prepared by Hibbs and Associates whose appointment was endorsed by the Secretary of DP&E on 31 August 2015; b) was prepared in consultation with WorkCover NSW, NOW and EPA; c) was reviewed and endorsed at each stage by Dr Ian Swane independent accredited site auditor; d) the Contamination and Asbestos Management Plan was submitted to DP&E on 15 March 2017 and approved by the Secretary on 9 August 2017 as follows; e) was based on the results of such further testing or monitoring of the contaminated bunds, the site or groundwater as may be required by the independent accredited site auditor; f) includes section 5 which characterises the types and quantities of contaminants within the bunds that are proposed to be disturbed and in groundwater in the area of the bunds; g) includes section 6 that describes the appropriate remediation of any contaminated material; h) includes section 11 that describes environmental and human health risks posed by contamination; i) includes sections 8.4 and 11.3, and provides a protocol for addressing the environmental and human health risks posed by any unexpected finds of contaminants; j) sections 11.3 and 11.6, and describes monitoring and handling procedures to	**Compliant**

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			demonstrate that proposed control measures will minimise emissions to the atmosphere of asbestos to the maximum extent achievable in accordance with the "*Approved methods for the sampling and analysis air pollutants in NSW*"; k) a Section B includes Site Audit Statement under the CLM Act was issued by Dr Ian Swane on 23 December 2016; and l) a regime for the issue of Section A Site Audit Statements under the CLM Act is included in section 8.3, 10.7, 10.8 and 12.6 of the Contamination and Asbestos Management Plan, for appropriate stages of work.	
	COVER AND CAPPING MATERIAL			
8	The Proponent shall ensure that all material used to cover and cap waste is Virgin Excavated Natural Material, or excavated natural material provided the use of the excavated natural material is approved in writing by EPA.		Not applicable to the Pre-Site Establishment Compliance Audit.	**Noted**
8A	The proponent may emplace up to 7,500m^3 of special waste (asbestos) identified under Condition 7 Schedule 4 above in the landfill. All other special waste (asbestos) shall be disposed of off-site at a licenced facility unless agreed to by the Secretary and EPA. Nothing in this condition permits an exceedance of the limits of heavy vehicle movements, air quality limits and noise limits set out in this approval.		Not applicable to the Pre-Site Establishment Compliance Audit.	**Noted**
	LITTER CONTROL			
9	The Proponent shall prepare a Litter Management Plan which includes: a. measures to prevent the proliferation of litter, including the installation and maintenance of a mesh fence of not less than 1.8 metres high around the landfill; and b. establish a regime for daily inspections and a program to clear the site and surrounds of litter.		Not applicable to the Pre-Site Establishment Compliance Audit. The Litter Management Plan will be prepared for inclusion in the Landfill Operations Management Plan prior to commencement of operations.	**Noted**
10	The proponent shall include the plan in the Landfill Operations Management Plan and implement the plan.			**Noted**
	ENERGY MANAGEMENT			

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11	The Proponent shall implement all reasonable and feasible measures to minimise energy use.			**Noted**
	AIR QUALITY			
	Odour Discharge Limits			
12	The Proponent shall not cause or permit the emission from the site of offensive odours as defined under Section 129 of the POEO Act.	• *Protection of the Environment Operations Act 1997* section 129	No operations had occurred on the Patons Lane RRC site at the date of this audit (August 2017).	**Not triggered**
	Dust and Particulate Matter Limits			
13	The Proponent shall ensure that dust and particulates generated by the Project do not exceed the criteria listed in tables 4, 5 and 6 at any residence or on more than 25 percent of any privately owned land surrounding the Site. *Table 4: Long-Term Impact Assessment Criteria for Particulate Matter* Pollutant | Averaging Period | Criterion Total Suspended Particulates | Annual | 90 µg/m3 Particulate Matter <10µm (PM_{10}) | Annual | 30 µg/m3 *Table 5: Short Term Impact Assessment Criteria for Particulate Matter* Pollutant | Averaging Period | Criterion Particulate Matter <10µm (PM_{10}) | 24 hour | 50 µg/m3 *Table 6: Long-Term Impact Assessment Criteria for Deposited Dust* Pollutant | Averaging Period | Max increase in Deposited Dust Level | Max Total Deposited Dust Level Deposited dust | Annual | 2g/m^2/month | 4g/m2/month *Notes to Tables 5-7:* *a - Total impact (i.e. incremental increase in concentrations due to the project plus background concentrations due to all other sources);* *b - Incremental impact (i.e. incremental increase in concentrations due to the project on its own);* *c - Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.* *d - Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity*	• Air Quality and Greenhouse Gas Management Plan, Todoroski Air Sciences, 31 July 2017	Not applicable to the Pre-Site Establishment Compliance Audit. No operations had occurred on the Patons Lane RRC site at the date of this audit (August 2017).	**Not yet triggered**

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	agreed by the Secretary in consultation with EPA.			
	Dust and Particulate Matter Management			
14	Prior to commencement of operation, all operating, storage, unloading and loading areas, including the recycling and re-processing areas of the facility must be paved.		No operations had occurred on the Patons Lane site at the date of this audit (August 2017).	**Not triggered**
15	The Proponent must employ all feasible and practicable measures to minimise as far as possible any visible dust emissions from the site.		No operations had occurred on the Patons Lane site at the date of this audit (August 2017).	**Noted**
	Air Quality and Greenhouse Gas Management Plan			
16	The Proponent shall prepare and implement an Air Quality and Greenhouse Gas Management Plan. This plan must: a) be prepared in consultation with EPA by a suitably qualified and experienced expert whose appointment has been endorsed by the **Secretary**; b) be approved by the **Secretary** prior to commencement of any work; c) describe in detail the measures that would be implemented to manage the air quality and greenhouse gas impacts of the Project to ensure compliance with this approval and other relevant statutory controls; d) Include a protocol for the observations and recording of site dust levels on a daily basis. Instances of visible dust must be noted in a log along with date, time, cause and response / remedy; e) include a monitoring program for real-time air quality impacts of the Project; f) identify the number and location of continuous monitoring points for fine particulates (PM10); g) include development and identification of PM10 concentration trigger levels at which: i) dust management actions shall be taken, and specification of the relevant actions; and ii) when work at the site shall cease; h) include a program for monitoring subsurface gas, surface gas emission, and gas accumulation in general accordance with the guidance in sections 15-18 of Appendix A of the *Environmental Guidelines for Solid Waste Landfills EPA, 1996*; i) include a protocol to remedy any-non-compliances.	• Air Quality and Greenhouse Gas Management Plan, Todoroski Air Sciences, 31 July 2017 • Letter to DP&E re Engagement of Consultants for Pre-site Establishment, 27 Apr 2015 • Letter from DP&E re Endorsement of Subject Matter Experts for Pre-Site Establishment EMP's, 31 Aug 2015 • Letter from DP&E re Approval of Air Quality and Greenhouse Gas Management Plan, 9 Aug 2017	The Air Quality and Greenhouse Gas Management Plan to satisfy Schedule 4 condition 16: a) was prepared in consultation with EPA by Todoroski Air Sciences whose appointment was endorsed by the Secretary of DP&E on 31 August 2015; b) was submitted to the Secretary on 15 March 2017 and approved on the 9 August 2017, prior to commencement of any site establishment works; c) includes section 5.2 which describes the measures that would be implemented to manage the air quality and section 5.5 greenhouse gas impacts of the Project to ensure compliance with this approval and other relevant statutory controls; d) includes a protocol for the observations and recording of site dust levels on a daily basis. Instances of visible dust must be noted in a log along with date, time, cause and response / remedy; e) includes section 6, Figure 6.1 and Table 6.1 which include a monitoring program for real-time air quality impacts of the Project; f) section 6, Figure 6.1 identify the number and location of continuous monitoring points for fine particulates (PM10); g) includes section 5.3 and Table 5.1 that include development and identification of PM_{10} concentration trigger levels at which	**Compliant**

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			dust management actions shall be taken, and when work at the site shall cease; h) includes section 7 that includes a program for monitoring subsurface gas, surface gas emission, and gas accumulation in general accordance with the guidance in sections 15-18 of Appendix A of the *Environmental Guidelines for Solid Waste Landfills EPA, 1996*; i) includes section 8.4 and 8.6 that include a protocol to remedy any-non-compliances.	
	SOIL AND WATER			
	Discharge Limits			
17	Except as may be expressly provided in the EPL, the Proponent shall comply with Section 120 of the POEO Act. *Note: Section 120 of the POEO Act prohibits the pollution of waters*	• *Protection of the Environment Operations Act 1997* section 120	Not applicable to the Pre-Site Establishment Compliance Audit.	**Noted**
	Soil			
18	The Proponent shall: a) minimise soil loss; b) set aside any topsoil won on-site for the revegetation and rehabilitation of the site; and c) ensure that any topsoil stockpiles on-site are suitably managed to ensure that the topsoil in these stockpiles can be beneficially used in the proposed revegetation and rehabilitation of the site	• Soil, Water and Leachate Management Plan, GHD, Jun 2017	Not applicable to the Pre-Site Establishment Compliance Audit.	**Noted**
19	The Proponent shall not track mud or waste from vehicles on public roads.		Not applicable to the Pre-Site Establishment Compliance Audit.	**Noted**
	Soil, Water and Leachate Management			
20	The Proponent shall prepare and implement a Soil, Water and Leachate Management Plan for the Project. This plan must: a) be prepared in consultation with the Council, EPA and NOW by a suitably qualified and experienced expert whose appointment has been endorsed by the **Secretary**; b) be approved by the **Secretary** prior to commencement of site establishment; c) include a site water balance; d) include an erosion and sediment control plan that is consistent with the requirements in the latest version of *Managing Urban Stormwater*: *Soils and Construction* (Volume 1, Landcom, and Volume 2b: Waste Landfills, DECCW, 2008);	• Soil, Water and Leachate Management Plan, GHD, Jun 2017 • Letter to DP&E re Engagement of Consultants for Pre-site Establishment, 27 Apr 2015 • Letter from DP&E re Endorsement of Subject Matter Experts for Pre-Site Establishment EMP's, 31 Aug 2015 • Letter from DP&E re Approval of Soil, Water and Leachate Management Plan, 9 Aug 2017	**The** Soil, Water and Leachate Management Plan to satisfy Schedule 4 condition 20: a) was prepared in consultation with the Penrith City Council, EPA and DPI-Water by GHD whose appointment has been endorsed by the Secretary of DP&E on 31 August 2015; b) the Soil, Water and Leachate Management Plan was submitted to DP&E on 23 March 2017 and approved by the Secretary on 9 Aug 2017, was approved as follows;	**Compliant**

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	e) include a stormwater management scheme that is consistent with the latest version of *Managing Urban Stormwater: Volume 2b: Waste Landfills (DECCW, 2008)*; f) include design specifications and plans for the leachate containment system that comply with the minimum design specifications in Schedule 7 of this Approval and the relevant Benchmark Techniques in Appendix A of the *Environmental Guidelines for Solid Waste Landfills EPA, 1996,* unless otherwise approved by the EPA; g) includes a surface water, groundwater and leachate monitoring program that: i) is in accordance with the requirements of the EPL; ii) includes: • collection of baseline data; • details of the proposed monitoring network; and • the parameters for testing and respective trigger levels for action under the surface water, groundwater and leachate response plan; h) specifies that any stormwater from all areas of the site which has the potential to interact with waste shall be managed as leachate and directed into the leachate containment system; i) include a sampling and testing program to be developed in consultation with the EPA, to further characterise the quality of the water in the quarry void as well as any settled sediment at the base of the flooded quarry void. This is to occur prior to any of the permitter bunds being disturbed; j) includes a surface water, ground water and leachate response plan that: i) includes a protocol for the investigation, notification to the EPA and mitigation of any exceedances of the respective trigger levels; and II) describes the array of measures that could be implemented to respond to any surface or groundwater contamination that may be caused by any development.		c) includes section 4.4 and Appendix 4 that present a site water balance; d) includes section 5 that presents an erosion and sediment control plan that is consistent with the requirements in the latest version of *Managing Urban Stormwater*: *Soils and Construction* (Volume 1, Landcom, and Volume 2b: Waste Landfills, DECCW, 2008); e) includes section 4 - a stormwater management scheme that is consistent with the latest version of *Managing Urban Stormwater: Volume 2b: Waste Landfills (DECCW, 2008)*; f) section 6 and Appendix 6 include design specifications and plans for the leachate containment system that comply with the minimum design specifications in Schedule 7 of this Approval and the relevant Benchmark Techniques in Appendix A of the *Environmental Guidelines for Solid Waste Landfills EPA, 1996,* unless otherwise approved by the EPA; g) includes section 7 that presents a surface water, groundwater and leachate monitoring program in accordance with the requirements of the EPL 20814; and includes collection of baseline data, details of the proposed monitoring network; and parameters for testing and respective trigger levels for action under the surface water, groundwater and leachate response plan; h) includes section 6 that specifies that any stormwater from all areas of the site which has the potential to interact with waste shall be managed as leachate and directed into the leachate containment system; i) references the Stormwater Dewatering Management Plan, Niche Environment & Heritage, 2016 approved by the EPA includes a sampling and testing program to further characterise the quality of the	

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<tr><td></td><td></td><td></td><td>water in the quarry void as well as any settled sediment at the base of the flooded quarry void. This is to occur prior to any of the permitter bunds being disturbed;
j) includes section 7.6 - surface water, ground water and leachate response plan includes a protocol for the investigation, notification to the EPA and mitigation of any exceedances of the respective trigger levels; and measures that could be implemented to respond to any surface or groundwater contamination that may be caused by any development.</td><td></td></tr>
<tr><td></td><td>NOISE</td><td></td><td></td><td></td></tr>
<tr><td></td><td>Limits</td><td></td><td></td><td></td></tr>
<tr><td>21</td><td>The Proponent shall ensure that the noise generated by the Project does not exceed the limits in Table 7. Noise is to be measured in accordance with the relevant modifying / correction factors and meteorological conditions in the NSW Industrial Noise Policy.

Table 7 - Noise impact assessment criteria dB(A)

<table>
<tr><th>Receiver</th><th>Day Site Establishment Limit LAeq(15 minute) dB(A)</th><th>Day Operation Limit LAeq(15 minute) dB(A)</th></tr>
<tr><td>11 Cabernet Circuit</td><td>43</td><td>39</td></tr>
<tr><td>3 Chablis Place</td><td>41</td><td>38</td></tr>
<tr><td>Newham Residence “Roughwood Park”, Luddenham Road, Orchard Hills; and
Bates Residence “Glenholme Farm” Luddenham Rd, Orchard Hills</td><td>39</td><td>39</td></tr>
<tr><td>210 Luddenham Rd</td><td>35</td><td>38</td></tr>
<tr><td>Residence & Hall - Croatian Cultural Association</td><td>37</td><td>39</td></tr>
</table></td><td>• NSW Industrial Noise Policy
• Site Establishment Noise Management Plan, Wilkinson Murray, Jul 2017</td><td>Not applicable to the period of the Pre-Site Establishment Compliance Audit.</td><td>Not triggered</td></tr>
<tr><td></td><td>Noise Compliance Monitoring</td><td></td><td></td><td></td></tr>
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<table>
<tr><th>Condition No.</th><th>MP09_0074 Consent Conditions</th><th>Verification</th><th>Comments</th><th>Compliance</th></tr>
<tr><td>22</td><td>The Proponent shall submit a noise compliance assessment to the Secretary three months after the commencement of site establishment. The assessment shall be prepared by a suitably qualified and experienced acoustic consultant and assess compliance with noise limits in Table 7 for the first three months of work.</td><td></td><td>Noise compliance assessment will be conducted for submission to the Secretary DP&E three months after commencement of site establishment.</td><td>Not triggered</td></tr>
<tr><td></td><td>Operating Hours</td><td></td><td></td><td></td></tr>
<tr><td>23</td><td>The Proponent shall comply with the operating hours in Table 8.
Table 8 - Operating Hours
<table>
<tr><th>Activity</th><th>Day</th><th>Hours</th></tr>
<tr><td rowspan="3">Site Establishment</td><td>Monday-Friday</td><td>7am-6pm</td></tr>
<tr><td>Saturday</td><td>8am-1pm</td></tr>
<tr><td>Sunday/Public Holidays</td><td>Nil</td></tr>
<tr><td rowspan="3">Operations</td><td>Monday-Friday</td><td>7am-5pm</td></tr>
<tr><td>Saturday</td><td>8am-2pm</td></tr>
<tr><td>Sunday/Public Holidays</td><td>Nil</td></tr>
</table></td><td></td><td>Not applicable to the Pre-Site Establishment Compliance Audit period.</td><td>Noted</td></tr>
<tr><td></td><td>Operating hours for heavy vehicles</td><td></td><td></td><td></td></tr>
<tr><td>24</td><td>Notwithstanding the provisions of Table 8 the Proponent shall ensure that:
a) heavy vehicles travelling to or from the Site shall not arrive at the site prior to 7am or leave the site after 5pm on a weekday and shall not arrive at the site prior to 8am or leave the site after 2pm on a Saturday, or any time on a Sunday or Public Holiday; and
b) heavy vehicles travelling to or from the Site do not travel upon Luddenham Road south of its junction with Patons Lane.</td><td></td><td>Not applicable to the Pre-Site Establishment Compliance Audit period.</td><td>Noted</td></tr>
<tr><td>25</td><td>Deleted</td><td></td><td></td><td>Deleted</td></tr>
<tr><td></td><td>Noise Management Plans</td><td></td><td></td><td></td></tr>
<tr><td>26</td><td>The Proponent shall prepare and implement a Site Establishment Noise Management Plan. This plan must:
a) be prepared by a suitably qualified expert whose appointment has been approved by the Secretary;
b) be prepared in consultation with the EPA;
c) be approved by the Secretary prior to commencement of site establishment;
d) identify each site establishment work area, site compound and access route (both private and public);
e) identify all potentially affected sensitive receivers;
f) specify the construction noise and vibration objectives;</td><td>• Letter to DP&E re Engagement of Consultants for Pre-site Establishment, 27 Apr 2015
• Letter from DP&E re Endorsement of Subject Matter Experts for Pre-Site Establishment EMP’s, 31 Aug 2015
• Site Establishment Noise Management Plan, Wilkinson Murray, Jan 2017</td><td>The Site Establishment Noise Management Plan to satisfy Schedule 4 condition 26 :
a) was prepared by Wilkinson Murray whose appointment has been approved by the Secretary of DP&E on 31 August 2015;
b) was prepared in consultation with the EPA;
c) submitted to the DP&E on 15 March 2017 and approved by the Secretary on 9 August 2017 as follows:</td><td>Compliant</td></tr>
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	g) include an assessment of potential noise and vibration from the proposed construction methods (including noise from traffic) against those objectives; h) identify where additional Feasible and Reasonable noise mitigation measures can be implemented; i) describe management methods, procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during site establishment, including the early erection of noise control barriers and the relevant matters outlined in Schedule 9; j) include procedures for notifying residents of site establishment activities that are likely to affect amenity; k) include a program for monitoring the noise impacts of the Project, including real time noise monitors to measure noise emissions during site establishment; l) describe procedures for remedial action when a non-compliance is identified in real time monitoring; m) include procedures for reporting non-compliances to the relevant government agencies; n) include specifications and protocols for the installation and relocation of mobile noise barriers; and o) identify the extent of and/or limitations of the work area behind or associated with mobile noise barriers to maintain compliance with noise limits.	• Final Draft Site Establishment Noise Management Plan submitted to EPA, 14 Jan 2017 • Final Draft Site Establishment Noise Management Plan submitted to DP&E, 15 Mar 2017 • Letter from DP&E re Approval of Site Establishment Noise Management Plan, 9 August 2017	d) identified each site establishment work area, site compound and access route (both private and public); e) identified in Table 4.1 all potentially affected sensitive receivers; f) specifies in Table 3.1 the construction noise and vibration objectives; g) addresses in section 4 and Tables 4.1 and 4.2 the assessment of potential noise and vibration from the proposed construction methods (including noise from traffic) against those objectives; h) addresses in section 5.2 where additional Feasible and Reasonable noise mitigation measures can be implemented; i) describes in section 5 management methods, procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during site establishment, including the early erection of noise control barriers and the relevant matters outlined in Schedule 9; j) includes in section 7.8 procedures for notifying residents of site establishment activities that are likely to affect amenity; k) outlines in section 6 and Figure 6.1 the program for monitoring the noise impacts of the Project, including real time noise monitors to measure noise emissions during site establishment; l) describes in section 7.6 procedures for remedial action when a non-compliance is identified in real time monitoring; m) provides in section 7.5 procedures for reporting non-compliances to the relevant government agencies; n) includes in section 5.3 and Appendix A specifications and protocols for the installation and relocation of mobile noise barriers; and o) describes in section 5.3 the extent of and/or limitations of the work area behind or associated with mobile noise barriers to maintain compliance with noise limits.	

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27	The Proponent shall prepare and implement an Operation Noise Management Plan. This plan must: a) be prepared by a suitably qualified expert whose appointment has been endorsed by the **Secretary**; b) be prepared in consultation with the EPA; c) be approved by the **Secretary** prior to commencement of operation; d) include a system that allows for periodic assessment of BMP and BATEA that has the potential to minimise noise levels from the Project; e) specify effective implementation of identified BMP and BATEA measures and describe management methods, procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during site operations, including the early erection of noise control barriers and the relevant matters outlined in Schedule 9; f) include a program for monitoring the noise impacts of the Project, including real time noise monitors to measure noise emissions during operation; g) describe procedures for remedial action when a non-compliance is identified by real-time monitoring; h) include measures to record and respond to complaints; i) include measures for community consultation including site contact details; and j) identify the extent of and / or limitations of the work area behind or associated with mobile noise barriers and earth-mounds to maintain compliance with noise limits.		Required for Pre-Operation Compliance Audit.	**Not triggered**
28	The Proponent shall prepare and implement a Traffic Noise Management Plan, which shall ensure that feasible and reasonable noise management strategies for vehicle movements associated with the facility are identified and applied. This plan must: a) be prepared by a suitably qualified expert whose appointment has been endorsed by the **Secretary**; b) be prepared in consultation with the EPA; c) be approved by the **Secretary** prior to commencement of operation; d) include driver training to ensure that noisy practices, such as the use of compression engine brakes, are not used near sensitive receivers unless necessary; e) include BATEA for noise suppression in the selection and maintenance of vehicle fleets; f) include communication and management strategies for non-licensee/proponent owned and operated vehicles to ensure the provision of the plan are implemented; g) include a system of audited management practices that identifies non-conformances, initiates and monitors corrective and preventative action (including disciplinary action for breaches of noise minimisation procedures) and assesses the implementation and improvement of the plan;			**Not triggered**

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<tr><td></td><td>h) specify procedures for drivers to minimise impacts at identified sensitive receivers; and
i) describe methods for the prevention of heavy vehicle parking outside and near the site.
This plan must be documented in the Transport Code of Conduct.</td><td></td><td></td><td></td></tr>
<tr><td></td><td>METEOROLOGICAL MONITORING</td><td></td><td></td><td></td></tr>
<tr><td>29</td><td><u>Prior to the commencement of site establishment</u>, the Proponent shall install a weather station to monitor (by sampling and obtaining results by analysis) the parameters specified in column 1 of Table 9, using the sampling method, units of measure, averaging period and sampling frequency specified in columns 2 to 5 of Table 9. All data (including raw data and/or reports derived from raw data) shall be made available to the Secretary and EPA on request.
Table 9 - Meteorological monitoring parameters
<table>
<tr><th>Parameter</th><th>Unit Of Measure</th><th>Sample Frequency</th><th>Averaging Period</th><th>Sampling method</th></tr>
<tr><td>Rainfall</td><td>mm</td><td>Continuous</td><td>1 hour</td><td>AM-4</td></tr>
<tr><td>Wind speed and direction</td><td>m/s</td><td>Continuous</td><td>15 minute</td><td>AM-2 & AM-4</td></tr>
<tr><td>Temperature 2m and 10m</td><td>^{o}/ ^{o}C</td><td>Continuous</td><td>15 minute</td><td>AM-2</td></tr>
<tr><td>Sigma-Theta 10m</td><td>^{o}</td><td>Continuous</td><td>15 minute</td><td>AM-2 & AM-4</td></tr>
<tr><td>Solar radiation</td><td>W/m^2</td><td>Continuous</td><td>15 minute</td><td>AM-4</td></tr>
<tr><td>Siting</td><td></td><td></td><td></td><td>AM1 & AM-4</td></tr>
</table></td><td>
Meteorological Station Patons Lane RRC.
• Letter from DP&E re Installation of Weather Station, 9 Aug 2017
• Inspection of site 6 Aug 2017</td><td>A meteorological monitoring station was installed at the Patons Lane RRC site on 29 March 2017 in accordance with the requirements of condition 29.
The weather station is equipped to provide data on:
• Temperature at 2m and 10m
• Wind Speed and Direction
• Sigma-Theta
• Rainfall (mm)
• Relative Humidity
• Solar Radiation and
• Barometric Pressure</td><td>Compliant</td></tr>
<tr><td></td><td>TRAFFIC AND TRANSPORT</td><td></td><td></td><td></td></tr>
<tr><td></td><td>Construction Traffic Management Plan</td><td></td><td></td><td></td></tr>
<tr><td>30</td><td>The Proponent shall prepare and implement a Construction Traffic Management Plan. The plan must be prepared in consultation with Council and the RMS and approved by the Secretary <u>prior to the commencement of site establishment.</u></td><td>• Letter to DP&E re Engagement of Consultants for Pre-site Establishment, 27 Apr 2015
• Letter from DP&E re Endorsement of Subject Matter Experts for Pre-Site Establishment EMP’s, 31 Aug 2015
• Construction Traffic Management Plan, Mar 2017</td><td>The Construction Traffic Management Plan was prepared by Traffic Solution Pty Ltd in consultation with RMS and Penrith City Council.
The Construction Traffic Management Plan was submitted to DP&E and Penrith City Council in March 2017.</td><td>Compliant</td></tr>
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		• Construction Traffic Management Plan Submitted to DP&E, 23 Mar 2017 • Letter from PCC re Approval of Construction Traffic Management Plan, 3 Apr 2017 • Construction Traffic Management Plan, Jul 2017 • Letter from DP&E re Approval of Construction Traffic Management Plan, 9 Aug 2017	The Penrith City Council approved the Plan on 3 April 2017. DP&E approved the Construction Traffic Management Plan on 9 August 2017.	
	Bridge Capacity Investigation			
31	Prior to commencement of site establishment, the Proponent shall engage a suitably qualified person to carry out an investigation of the existing bridge over South Creek on Luddenham Road to assess its capacity to accommodate the anticipated heavy vehicle traffic loadings from the proposed development. If inadequate, the investigation shall make recommendations to render the bridge adequate. The investigation must be carried out in consultation with Council and to the satisfaction of the **Secretary**.	• Bridge over South Creek - Level 3 Load Rating and Inspection Report, Integrity Testing Pty Ltd, 21 Feb 2017 • Level 3 Bridge Load Rating and Inspection Report Submitted to PCC, 16 Mar 2017 • Letter from DP&E re Approval of Bridge Capacity Investigation Report, 9 Aug 2017	The Level 3 Bridge over South Creek Load Rating and Inspection Report prepared by Integrity Testing Pty Ltd, dated 21 Feb 2017 concluded: *"The bridge is suitable for traversing by all legally loaded trucks to the Higher Mass Limit (HML) loadings for all categories, in essence this means that ALL legally loaded trucks are safe to use the bridge."*	**Compliant**
32	Prior to commencement of Operation, the Proponent must upgrade the bridge according to any recommendations made in the investigation specified in Condition 29 above to the satisfaction of the Secretary.		Required for Pre-Operation Compliance Audit.	**Noted**
	Road approvals			
33	B-Double trucks must not be used for the Project, including for delivering waste or materials to the site or for removing waste or materials from the site, unless conditions 34(a) and 35(c) are complied with.			**Noted**
34	Prior to the commencement of operation, the Proponent must: a) if the Proponent proposes to use B-Double vehicles for the Project, the Proponent must obtain approval for a Restricted Access Vehicle route on Patons Lane and Luddenham Road to service the Project; b) obtain Roads Act approval for the works in Patons Lane and Luddenham Road required in Condition 35 below.		Required for Pre-Operation Compliance Audit.	**Not triggered**
	Road upgrades			
35	Prior to the commencement of operation, the Proponent must: a) upgrade Patons Lane in the following manner: i) pavement widening and reconstruction of the existing road pavement; ii) trafficable pavement width of 6.6m; iii) 1.2m wide sealed shoulders; iv) 3m wide table drains; v) design loading for the full life of the development;	• *Australian Standard 2890.1 Parking Facilities*	Required for Pre-Operation Compliance Audit.	**Not triggered**

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	b) upgrade Luddenham Road in the following manner: i) pavement reconstruction from chainage 1.45 to 1.9km south of Mamre Road to accommodate a design traffic loading of 5.31 x 106 Equivalent Standard Axles (ESA). c) if the Proponent proposes to use B-Double vehicles for the Project, the Proponent must upgrade the intersection on the corner of Mamre Road and Luddenham Road in consultation with Council and to the satisfaction of the RTA. The intersection upgrade must provide: i) an acceleration lane and an extension to the acceleration lane contained within the painted 'seagull treatment' on Mamre Road; and ii) adequate storage and acceleration distance within the acceleration lanes for 'B-double' vehicles; d) provide truck turning warning signs in both directions on Mamre Road to the satisfaction of the RTA; and e) provide adequate car-parking on the site in accordance with *Australian Standard 2890.1 Parking Facilities* to the satisfaction of the Secretary; f) provide a contribution of $31,200 to the Council towards Council's upgrade of 1.45km of Luddenham Road, south of Mamre Road.			
	Maintenance of Patons Lane			
36	Prior to the commencement of operation, the applicant must enter a Deed of Agreement with Public Domain and City Works at Council in relation to the upkeep of Patons Lane. The agreement is to include management of illegal dumping, litter removal, security, sweeping of Patons Lane, and routine pavement maintenance along Patons Lane.		Required for Pre-Operation Compliance Audit.	**Not triggered**
	Roadwork Performance Bond			
37	Prior to the commencement of any roadwork in Patons Lane and Luddenham Road a performance bond is to be lodged with Council for the roadwork in Patons Lane and Luddenham Road and any required bridge works. The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy to the satisfaction of the **Secretary**.			**Not triggered**
37A	The Proponent shall ensure that heavy vehicles travelling to or from the site do not travel upon Luddenham Road south of its junction with Patons Lane.			**Noted**
	Transport Code of Conduct			
38	The Proponent shall prepare and implement a Transport Code of Conduct. This code must: a) be prepared in consultation with the RTA and Council, and approved by the **Secretary** prior to the commencement of operation; b) describe the measures to be implemented to minimise the impacts of: i) the Project on the local and regional road network including traffic noise; ii) ensure compliance with the Traffic Noise Management Plan; and iii) minimise conflicts with other road users e.g. school bus operators.		Required for Pre-Operation Compliance Audit.	**Not triggered**

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	c) include measures to ensure truck drivers are aware of the approved routes for the transport of waste by road; and d) include the Traffic Noise Management Plan; e) include a monitoring program and record movements of vehicles out of the site. f) require that heavy vehicles travelling to or from the site do not travel upon Luddenham Road south of its junction with Patons Lane.			
	LANDSCAPING			
	Landscaping at 202 Luddenham Rd			
39	Prior to site establishment the Proponent shall offer and implement (if the offer is accepted) landscaping treatments, including fencing, to the residents at 202 Luddenham Rd. These measures must be reasonable and feasible and directed toward minimising visual and acoustic impacts of the operation on the residents. If within 3 months of receiving the offer, the proponent and owner cannot agree on landscaping treatment or if there is a dispute about the implementation of these measures then either party may refer the matter to the Director- General for resolution.	• Sequence of Events to Provide Landscaping Treatments for 202 Luddenham Road, 24 Mar 2017 • Signed Deed of Agreement, 24 Mar 2017 • Noise Mitigation 202 Luddenham Road, Condor Glass and Aluminium, 16 Dec 2016 • Letter to DP&E re Conditions of Consent Schedule 4 - Condition 39, 7 Apr 2017 • Letter from DP&E re Receipt of Signed Deed of Agreement, 9 Aug 2017	Consultation with the owners of 202 Luddenham Road occurred between 8 February 2016 and 24 March 2017 in relation to Schedule 4 condition 39. A Deed of Agreement was signed on 24 March 2017 by Mr Joseph Mifsud accepting double glazing treatment provided and paid for by SRC Operations Pty Limited. The signed Deed of Agreement was submitted to the DP&E. Receipt of the Deed was acknowledged by DP&E on 9 August 2017.	**Compliant**
	Bund Wall, Landscaping and Vegetation Management Plan			
40	The Proponent shall prepare and implement a Bund Wall, Landscaping and Vegetation Management Plan to achieve the final landform and landscaping in Figure 2.22 of the Further Modified Preferred Project Report (Ex Z in Appeal No 10928 of 2010). This plan must: a) be prepared in consultation with OEH, EPA and NOW by a suitably qualified and experienced expert(s); b) be approved by the **Secretary** prior to commencement of site establishment; c) specify the staging milestones for implementation of landscaping works; d) detail specifications for the approved removal, reshaping and/or landscaping of the bund walls; e) specify riparian zone management within 50m of Blaxland Creek (measured from the top of the bank); f) include measures to minimise native vegetation loss and additional tree planting to offset this loss; g) include a landscape plan identifying locations of planting and identifying species to be planted;	• Letter to DP&E re Engagement of Consultants for Pre-site Establishment, 27 Apr 2015 • Letter from DP&E re Endorsement of Subject Matter Experts for Pre-Site Establishment EMP's, 31 Aug 2015 • Bund Wall, Landscaping and Vegetation Management Plan, • Letter from DP&E re Approval of Bund Wall, Landscaping and Vegetation Management Plan, 9 Aug 2017	The Bund Wall, Landscaping and Vegetation Management Plan was prepared by Rodney Cox of Huon Designs whose appointment was approved by the Secretary on 31 August 2015 to satisfy Schedule 4 condition 40 and includes the Rehabilitation Plan required under Schedule 4 condition 46. This Plan: a) was prepared in consultation with OEH, EPA, and DPI-Water; b) was submitted to the Secretary of DP&E on 15 March 2017 and approved on 9 August 2017, as follows; c) includes Table 2.5 - Indicative Emplacement and Cell Rehabilitation that specifies the staging milestones for implementation of landscaping works; d) includes section 3 that provides specifications for the approved removal,	**Compliant**

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	h) specify the use of only indigenous species propagated from provenant seed; i) specify the measures which shall be undertaken to protect the EECs on adjacent lands (particularly to the southern and western boundaries of the site), in particular measures to: i) stabilise exposed soils; ii) control of invasive weeds to prevent weeds from migrating to the EECs; iii) prevent dust from impacting on the EECs; iv) control sediment, stormwater and surface run-off from impacting on the EECs; v) prevent leachate from entering into the groundwater or migrating off-site; and vi) include all of the above measures in corresponding management plans. j) identify protection measures for the vegetation and controls for each phase of the development; k) specify details of maintenance actions to ensure the vegetation is maintained at all times including during the operations and for the post-closure period stipulated by the OEH and EPA; l) specify details of a monitoring and compliance program; and m) require an annual review for inclusion in the Annual Environmental Management Review that reports on the performance of the landscaping and vegetation management, including further recommendations to ensure the successful establishment of vegetation.		reshaping and/or landscaping of the bund walls; e) includes section 3 that outlines riparian zone management within 50m of Blaxland Creek; f) section 3.2 that includes measures to minimise native vegetation loss and additional tree planting to offset this loss; g) section 3.2 that includes a landscape plan identifying locations of planting and identifying species to be planted; h) section 3.7 and Table 5 that specify the use of indigenous species propagated from provenant seed; i) includes section 3 and reference to the SW&LMP that specify measures to be undertaken to protect the EECs on adjacent lands (particularly the southern and western boundaries of the site), in particular measures to: i) stabilise exposed soils (SW&LMP); ii) section 3.6 addresses control of invasive weeds to prevent weeds from migrating to the EECs; iii) prevent dust from impacting on the EECs; iv) section 3.4 addresses control sediment, stormwater and surface run-off from impacting on the EECs; v) prevent leachate from entering into groundwater or migrating off-site (SW&LMP); and vi) include all of the above measures in corresponding management plans. j) includes section 5 Table 8 that address protection measures for the vegetation and controls for each phase of the development; k) includes section 4 that presents maintenance actions to ensure the vegetation is maintained at all times including during the operations and for the post-closure period stipulated by the OEH and EPA;	

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			l) includes section 4 that details a monitoring and compliance program; and m) section 4 also outlines the annual review for inclusion in the Annual Environmental Management Review that reports on the performance of the landscaping and vegetation management, including further recommendations to ensure the successful establishment of vegetation.	
41	The Proponent shall maintain all landscaping and protection measures to satisfaction of the Secretary over the life of the Project and for a post-closure period stipulated by the OEH and EPA.			**Noted**
	Pest, Vermin & Noxious Weed Management			
42	The Proponent shall: a) implement suitable measures to manage pests, vermin and declared noxious weeds on-site; and b) inspect the site on a weekly basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on-site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in surrounding area. *Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.*	• *Noxious Weed Act 1993*		**Not triggered**
	FIRE AND EMERGENCY MANAGEMENT			
	The Proponent shall prepare and implement a Fire and Emergency Management Plan for the Site. This plan must: a) be prepared by a suitably qualified expert whose appointment has been endorsed by the **Secretary**; b) be approved by the **Secretary** prior to the commencement of any work; c) identify all threats to the environment and public health that could arise from the operation of the Project (e.g. fire, overflow or dam failure); d) detail a communication strategy for notifying the relevant government agencies and potentially affected community in the event of an emergency; and e) identify strategies to contain and minimise the effects of any threats to the environment and public health such as (but not limited to) measures to: i) minimise the risk of fire on-site, including in the landfill area; ii) promptly extinguish any fires on-site; and iii) ensure adequate fire-fighting capacity on-site, including a fire-fighting tanker.	• Letter to DP&E re Engagement of Consultants for Pre-site Establishment, 27 Apr 2015 • Letter from DP&E re Endorsement of Subject Matter Experts for Pre-Site Establishment EMP's, 31 Aug 2015 • Fire and Emergency Management Plan, July 2017 • Letter from DP&E re Approval of Fire and Emergency Management Plan, 9 Aug 2017	The Fire and Emergency Management Plan Schedule 4 condition 43: a) was prepared by Planager Consulting P/L whose appointment has been endorsed by the Secretary DP&E on 31 August 2015; b) was submitted to the Secretary on 28 March 2017 and approved on 9 August 2017, prior to the commencement of any work; c) includes section 2 Tables 2 and 3, and section 3 that identify all threats to the environment and public health that could arise from the operation of the Project; d) included section 5 and section 8 to detail a communication strategy for notifying the relevant government agencies and	**Compliant**

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			potentially affected community in the event of an emergency; and e) included section 4, 6 and 7 to address strategies to contain and minimise the effects of any threats to the environment and public health to extinguish any fires on-site and minimise the risk of fire on-site and ensure adequate fire-fighting capacity on-site, including a fire-fighting tanker.	
	VISUAL AMENITY			
44	The Proponent shall ensure that the lighting associated with the Project: a) complies with the latest version of *AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting*; and b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.	• *AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting*		**Noted**
	SITE SECURITY			
45	The Proponent shall: a) install and maintain a perimeter fence and security gates on-site prior to the commencement of site establishment and which shall be maintained for the life of the Project; and b) ensure that the security gates on-site are locked whenever the site is unattended.	• Letter from DP&E re Installation of Perimeter Fence and Gates, 9 Aug 2017 • Site inspection - 6 Aug 2017	The perimeter fence and security gates on the Patons Lane RRC site have been erected in accordance with the requirements of Consent Condition Schedule 4 condition 45. The security gates on-site are locked whenever the site is unattended.	**Compliant**

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	2m Security Fence and security gate at the entrance to Patons Lane RRC site.			
	REHABILITATION			
46	The Proponent shall prepare and implement a Rehabilitation Plan to achieve the final landform and landscaping in Figure 2.22 of the Further Modified Preferred Project Report (Ex Z in Appeal No 10928 of 2010). This plan must: a) be prepared by a suitably qualified expert whose appointment has been approved by the **Secretary**; b) be prepared in consultation with EPA, NOW and Council; c) be submitted to and approved by the **Secretary** prior to commencement of the site establishment works; d) define the objectives and criteria for rehabilitation and closure; e) comply with the minimum design specifications and operational/post closure requirements in Schedule 7 unless specified by the EPA; f) identify the works required and progressive timing to complete the rehabilitation of each part of the Project;	• Letter to DP&E re Engagement of Consultants for Pre-site Establishment, 27 Apr 2015 • Letter from DP&E re Endorsement of Subject Matter Experts for Pre-Site Establishment EMP's, 31 Aug 2015 • Bund Wall, Landscaping and Vegetation Management and Rehabilitation Plan, • Letter of Approval re Rehabilitation Plan, 9 Aug 2017	The Rehabilitation Plan was prepared as part of the Bund Wall, Landscaping and Vegetation Management and Rehabilitation Plan to satisfy Schedule 4 conditions 40 and 46. the Bund Wall, Landscaping and Vegetation Management and Rehabilitation Plan: a) was prepared by Rodney Cox of Huon Designs whose appointment was approved by the Secretary on 31 August 2015; b) was prepared in consultation with OEH, EPA, DPI-Water and Penrith City Council;	**Compliant**

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	g) investigate options for the removal of Dam 2 outside the riparian corridor as part of the final landform once the operational purpose of the dam is complete; h) investigate options for the future use of the site; i) include provisions to monitor and manage settlement impacts during and after the operations; j) describe the measures that would be implemented to achieve the specified objectives and criteria for the rehabilitation and closure; k) calculate the cost of implementing these measures; l) describe how the performance of these measures would be monitored over time; m) address the issue of settlement post-closure and provide designs and ongoing maintenance procedures such as backfilling to maintain slope, drainage and prevent ponding.		c) was submitted to the Secretary of DP&E on 15 March 2017 and approved on 9 August 2017, prior to commencement of site establishment works; d) includes sections 1.1 and 4 to describe the objectives and criteria for rehabilitation and closure; e) includes sections 1.1, 3.7, 3.8 and 4 to describe the minimum design specifications and operational/post closure requirements in Consent Condition Schedule 7; f) includes sections 3.8, 4 and 5 to identify works required and progressive timing to complete the rehabilitation of each part of the Project; g) investigated options for the removal of Dam 2 outside the riparian corridor as part of the final landform once the operational purpose of the dam is complete; h) investigated options for the future use of the site; i) included provisions to monitor and manage settlement impacts during and after the operations; j) includes sections 3.7, 3.8 and 4 to describe the measures that would be implemented to achieve the specified objectives and criteria for rehabilitation and closure; k) includes section 6 to provide costs calculated for implementing measures in (j); l) includes section 4 to outline how the performance of these measures would be monitored over time; m) includes section 5 to address the issue of settlement post-closure and provides designs and ongoing maintenance procedures such as backfilling to maintain slope, drainage and prevent ponding.	**Not applicable to Stage 1 Works**

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	SCHEDULE 5 - ENVIRONMENTAL MANAGEMENT, REPORTING & AUDITING			
	COMMUNITY LIAISON COMMITTEE			
1	The Proponent shall establish and operate a CLC comprising representatives of the Proponent, local community and Council. Representatives of relevant government agencies may be invited to attend meetings of the CLC, if required. The Chairperson and procedures for the Committee including frequency of meetings shall be determined by the CLC and the CLC must convene at least twice annually over the life of the Project.		The Community Liaison Committee(CLC) has been established and the interim Chairperson and procedures approved by the DP&E. The inaugural CLC meeting was held on 21 June 2016 with a site visit followed by a formal meeting.	**Compliant Ongoing**
2	Within three months of the commencement of work, the Proponent shall submit details of the CLC members (including the Chairperson, procedures and frequency of meetings) for the Secretary's approval.			**Not triggered**
3	The Proponent shall inform the Secretary of any change in the composition of the CLC.			**Noted**
	QUARRY OPERATION MANAGEMENT PLAN			
4	The Proponent shall prepare and implement a Quarry Operation Management Plan for the Project. This plan must: a) be prepared by a suitably qualified team of experts; b) be prepared in consultation with the EPA and Council; c) be approved by the **Secretary** prior to the commencement of site establishment; d) include stockpile construction methods that minimise the visibility and acoustic impact of the use of equipment during the placement or removal of materials from any part of the stockpile, in particular where any part of the equipment would be above RL 54m AHD; e) shows the active land fill cell separate from all extraction activities at all times; f) include a protocol to ensure stockpiles of clay/shale materials for use by the brick industry are kept separate from material to be used for cell construction, daily waste covering and capping; g) include provision for all clay/shale stockpiles for brick industry to be sign posted with a description of the material to ensure there is no contamination, and that plant operators know where to place the different materials; h) include provision for regular staff or contractor training is to be undertaken to reinforce the importance of keeping the clay types separate; i) specify management practices so that stockpiles are constructed, accessed and managed as follows: • The clay material to be sold to the brick manufacturing industry will be kept separated from the material to be used during the	• Letter to DP&E re Engagement of Consultants for Pre-site Establishment, 27 Apr 2015 • Letter from DP&E re Endorsement of Subject Matter Experts for Pre-Site Establishment EMP's, 31 Aug 2015 • Letter to PCC re Quarry Operations Management Plan, 21 Mar 2016 • Letter from EPA re Quarry Operations Management Plan, 21 Mar 2016 • Letter from EPA re Approval of Quarry Operations Management Plan, 27 May 2016 • Letter from DP&E re Approval of Quarry Operations Management Plan, 21 Dec 2016 • Quarry Operations Management Plan, May 2016	The Quarry Operations Management Plan Version 6 (dated December 2016) of the excavation of Cell 1): a) was prepared by RW Corkery & Co P/L whose appointment was approved by the Secretary on 31 August 2015; b) was prepared in consultation with the EPA and Penrith City Council; c) The QOMP was approved by the Secretary on 21 December 2016, prior to commencement of site establishment; d) includes section 8.3 which addresses stockpile construction methods that minimise the visibility and acoustic impact of the use of equipment during the placement or removal of materials from the stockpiles; e) includes section 7.3 and Figure 7 which show the active landfill cell separate from all extraction activities at all times; f) includes section 8.2 which describes stockpiles of clay /shale materials for use by the brick industry kept separate from material to be used for cell construction, daily waste covering and capping; g) includes section 8.4 which includes provision for all clay/shale stockpiles for	**Compliant**

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	cell construction, daily waste covering and capping of the finished areas. • The light-firing shale stockpiles will be located so as not to interfere with the construction of the cells or the emplacement of waste and all stockpiles will be sign posted with a description of the material to ensure there is no contamination. The sign posting will also ensure that the plant operators and the Stockpile Management Supervisor know where to place the different materials and regular training will take place to reinforce the importance of keeping the clay types separated. • There will be several stockpiles on site at any one time based on the type of material, i.e. cream-firing clay, light pink-firing clay and red-firing clay.		brick industry to be sign posted with a description of the material to ensure there is no contamination, and that plant operators know where to place the different materials; h) includes section 9.3 which addresses regular staff or contractor training to reinforce the importance of keeping the clay types separate; i) includes section 8 which specifies management practices for stockpiles. There will be several stockpiles on site at any one time based on the type of material.	
	Stockpile Construction			
	The construction will use scrapers for placement of the first 5 to 6 metres and then dump trucks and a dozer for the final 2 to 3 metres.			**Noted**
	Management of Stockpiled Materials			
	• Once an area on the site has been designated as a stockpile location, signs will be erected describing the material to be deposited within that location. The plant operator responsible for preparing the stockpile will have responsibility for ensuring that only the designated clay is deposited there. • The Site Manager will arrange for quarterly surveys to be carried out on the stockpiles. The survey results will be correlated against the surveys undertaken on the site as a whole and the information provided in the original geological report undertaken on the site. • All vehicles exporting material from the site will be required to do so via the weighbridge. A record will be maintained of the type, quantity and destination of the material exported on each vehicle. • Monthly reports detailing the type of material exported from the site will be prepared for I&I NSW and the EPA if required. j) Includes a protocol that requires surveys of the stockpiles once every three months, with the first survey being on or before the date that operations commence. k) The batter slopes of stockpiles must be no more than 1:3 (Vertical: Horizontal), unless otherwise approved by the EPA.			**Not triggered**
	LANDFILL ENVIRONMENTAL MANAGEMENT PLAN			
5	The Proponent shall prepare and implement a Landfill Environmental Management Plan for the Project to the satisfaction of the **Secretary**. This plan must: a) be prepared by a suitably qualified team of experts whose appointment has been endorsed by the **Secretary**;	• Landfill Environmental Management Plan, GHD, Jul 2017 • Letter to DP&E re Engagement of Consultants for Pre-site Establishment, 27 Apr 2015	**The** Landfill Environmental Management Plan was/included: a) prepared by GHD whose appointment was endorsed by the Secretary of DP&E on 31 August 2015;	**Compliant**

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	b) be prepared in consultation with the EPA, NOW and Council; c) be approved by the **Secretary** prior to the commencement of site establishment; d) be updated every five years from the commencement of operation; e) provide the strategic framework for environmental management of the Project; f) identify the statutory approvals that apply to the Project; g) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Project; h) include interim cell rehabilitation measures for the site including landscape details; i) address the operational requirements and minimum design specifications in Schedule 7; j) describe the procedures that would be implemented to: i) keep the community and relevant agencies informed about the operation and environmental performance of the Project; ii) receive, handle, respond to, and record complaints; iii) resolve any disputes that may arise during the course of the Project; iv) respond to any non-compliance; and v) respond to emergencies; k) include: i) copies of the various strategies, plans and programs that are required under the conditions of this approval once they have been approved; and ii) a clear plan depicting all the monitoring currently being carried out within the Project area; l) include the design and operation of the Construction and Industrial Waste Warehouse.	• Letter from DP&E re Endorsement of Subject Matter Experts for Pre-Site Establishment EMP's, 31 Aug 2015 • Detailed Engineering Plans, Mar 2017 • Contamination and Asbestos Management Plan, Jul 2017 • Site Audit Statement, Dr Ian Swane & Associates, 23 Dec 2016 • Air Quality and Greenhouse Management Plan, 31 Jul 2017 • Soil, Water and Leachate Management Plan, Jul 2017 • Site Establishment Noise Management Plan, July 2017 • Construction Traffic Management Plan, Jul 2017 • Bund Wall, Landscaping and Vegetation Management and Rehabilitation Plan, 20 Jul 2017 • Fire and Emergency Management Plan, Jul 2017 • Construction Quality Assurance Plan, • Letter form DP&E re Approval of Landfill Management Plan, 9 Aug 2017	b) prepared in consultation with the EPA, DPI-Water and Penrith City Council; c) submitted to the Secretary of DP&E and approved on 9 August 2017, prior to the commencement of site establishment; d) section 1.4 which addresses update of the Plan every five years from the commencement of operation; e) Section 6 – Environmental Management Measures which provide the strategic framework for environmental management of the Project; f) Section 2 – Regulatory Guidance and Compliance which identifies statutory approvals that apply to the Project; g) Section 5.2 – Management, Supervision and Staffing which describes the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Project; h) Sections 5.10, 5.11 and 8 which address interim cell rehabilitation measures including landscape details; i) LEMP and Appendix 3 which address the operational requirements and minimum design specifications in Schedule 7; j) Section 7.7 which describes the procedures that would be implemented to keep the community and relevant agencies informed about the operation and environmental performance of the Project, receive, handle, respond to, and record complaints, resolve any disputes that may arise during the course of the Project, respond to any non-compliance; and respond to emergencies; k) (i) copies of the strategies, plans and programs required under the conditions of this approval once they have been approved are referenced for attachment to the Plan; and (ii) section 7 and Appendix 4 which provides a clear plan depicting all the	

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			monitoring currently being carried out within the Project area; l) Sections 4.11, 5.16 and Appendix 5 which includes the design and operation of the Construction and Industrial Waste Warehouse.	
	ANNUAL ENVIRONMENTAL MANAGEMENT REVIEW			
5A	One year after the commencement of site establishment, and annually from the date of approval thereafter, the Proponent shall submit an Annual Environmental Management Report to review the environmental performance of the Project to the satisfaction of the **Secretary**. This report must: a) describe the operations that were carried out in the past year; b) analyse the monitoring results and complaints records of the Project over the past year, which includes a comparison of these results against the: i) relevant statutory requirements, limits or performance measures/criteria; ii) monitoring results of previous years; and iii) relevant predictions in the EA; c) identify any non-compliance over the last 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 Project; and e) describe what measures will be implemented over the next year to improve the environmental performance of the Project.		Required 12 months after commencement of site establishment.	**Not triggered**
	INDEPENDENT ENVIRONMENTAL AUDIT			
6	Every three years after the commencement of site establishment, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an independent environmental audit of the Project. This audit must: a) be conducted by a suitably qualified, experienced, and independent team of experts covering all facets of the Project whose appointment has been endorsed by the **Secretary**; b) assess the environmental performance of the Project, and its effects on the surrounding environment; c) assess whether the Project is complying with the relevant standards, performance measures and statutory requirements; d) review the adequacy of any strategy/plan/program required under this approval; and e) recommend measures or actions to improve the environmental performance of the Project, and/or any strategy/plan/program required under this approval.		Required 3 years after commencement of site establishment.	**Noted**

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	INCIDENT REPORTING			
7	Upon detecting an exceedance of the limits / performance criteria in this approval or the occurrence of an incident that causes (or may cause) material harm to the environment, the Proponent shall immediately notify EPA and notify the Department as soon as practicable thereafter of the exceedance/incident.			**Noted**
8	Within six days of notifying the Department and EPA of an exceedance/incident, the Proponent shall provide the Department and these agencies with a written report that: a) describes the date, time, and nature of the exceedance / incident; b) identifies the cause (or likely cause) of the exceedance/incident; c) describes what action has been taken to date; and d) describes the proposed measures to address the exceedance / incident.			**Noted**
	REVISION OF PLANS & PROGRAMS			
9	Within three months of the submission of an: a) annual review under condition 6 of Schedule 5; b) audit under condition 7 of Schedule 5; and / or c) incident report under condition 8 of Schedule 5; the Proponent shall review and, if necessary, revise the plans and programs required under this approval to the satisfaction of the Secretary. *Note: This is to ensure the plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Project.*		Not applicable to the Pre-Site Establishment Compliance Audit.	**Not triggered**
	ACCESS TO INFORMATION			
10	From the commencement of site establishment, the Proponent shall make the following information freely available on a publicly accessible website as it is progressively required under the approval: a) all current statutory approvals, including this approval; b) plans and programs required under this approval; c) technical analysis/reports of monitoring results, which have been reported in accordance with the various plans and programs approved under the conditions of this approval; d) a complaints register, which is to be updated on a monthly basis; e) a copy of any Annual Environmental Management Report (over the last 5 years); f) a copy of any Independent Environmental Audit and the Proponent's response to the recommendations; g) real time monitoring data (noise and air quality); and h) any other material as required by the **Secretary**.	http://www.patonslane.com.au/	The website for the Patons Lane RRC has been established as required under the approval. The website will be progressively updated as documentation becomes available including: • current statutory approvals, including this Consent; • approved plans and programs required under this consent; • technical analysis/reports of monitoring results; • complaints register; • a copy of any Annual Reviews; • a copy of any Independent Environmental Audit and the Proponent's response to the recommendations; • real time monitoring data (noise and air quality); and	**Compliant Ongoing**

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			• any other material as required by the DP&E.	
SCHEDULE 6 – DOCUMENTS COMPRISING THE PROJECT				
SCHEDULE 7 – MINIMUM DESIGN SPECIFICATIONS AND OPERATIONAL/POST CLOSURE REQUIREMENTS				
A.	**Minimum design requirements for C&I Waste stockpile building / stormwater / leachate systems**			
	The C&I Waste Stockpile building must include the following measures unless otherwise approved by the EPA: a. Stormwater management measures i. The design of the C&I storage facility stormwater conveyance system must be for the 20 year ARI stormwater event and discharge to stormwater management system (SMS). ii. The sediment dams storage for the SMS is are to be designed for a 90th percentile 5 day rainfall event to ensure that stormwater and leachate are not mixed. The conveyance system is to be designed for the 20 year ARI stormwater event. b. Leachate management measures i. Wash-down water from within the C&I Waste Stockpile building is to be separated from stormwater and managed as leachate. ii. The SMS and the LMS must be completely separate around the border of the C&I waste stockpile building. iii. The concrete floor must be designed to support the mass of C&I waste and to shed wash down water to the LMS. The concrete floor must have a slope to facilitate flows of wash down water into the leachate management system (LMS).	• Letter from GHD re NER Certified Detailed Engineering Plans, 14 Aug 2017 • Letter from DP&E re Approval of Landfill Environmental Management Plan and Soil., Water and Leachate Management Plan, 9 Aug 2017	Specifications addressed in the Landfill Environmental Management Plan(LEMP) and the Soil Water and Leachate Management Plan (SWLMP). Specifically, LEMP Appendix C – Schedule 7 Reconciliation and SWLMP Appendix F – Reconciliation of minimum design specifications in Schedule 7.	**Compliant Ongoing**
B.	**Minimum design requirements for Gas collection systems**			
	a. The lateral collection pipes of the gas collection system are to be located not more than 50m apart. b. Chimney drains are to be no more than 200 metres apart and must comprise non calcareous granular material with a permeability greater than 1x10-3 m/sec. c. Chimney drains will be installed on the side liner to facilitate gas venting and prevent perching of leachate. d. The landfill gas management system should be designed in accordance with the Handbook for the design, construction, operation, monitoring and maintenance of a passive landfill gas drainage and biofiltration system, UNSW and GHD, NSW DECCW, March 2010 unless otherwise approved by the EPA.	• Letter from DP&E re Approval of Landfill Environmental Management Plan and Soil., Water and Leachate Management Plan, 9 Aug 2017	Specifications addressed in the Landfill Environmental Management Plan(LEMP) and the Soil Water and Leachate Management Plan (SWLMP). Specifically, LEMP Appendix C – Schedule 7 Reconciliation and SWLMP Appendix F – Reconciliation of minimum design specifications in Schedule 7.	**Compliant Ongoing**
C.	**Minimum design requirements for Cell liners**			
	a. The clay basal liner within each cell must: i. Extend up the side of the quarry wall for at least 2m to provide for capture of leachate and prevent leakage at the join of the HDPE side liner and the clay base liner. ii. Achieve an infiltration rate equivalent to or less than 90cm of	• Letter from GHD re NER Certified Detailed Engineering Plans, 14 Aug 2017	Specifications addressed in the Landfill Environmental Management Plan(LEMP) and the Soil Water and Leachate Management Plan (SWLMP). Specifically,	**Compliant Ongoing**

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	compacted clay with a maximum permeability of 1 x 10-9 m/sec. iii. The extension of the clay liner up the side of the quarry wall shall be of equivalent thickness (when measured perpendicular to the liner surface) and permeability as the basal liner. iv. Refer to additional conditions regarding cell 2 below. b. A groundwater depressurisation system (as described in Appendices of the (Revised) Overview Report for the Further Modified Project Report (Ex Z in Appeal No 10928 of 2010), accompanying the Further Modified Preferred Project Report (Ex Z in Appeal No 10928 of 2010) must be installed between the landfill cell liner and the natural geology where the cells are below the ground level. The design for the groundwater depressurisation system must be included in the design for the landfill cells and accompany the application for the EPL. c. The HDPE side liner must: i. Overlap with the basal clay liner (which must extend up the side wall for at least 2m). ii. Be placed against an appropriate geotextile cushion material against the side of the quarry wall. iii. If, in the opinion of a certified CQA assessor, the HDPE will be damaged by the roughness of the inside wall surface, then a composite clay-HDPE liner system must be placed against the entire quarry wall unless otherwise approved by the EPA. iv. Have a minimum thickness of 1.5mm, and conform to the relevant Australian Standards. d. Geotextile must be placed on either side of the HDPE side liner. e. All cell construction works are to be assessed by the CQA assessor and certified as suitable before emplacement of waste begins. f. All cells and sub cells must include an active leachate extraction or drainage system as per Section 2.8.4 of the FMPPR.	• Letter from DP&E re Approval of Landfill Environmental Management Plan and Soil., Water and Leachate Management Plan, 9 Aug 2017	LEMP Appendix C – Schedule 7 Reconciliation and SWLMP Appendix F – Reconciliation of minimum design specifications in Schedule 7.	
D. Minimum design requirements for Capping				
	a. The capping design must be the modified cap design incorporating a geomembrane liner and drainage layer (as specified in Table 2.4 of the FMPPR) (note that the drainage layer is not optional). b. The drainage layer permeability must be greater than 1x10-3 m/sec. The aggregate used in the drainage layer must not include crushed concrete. c. The sealing clay layer must be a minimum of 600mm thick and have a permeability of not greater than 10 -8 m/sec. d. The subsoil layer must be a minimum thickness of 750mm e. The bund walls on the north eastern and eastern boundaries of the site must be conditioned as part of the site development works and before any waste is placed on the site. f. All barrier and drainage layers, including geomembrane, must be the subject of approval by the EPA.	• Letter from DP&E re Approval of Landfill Environmental Management Plan and Soil., Water and Leachate Management Plan, 9 Aug 2017	Specifications addressed in the Landfill Environmental Management Plan(LEMP) and the Soil Water and Leachate Management Plan (SWLMP). Specifically, LEMP Appendix C – Schedule 7 Reconciliation and SWLMP Appendix F – Reconciliation of minimum design specifications in Schedule 7.	**Compliant Ongoing**
E. Minimum design requirements for Cell 2				

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	An additional groundwater depressurisation layer behind the HDPE side liner of Cell 2 must be installed if required to relieve groundwater pressure caused by the increase in depth.			**Not applicable prior to site establishment**
F.	**Landfill operational requirements**			
	In addition to the leachate management system specifications indicated above, the landfill operation must comply with the following requirements to ensure that leachate is minimised and that leachate is separated from stormwater throughout the operation of the Project unless otherwise approved by the EPA: a. The active landfilling face must not exceed 420 m^2 in plan area at any time. b. The daily cover must be placed on the active landfill area to a minimum thickness of 150mm. The area of landfilled waste with daily cover should not exceed 1ha. c. The active cell must be covered with intermediate cover of clay rich soil, to a minimum thickness of 300mm should it not be landfilled within 90 days of placement of daily cover. d. The combined area of daily cover and intermediate cover should not exceed 3 ha at any one time, excluding temporary batter slopes and any sub-cell that is undergoing final capping and revegetation, unless otherwise approved by the EPA. e. Batter slopes must be covered with intermediate cover where exposed for more than 90 days. The final capping and revegetation works of any sub-cell should be completed within 3 months of all of the landfilled waste in that sub-cell reaching the approved final landform, unless otherwise approved by the EPA. f. The cell must be progressively capped with the final capping profile as per condition D(a-f) of Schedule 7. g. The active landfilling faces must be bunded to prevent run-off and run-on of stormwater / leachate from the exposed waste. h. Collect and extract stormwater runoff from daily and intermediate covered areas and discharge this water as stormwater subject to testing and compliance with the specifications in the EPL. i. All leachate drainage and capping drainage material must achieve a permeability of greater than 1x10-3 m/sec and comprise non calcareous granular material. j. The leachate head is to be monitored as part of the monitoring program. k. The leachate head on the liner system should not exceed 300mm above the cell floor throughout the operation of the facility, unless leachate is required to be stored in the landfill under extreme wet weather conditions. l. If the leachate head exceeds 300mm, additional leachate, extraction measures are to be implemented immediately to reduce the leachate head to acceptable level.	• Landfill Environmental Management Plan, Jul 2017		**Not applicable prior to site establishment**

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	m. The Leachate Management Plan must include contingency measures in the event of failure or severe storm event or excess leachate volumes greater than the modelled predictions or fugitive leachate emission. n. During site establishment, the material within the dam in the Cell 1 area is to be treated as follows: i. Water is to be tested prior to pumping and appropriately disposed of; ii. Sediment is to be tested, classified and appropriately disposed of; iii. Testing procedures are to be carried out in accordance with EPA procedures and for EPA analyte list.			
G.	**Waste inspection procedures**			
	1. Detailed waste screening procedures for all waste received at the site and all waste extracted from bund walls are to be prepared and implemented to ensure that all waste meets the classification of general solid (non-putrescible) or special waste for asbestos recovered from the on-site bunds. The procedures must include: a. Visual inspection of all received waste; b. All staff members that monitor the site entrance shall be trained in the identification and classification of solid waste. Vehicles with unacceptable loads of waste will be refused entry to the site; c. Require documentation for all soils received from the site to confirm their origin; d. Random sampling and testing of soils to confirm that they meet the classification of general solid (non-putrescible) waste; e. Prominent signage at the entrance to the landfill defining acceptable wastes and directing users to contact the gate-person for information regarding disposal of other wastes; f. Random daily inspection of vehicles entering the landfill. All vehicles suspected of containing unacceptable waste will be refused permission to deposit waste until the waste is verified as being acceptable. Staff shall require and collect appropriate evidence from the driver of the vehicle, eg. test certificate, approvals, etc as appropriate, as verification that the waste is acceptable; g. Directing vehicles with unacceptable wastes to an appropriate disposal facility; h. Random monitoring and inspection of wastes as they are discharged from vehicles at the waste disposal areas by site personnel. All waste suspected of being unacceptable will be segregated and checked as to its acceptability, eg. by detailed inspection and/or testing, as deemed appropriate by site staff; i. Monitoring of the deposited waste during spreading, compaction and covering at the landfill or stockpiling at the site. All waste suspected of being unacceptable will be segregated and checked to determine its acceptability eg. by detailed inspection and/or testing, as deemed appropriate by site staff; and			**Not applicable prior to site establishment**

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	j. Recording of all incidences of identification of unacceptable wastes in the site's daily log. The record will include: i. Details of the waste eg. type; ii. Source of the waste eg. vehicle identification, driver identification and generator of the waste; iii. Recommended waste management facility(s); iv. Result(s) of contacting the waste management facility; and v. Date contacting the EPA. k. In the event that unacceptable waste is identified in an incoming vehicle, the vehicle will be refused entry, re-directed, and details of the incident recorded as described above. Site personnel will advise the driver of the vehicle of appropriate waste management facilities, or to contact the EPA for advice on appropriate management of the unacceptable waste; In the event that unacceptable waste is identified during deposition by a vehicle, staff will immediately segregate and contain the waste away from the active landfilling area or recycling & re-processing area. Site personnel will record the details of the waste, such as type, the source, and the vehicle and driver identification. Site personnel will advise the driver of the vehicle that the waste is not acceptable and may load the waste back onto the vehicle where practical and safe to do so. The vehicle will then be escorted from the landfill by Site personnel. Site personnel will advise the driver of the vehicle to contact the EPA for advice on the appropriate management of the unacceptable waste; m. In the event that unacceptable waste is identified during the spreading and compaction of deposited waste or stockpiling at the site, site personnel will segregate and contain the waste away from the active waste disposal or recycling & re-processing areas. Site personnel will make all practical efforts to identify the source of the waste, including: i. Inspecting the waste for possible identification labels on containers; and ii. Identifying the type of waste and consequently the possible sources n. Site personnel will contact the EPA to confirm appropriate management options and will document the final disposition of the unacceptable waste in accordance with the EPA's requirements. o. In the case of asbestos and other waste contained in the bund walls a screening procedure must be developed based on information contained in the Preliminary In-Situ Waste Classification dated September 2009 to identify the procedures for ensuring all extracted waste from the bunds is appropriately classified and managed. This procedure should be implemented before waste activities commence at the site.			
H. Surface water and groundwater management				
	1. A minimum total of seven groundwater observation bores will be drilled around the perimeter of the facility as part of the site establishment works. Bore construction will be in accordance with EPA requirements	• *Managing Urban Stormwater - Soils and Construction Manual,* Landcom 2004	A number of groundwater piezometers have been installed around the site to provide	**Ongoing**

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	and sampling will be carried out in accordance with monitoring plan in the LEMP and in accordance with the EPL. 2. Prior to commencement of waste emplacement the groundwater will be sampled and monitored for an EPA approved analyte list using the bores to establish background conditions in surface water and groundwater. 3. Groundwater will be sampled and monitored throughout the operation of the facility and post closure for as long as deemed necessary by the EPA and at intervals specified by the EPA. 4. Stormwater runoff from intermediate cover areas (minimum 300mm thick) and bunded areas of the cell floor will be isolated from contact with the waste and will be collected and pumped from the landfill area and treated as stormwater in the stormwater management system. 5. Surface water runoff and leachate must be kept separate at all times. To ensure this occurs the applicant is to ensure the control and mitigation measures referred to in the surface water report of GSS are to be incorporated into the design and implemented during each stage/phase/cell of the development, including but not limited to: a. Construct sedimentation dams for sediment-laden runoff. b. The surface water management system is to include measures to treat run off to where required to reach acceptable discharge under the EPL, according to guidelines from Managing Urban Stormwater - Soils and Construction Manual (DECC 2004) and EPA requirements. c. Re-use water from sedimentation dams for dust suppression and revegetation. d. Water discharged from site via a licensed discharge point where its quality is monitored. e. Temporary erosion and sediment control measures to be installed during construction. f. Clean runoff is must be directed away from disturbed areas. g. Maintenance of sediment control structures. h. Contingency procedures for breaches and cross-contamination between stormwater and leachate. 6. Only stormwater is to be reused onsite for dust suppression and revegetation, with excess stormwater managed and treated where required for monitored licensed discharge. 7. The Stormwater Soil, Water and Leachate Management Plan must identify the location of licensed discharge points for stormwater, and monitoring parameters and frequency of monitoring. 8. The stormwater system must be designed in accordance with the Managing Urban Stormwater – Soils and Construction Manual (the “Blue Book”) – DECC, 2004. 9. Monitoring requirements for surface water and groundwater (parameters and frequency) must be included in the Plan.	• Soil, Water and Leachate Management Plan, Jun 2017 • Monitoring Location Plan, GHD, 1 June 2017	initial monitoring points during site establishment. Further piezometers will be installed during site establishment works when access to monitoring locations for piezometer construction becomes available.	
I.	**Monitoring**			

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	1. All groundwater piezometers must be installed around the site as per Annexure 5 in Appendix 1 contained the Cell Design and Groundwater Assessment (Aquaterra 2010). These piezometers must be installed and appropriately sampled during site establishment, and before any waste is received at the site, to determine background groundwater characteristics (groundwater quality and groundwater flow conditions). 2. The piezometers must be sampled during the detailed engineering design and site establishment phases to identify and confirm background groundwater characteristics and clarify the connectivity between groundwater and the creek. 3. The operator must engage an independent party (or parties) to monitor the following during the life of the project in accordance with the LEMP and the EPL: a. Groundwater levels and quality; b. Leachate levels in cells and quality; c. Leachate levels in dams and quality; d. Surface water quality at offsite discharge point; e. Cover and capping operations on waste cells; f. Background groundwater characteristics; and g. Clarify the connectivity between the groundwater and Blaxland Creek. 4. Leachate modelling must be validated through independent assessment and monitoring of leachate flows, levels and volumes in leachate storage ponds. 5. If validation assessment of the leachate model indicates excess leachate storage is required then potential contingency arrangements must be developed and implemented to the satisfaction of the EPA. If directed by the EPA, further waste receipt must be suspended until the EPA is satisfied with the arrangements. 6. Results of leachate validation assessment compared to the model provisions must be provided to the EPA upon request.	• Table 2.4 of the FMPPR • Environmental Assessment, Appendix 1 - Annexure 5, April 2010 • Soil, Water and Leachate Management Plan, Jun 2017 • Monitoring Location Plan, GHD, 1 June 2017		**Not applicable prior to site establishment**
J. Construction Quality Assurance Plan				
	1. A Construction Quality Assurance Plan (CQA) must be prepared and implemented for the entire site, including development works, cell construction, stormwater and leachate management measures, capping and post closure rehabilitation. 2. The CQA plan must include provisions for the following in accordance with the POEO Act: a. Sources of construction material; b. Testing of construction materials; c. Inspection and testing procedures for constructed cell liners (basal and side); d. Construction methodology for compacting clays, including number of lifts and moisture conditioning for each cell;	• Letter to DP&E re Engagement of Consultants for Pre-site Establishment, 27 Apr 2015 • Letter from DP&E re Endorsement of Subject Matter Experts for Pre-Site Establishment EMP's, 31 Aug 2015 • Construction Quality Assurance Plan, Sep 2016	1. A Construction Quality Assurance Plan was prepared by GHD dated September 2016 for the development works, cell construction, stormwater and leachate management measures, capping and post closure rehabilitation. 2. The Construction Quality Assurance Plan includes provisions for the following in accordance with the POEO Act: a. sections 3 discusses sources of construction material;	**Compliant**

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	e. Inspection and testing procedures for HDPE and geomembrane liners; f. Rectification of non-conforming components; g. Certification / sign off by suitably qualified assessor on the completion of each of the specified works; h. An independent certification report must be prepared to confirm that each of the specified works were completed as required and in accordance with the CQA plan and any EPL conditions. This report is to be submitted to the EPA at the completion of each of the specified works; i. The CQA plan must be included in the LEMP; j. Contingency measures in the event of failure or sever storm event or fugitive leachate emission; and k. Leachate modelling for the Project must be provided to confirm the efficacy/adequacy of the proposed final leachate management and surface water management design and incorporated into the SWLMP.		b. construction quality control testing and independent conformance testing sections for each material; c. section 4 addresses inspection and testing procedures for constructed cell liners (basal and side); d. section 4 addresses construction methodology for compacting clays, number of lifts and moisture conditioning for each cell; e. section 8 addresses inspection and testing procedures for HDPE and geomembrane liners; f. section 2.9 addresses rectification of non-conforming components; g. section 2.4.4 and 14.13 address certification/sign off by qualified assessor on completion of each specified works; h. section 124.13 addresses independent certification reporting to confirm each of the specified works were completed as required and in accordance with the CQA plan and any EPL conditions; i. The Construction Quality Assurance Plan is referenced in the LEMP and forms part of the LEMP; j. Contingency measures are addressed in the SWLMP; and k. Leachate modelling of the proposed final leachate management and surface water management design will be incorporated into the SWLMP.	
K.	**Minimum Design Requirements for Rehabilitation and Post Closure Management**			
	1. The cap design must include a drainage layer. 2. Appropriate vegetation must be properly established on site and cap. 3. Erosion must be controlled and managed. 4. Surface water runoff must meet discharge water quality requirements as specified in the surface water assessment dated February 2010 prepared by GSS Environmental and the EPL. 5. Surface water and testing must be incorporated into the monitoring plan of management. 6. The final landform height and profile is not to exceed the height and shape specified in Figure 2.20 of the FMPPR. 7. In order to ensure there is no need to increase the height of the landform, any settlement areas that may result in ponding of surface			**Not applicable prior to Site Establishment**

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	water will need to be backfilled and this process will continue until the EPA determines that the facility is stable and does not represent a risk to human health or the environment. The following actions must be undertaken: a. Regular maintenance of slopes through backfilling and revegetation of settled areas to prevent ponding of water and facilitate runoff; and b. All backfilling activities are to be undertaken with subsoil of the same composition as proposed subsoil (on site clays) referred to the in the cap profile. 8. Regular inspection and reporting by an independent, suitably qualified assessor, on an annual basis to assess the integrity of the cap, the grade and the existence of differential settlement areas where ponding could occur. 9. All reports identified above are to be provided to the EPA and relevant certifying bodies within four weeks of the inspection date. Reports are also to be made publicly. 10. Monitoring is to continue until the EPA determines the facility is stable and no longer represents a risk to human health or the environment.			
SCHEDULE 9 – MANAGEMENT METHODS, PROCEDURES AND SPECIFIC NOISE MITIGATION MEASURES (EX DD IN APPEAL NO 10928 OF 2010)				
	a) The waste recycling and re-processing facility must be sited on the project site at the furthest distance from residences, as shown in Appendix A to the Updated Consolidated Acoustic Report; b) Earth mounding must be used on the northern, eastern and southern boundaries of the site, as shown in Appendix A to the Updated Consolidated Acoustic Report, during the periods when operations within the site require them; c) Earth mounds must be provided within the site at the Central and Southern locations at specified times, as shown in Appendix A to the Updated Consolidated Acoustic Report; d) Acoustic mounding must be used to enclose the waste recycling and re-processing cell; e) The fixed recycling and re-processing equipment must be housed within acoustic enclosures; f) During the construction phase, 4m-high mobile acoustic barriers must be deployed on the external perimeter of both the northern and eastern faces, and will be relocated on the outer surface of those faces to acoustically screen the works as required; g) Acoustic treatment must be applied to selected mobile earthmoving and other equipment to be used on site, to achieve the specified noise criteria shown in Updated Consolidated Acoustic Report Table 5.2; h) Acoustic screening must be used for clay/shale loading operations, specifically in Cell 3, through strategic placement of 4m-high barriers in	• Updated Consolidated Acoustic Report - Appendix A, Table 5.2 • Site Establishment Noise Management Plan, Jul 2017 • Letter from DP&E re Approval of Site Establishment Noise Management Plan, 9 Aug 2017	The Site Establishment Noise Management Plan Section 5 – Noise and Vibration Mitigation Methods details the specific responses to Schedule 9. The Site Establishment Noise Management Plan was approved by the DP&E on 9 August 2017.	**Compliant Ongoing**

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	an east-west orientation across the active stockpile area, so as to always acoustically screen earthmoving equipment during loading operations; i) No operational equipment having a sound power level greater than 106 dBA (unshielded) or 111 dBA (shielded) will be located on top of stockpiles; j) No bobcats, front end loaders or bulldozers will be located on top of the stockpiles around the processing plant, other than during construction stage.			
	Moveable Noise Barriers			
	k) The following procedure for determining and verifying the location of "moveable"/"temporary fixed" barriers, and of any work conducted behind them, should be implemented: i) marking off an area behind the new barriers at which the RL of the ground is no more than 1m higher than that at the base of the barrier, (or lower at greater distances behind), in general accordance with Appendix A to the Updated Consolidated Acoustic Report, and within which there is no line of sight to any residence to the side of the barrier. The permitted work area must be marked off with tape, fibreglass poles or similar, to represent the area within which equipment must operate behind the barrier; and ii) an acoustic engineer must attend the site to formally verify the location of the barrier and the new working area. l) No work will be conducted outside the site's perimeter bunds or the temporary fixed barriers during the above process, except that work required to actually move the barriers.	• Updated Consolidated Acoustic Report - Appendix A, Table 5.2 • Site Establishment Noise Management Plan, Jul 2017 • Letter from DP&E re Approval of Site Establishment Noise Management Plan, 9 Aug 2017	The Site Establishment Noise Management Plan Section 5 – Noise and Vibration Mitigation Methods details the specific responses to Schedule 9. The Site Establishment Noise Management Plan was approved by the DP&E on 9 August 2017.	**Compliant Ongoing**
	5M Earth Mounds			
	m) Earth mounds are to be used to shield equipment working close to the top of the final landform to control noise from this equipment. n) The procedure for removing a bund to provide the final landform for the project must involve: i) initial removal of the top of the bund from behind (south) using a long-reach excavator; and ii) final shaping of the landform using a bobcat, with a sound power level not exceeding 106 dBA. o) No work will be conducted outside the shielded areas of the site during the process referred to in (n) above.	• Updated Consolidated Acoustic Report - Appendix A, Table 5.2 • Site Establishment Noise Management Plan, Jul 2017 • Letter from DP&E re Approval of Site Establishment Noise Management Plan, 9 Aug 2017	The Site Establishment Noise Management Plan Section 5 – Noise and Vibration Mitigation Methods details the specific responses to Schedule 9. The Site Establishment Noise Management Plan was approved by the DP&E on 9 August 2017.	**Compliant Ongoing**
	Real Time Noise Monitoring			

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	p) The Proponent shall undertake real time continuous noise monitoring, and separately, an ongoing attended noise monitoring program, for the operational life of the project, to be documented in the Site Establishment Noise Management Plan (identified at Condition 26) and Operation Noise Management Plan (identified at Condition 27). q) The Proponent shall submit a summary report of the real time monitoring results to Council and the OEH, which documents all non-compliances with Table 7, and any rectification works or modification of work practices undertaken to obtain compliance: • at 3 month intervals during Site Establishment and the first two years of operation; and • thereafter, on a six monthly basis. r) The ongoing attended noise monitoring program must include environmental noise monitoring of the Project site's total noise emissions including fixed plant and mobile earthmoving equipment auditing, and identify whether fixed plant earthmoving equipment noise levels exceed the sound power levels in Table 5.2 contained in the Updated Consolidated Acoustic Report. s) The real time continuous noise monitoring data must be made available to the Council within 14 days of the Council requesting access to that data.	• Site Establishment Noise Management Plan, section 6.1.1, Wilkinson Murray, Nov 2016	Site Establishment Noise Management Plan, section 6.1.1 states: *"Unattended real time noise monitoring using a web based system is to be conducted at representative location of surround residences being the same locations for real time PM $_{10}$ air quality monitors RTNM1 and RTNM2.* *The on-line web-based data system will be capable of combining noise, air quality and weather data. The system shall have the capability to set a warning message where appropriate. A system such as a SMARTDATA from Sound Science is to be utilised for this purpose."*	**Compliant** **Not triggered**

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