

Annexure 7

Compliance Schedule for Relevant Development Consent Conditions for Calga Sand Quarry Activities during 2014

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Table A7-1
Internal Compliance Audit of Relevant Conditions of Development Consent DA94-4-2004
for Calga Sand Quarry from 10 April 2014 to 31 December 2014

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Condition No.	Paraphrased Requirement	Compliance	Comment	Basis*
SCHEDULE 2: GENERAL ADMINISTRATION CONDITIONS				
Obligation to Minimise Harm to the Environment				
2/1	Implement all practicable measures to prevent and/or minimise any harm to the environment.	Yes	Compliance assessed through reference to ongoing monitoring results and lack of environmental incidents during 2014.	D
Terms of Approval				
2/2	Carry out the development in accordance with			
	a) DA 94-4-2004;	No	Operations remain generally compliant with DA 94-4-2004 although nine non-compliances and eight administrative non-compliances have been identified for operations in 2014.	D
	b) EIS, dated 2004;	No	Compliance assessed through reference to various reporting and ongoing monitoring. A mobile crusher was used on site for short periods during 2014. An application to modify DA 94-4-2004 has been submitted and consultation continued with the EPA regarding a variation to EPL 11295. Rocla has been advised that it is the preference of the EPA to delay processing the variation until such time as ongoing legal proceedings concerning the proposed southern extension have been finalised. Commencement of Project Approval 06_0278 would rectify this non-compliance.	D
	c) Amendment Report dated June 2005; and	Yes	Compliance assessed through reference to ongoing monitoring.	D
	d) Modification application DA 94-4-2004 MOD 1 and accompanying document prepared by Rocla Materials Pty Ltd dated January 2012.	Yes	Compliance assessed through reference to ongoing monitoring.	D
	e) Conditions of this development consent.	No	Relating to Conditions 2/4, 3/15(c), 3/19 and 3/23	D
2/3	The most recent document or conditions of DA 94-4-2004 shall prevail to the extent of any inconsistency.	Yes	No inconsistencies were observed during the reporting period.	D
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Condition No.	Paraphrased Requirement	Compliance	Comment	Basis*
SCHEDULE 2: GENERAL ADMINISTRATION CONDITIONS (Cont'd)				
Terms of Approval (Cont'd)				
2/4	Comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of any reports, plans or correspondence submitted in accordance with the consent and the implementation of these reports, plans or correspondence .	No	The Director-General requested on 18 November 2013 that Rocla undertake a census of all bores within 500m of the Quarry Site to determine if any discrepancies existed between records held by Rocla and those held by NSW Office of Water. It has been identified that the census has not as yet been undertaken. It is anticipated the census will be finalised during the third quarter of 2015.	D
Limits on Approval				
2/5	The consent shall lapse on 1 July 2030.	NYA	Not Due.	
2/6	Consent is granted for Stage 3 only.	Yes	Operations during 2014 occurred only in Stage 3.	O
2/7	Product transport shall not exceed 400 000 tonnes of product per year.	Yes	Sales records confirm 248 494 tonnes transported from site in 2014.	D
Structural Adequacy				
2/8	Any new buildings and structures are constructed in accordance with BCA.	Yes	New Wash Plant, Amenities block currently being completed under Construction Certificate CC14—0428 in accordance with the Building Code of Australia	D
Demolition				
2/9	Ensure that all demolition work is carried out in accordance with AS 2601-2001.	Yes	All demolition work during the reporting period was undertaken in accordance with the appropriate Australian Standard.	D
Protection of Public Infrastructure				
2/10	Pay costs to repair or relocate any public infrastructure required as a result of the development.	NA	No infrastructure was required to be repaired or relocated during the reporting period.	O
Operation of Plant and Equipment				
2/11	Ensure that all plant and equipment is:			
	a) Maintained in a proper and efficient condition; and	Yes	Plant maintained by original equipment manufacturer	D
	b) Operated in a proper and efficient manner.	Yes	Operators appropriately trained with procedures for environment and safety.	D
SCHEDULE 3: SPECIFIC ENVIRONMENTAL CONDITIONS				
Identification of Boundaries				
3/1	Survey and mark out boundaries of the approved limits of extraction and submit plans to the Director-General before development commences.	Yes	Completed 5 December 2005, signed Plan retained at Guildford.	D
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Condition No.	Paraphrased Requirement	Compliance	Comment	Basis*
SCHEDULE 3: SPECIFIC ENVIRONMENTAL CONDITIONS (Cont'd)				
NOISE				
Impact Assessment Criteria				
3/2	Ensure noise does not exceed criteria nominated in Table 1.	Yes	Compliance with noise criteria continued throughout 2014 with noise levels improving in comparison to monitored levels from previous years	D
Land Acquisition				
3/3	If noise generated by the development should exceed criteria by more than 5dB(A) the Applicant shall acquire the land following receipt of a written request from the landowner.	Yes	This criterion has not been exceeded in 2014 and no land acquisition triggered.	D
Noise Mitigation				
3/4	Acoustic barriers (as per Appendix 1 of the Amendment Report) to be constructed prior to commencing extraction.	Yes	Completed and accepted by Director-General via letter dated 13 January 2006.	D
Operating Hours				
3/5	Ensure approved operating hours are not exceeded.	Yes	Conditions adhered to. An anonymous complaint was received by EPA regarding operations outside of consent hours. After reviewing on-site camera footage and quarry sales, it was accepted that the claim was false.	D
3/6	Notify EPA if certain circumstances warrant activities to be undertaken outside approved hours.	NA	No work occurred outside approved hours in 2014.	O
Monitoring Program				
3/7	Implement a Noise Monitoring Program prior to any development being undertaken.	Yes	Program operating as Noise Management Program as approved by Director-General on 13 March 2006.	D
AIR QUALITY				
Impact Assessment Criteria				
3/8	Ensure generated dust does not cause any exceedances of the tabulated criteria at any residence on privately-owned land or on 25% of privately owned land.	Yes	Deposited dust monitoring program results compiled by Carbon Based Environmental Pty Ltd. Results confirmed deposited dust levels are below nominated criteria at surrounding residences.	D
Air Quality Monitoring Program				
3/9	Implement an Air Quality Monitoring Program prior to any development being undertaken.	Yes	Program approved on 13 March 2006 by Director-General prior to commencement and implemented thereafter. The revised Air Quality Monitoring Program and Upgraded Protocol was approved by the Director General on 19 October 2009.	D
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Condition No.	Paraphrased Requirement	Compliance	Comment	Basis*
SCHEDULE 3: SPECIFIC ENVIRONMENTAL CONDITIONS (Cont'd)				
SURFACE AND GROUNDWATER				
Groundwater Impact Assessment Criteria				
3/10	Provide compensatory water supply where the development results in a $\geq 10\%$ reduction of pumping yield at surrounding privately owned groundwater bores	NYA	Monitoring and assessment have shown that the Quarry operations have had no adverse effects on surrounding groundwater bores.	D
Monitoring and Management				
3/11	Prepare and implement a Water Management Plan (WMP) prior to any development incorporating: <ul style="list-style-type: none"> a Water Balance; an Erosion and Sediment Control Plan; a Surface Water Monitoring Program; and a Groundwater Monitoring Program. 	Yes	WMP approved by the Director-General on 13 March 2006 (See Annexure 2). WMP implemented and operated throughout reporting period.	D
Water Balance				
3/12	The Water Balance shall include details of all water that would be extracted, dewatered, transferred, used and/or discharged by the Quarry and describe measures to minimise water use by the development.	Yes	Water Balance included in approved WMP.	D
Erosion and Sediment Control Plan				
3/13	The Erosion and Sediment Control Plan shall include potential sources and likelihood of erosion and sediment movement and describe measures to minimise soil erosion and describe controls to be established and their maintenance over time .	Yes	Erosion and sediment controls remain in place and in good condition.	O
Surface Water Monitoring Plan				
3/14	The Surface Water Monitoring Program shall include baseline data, assessment criteria, the proposed monitoring program, protocols for investigation and notification of exceedances and a program to monitor the effectiveness of the Surface Water Management Plan.	Yes	Surface water program implemented and sampled monthly by Carbon Based with reporting provided	D
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SCHEDULE 3: SPECIFIC ENVIRONMENTAL CONDITIONS (Cont'd)				
SURFACE AND GROUNDWATER (Cont'd)				
Groundwater Monitoring Plan				
3/15	The Groundwater Monitoring Plan shall include a program to establish baseline data, assessment criteria, the proposed monitoring program, protocols for investigation and notification of exceedances.	No	Groundwater Monitoring Program implemented with samples taken monthly. However, criteria for assessment of groundwater dependent ecosystems (GDEs) are not included in the SWMP. Criteria for potential impacts to GDEs and impacts to groundwater dependent surface water bodies to be considered in a future update to the SWMP.	D
Groundwater Contingency Strategy				
3/16	Prepare a Groundwater Contingency Strategy within 6 months of the consent date.	Yes	Strategy prepared and included in WMP (Section 6.4). Strategy not yet required as no adverse groundwater effects reported to date.	D
Annual Independent Groundwater Audit				
3/17	Commission an independent groundwater audit by a suitably qualified hydrogeologist approved by the Director-General.	Yes	Audit completed for 2014 by a hydrogeologist approved by the Director-General (see Annexure 3)	D
Reporting				
3/18	a) Annually review and update (if necessary) the water management plan	ANC	No review of the WMP was undertaken in 2014, however it is noted that the groundwater component is reviewed in the annual independent groundwater audit.	D
	b) Report the results of the review in the AEMR	NA	No updates were compiled for inclusion in the AEMR.	D
Quarry Closure Groundwater Management Plan				
3/19	Commission an independent hydrogeologist to assess the long term impacts of the final void on groundwater resources – prior to extraction in Stage 3/6.	No	Surface extraction commenced in Stage 3/6 in March 2011 without this assessment completed. Extraction ceased in August 2011. A hydrogeologist will be commissioned to assess long term impacts prior to the recommencement of extraction in Stage 3/6 or 5 years prior to completion of quarrying activities.	A
METEOROLOGICAL MONITORING				
3/20	a) Prior to commencement a weather station is to be installed within the Quarry Site and thereafter maintained.	Yes	A weather station has been installed and is data gathered on a monthly basis.	D
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Condition No.	Paraphrased Requirement	Compliance	Comment	Basis*
SCHEDULE 3: SPECIFIC ENVIRONMENTAL CONDITIONS (Cont'd)				
Rehabilitation and Landscaping				
3/21	Progressively rehabilitate the site in general consistency with the concept final landform.	Yes	Rocla continued its rehabilitation program during 2014, including development of a seed bank from the existing Quarry Site and surrounding area to aid in revegetation activities in the future.	O
Rehabilitation and Landscape Management Plan				
3/22	Prepare within 6 months of development consent a Rehabilitation and Landscape Management Plan to the satisfaction of the Director-General.	ANC	Landscape and Rehabilitation Plan dated August 2006 submitted to DPE. No official confirmation of approval by the Director-General has been provided	D
3/23	Review and update the Rehabilitation and Landscape Management Plan to the satisfaction of the Director-General within 4 years of approval of the original plan and every 5 years thereafter.	No	The Rehabilitation and Landscape Management Plan was originally submitted to DPE in August 2006 and was due for review in 2010.	D
Rehabilitation Bond				
3/24	Within 12 months of consent lodge a rehabilitation bond with the Gosford City Council.	Yes	Bond lodged 2007 and reviewed in 2012.	D
3/25	Review and revise rehabilitation bond 4 years after initial provision and every 5 years thereafter.	ANC	The rehabilitation bond was revised in 2012 – currently \$533,128. This was outside of 4 year requirement specified in this condition.	D
TRAFFIC AND TRANSPORT				
Site Access				
3/26	Seal the internal access road from the site entrance to Stage 3 and the Administration Area.	ANC	Photographic evidence of the sealing of the internal access road available, however no official confirmation of approval by the Director-General has been provided	D
3/27	Painted seagull arrangements to be implemented on Peats Ridge Road prior to any development being undertaken.	ANC	Approved by Director-General prior to commencement in a letter dated 13/01/06. Written approval not yet provided by RMS.	D
3/28	Ensure the long term access road is designed to accommodate:			
	a) Heavy vehicle turning paths for left hand turns from Peats Ridge Road.	ANC	Road sealing activities completed by a RTA certified and approved contractor. However, written approval not yet provided by the Director-General or RMS.	O
	b) Vehicular access to the pit floor.	ANC	Traffic management plans were reviewed by the Department of Industry and Investment. However, written approval not yet provided by DPI.	D
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Condition No.	Paraphrased Requirement	Compliance	Comment	Basis*
SCHEDULE 3: SPECIFIC ENVIRONMENTAL CONDITIONS (Cont'd)				
TRAFFIC AND TRANSPORT (Cont'd)				
Parking				
3/29	Sufficient parking to be provided on site for all quarry-related traffic.	ANC	Car park constructed as per Council Code. However, written approval not yet provided by the Director-General.	O
Road Haulage				
3/30	Ensure all loaded vehicles are covered.	Yes	Site entry conditions require all loaded vehicles to be covered.	O
3/31	Ensure all loaded vehicles are cleaned of materials that before leaving site.	Yes	Site entry conditions and staff inductions require that responsible parties ensure all materials that may fall on the road are cleaned off loaded vehicles.	O
Visual Impact				
3/32	a) Implement measures to minimise visual impacts.	Yes	Bunding and colour bond fencing have been implemented.	O
	b) Establish, maintain acoustic barriers.	Yes	Bunding and colour bond fencing have been implemented.	D
	c) Provide progress reports in the AEMR.	Yes	Progress with maintenance and rehabilitation of the acoustic bund provided in Section 2.9 of the AEMR.	D
3/33	Limit offsite lighting impacts.	Yes	No lighting impacts off site.	O
3/34	Comply with the AS4282 – Control of Obtrusive Effects of Outdoor Lighting.	Yes	No lighting impacts off site.	O
Waste Management				
3/35	Monitor and minimise the amount of waste generated by the development and report on waste management to the satisfaction of the Director-General.	Yes	Compliance assessed through reference to waste removal documentation.	D
Hazard Management				
3/36	Ensure the storage, handling and transport of dangerous goods in accordance with the relevant Australian Standards.	Yes	Storage of diesel and oils in approved bunds.	D
Safety				
3/37	Secure the development to ensure public safety.	Yes	Fences and gates in place.	O
Bushfire Management				
3/38	a) Ensure the development is adequately equipped to respond to fires.	Yes	Registered water truck and loaders available, if required. Water dam and diesel pumps are available for emergency.	O
	b) Assist the RFS as much as possible if a fire is on site.	NYA	Not yet required or requested.	O
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Condition No.	Paraphrased Requirement	Compliance	Comment	Basis*
SCHEDULE 3: SPECIFIC ENVIRONMENTAL CONDITIONS (Cont'd)				
Production Data				
3/39	Provide data to the DPI and include a copy of the data in each AEMR.	Yes	Data sent to Trade & Investment annually with all records retained at Guildford office.	D
Quarry Exit Strategy				
3/40	Inclusions for Quarry Exit Strategy:	NYA	Exit strategy not yet required.	O
SCHEDULE 4: ADDITIONAL PROCEDURES				
Notification of Landowners				
4/1	Provide quarterly monitoring results to affected landowners and/or existing or future tenants if the results of monitoring required in Schedule 3 identify that impacts generated by the development are greater than impact assessment criteria. Also notify the Director-General.	Yes	All monitoring results are posted on the Rocla website and discussions held with some neighbours. Monitoring results indicated that there were no impacts on neighbouring land greater than the assessment criteria during 2014.	O
Independent Review				
4/2	Commission an independent review of the quarry's impacts, if a warranted request is raised by a landowner who considers that the operations of the quarry are exceeding the impact assessment criteria in Schedule 3.	NA	No land owner requests were received and provided to the Director-General during 2014.	O
4/3	If quarrying operations are complying with the relevant criteria in Schedule 3 then the independent review may discontinue with the approval of the Director-General.	NA	No review was undertaken nor required during 2014.	O
4/4	Adopt procedures nominated for Independent Review.	NA	No review was undertaken or required during 2014.	O
4/5	If any landowner disputes the results of the independent review may be referred to the Director-General. If not resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process.	NA	No review was undertaken or required during 2014.	O
4/6	If any disputes arise from the implementation of the Groundwater Contingency Strategy (condition 16 of schedule 3), either party may refer the matter to the Director-General.	NYA	No disputes have arisen requiring reference to the Director-General.	O
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Condition No.	Paraphrased Requirement	Compliance	Comment	Basis*
SCHEDULE 4: ADDITIONAL PROCEDURES (Cont'd)				
Independent Review (Cont'd)				
4/7	If, following an Independent Dispute Resolution Process, the Director-General is satisfied that the quarry is causing an exceedance of the groundwater impact assessment criteria, and that compensatory water supply would not provide an acceptable alternative long-term supply of water to the affected landowner that is equivalent to the loss attributed to quarrying related impacts, then the Director-General may grant land acquisition rights to the affected landowner.	NYA	No disputes or exceedances of the assessment criteria have arisen to date.	D
Land Acquisition				
4/8	Provide offer to purchase property within 3 months of receipt of written request from landowner with acquisition rights.	NYA	No circumstances have arisen to date to implement this requirement.	O
4/9	Cover costs for the valuation or survey assessment requested by the independent valuer, panel, or the Director-General.	NYA	No circumstances have arisen to date to implement this requirement.	O
4/10	Cover all reasonable costs associated with obtaining Council approval for any plan of subdivision, and registration of the plan at the Office of the Registrar-General.	NYA	No circumstances have arisen to date to implement this requirement.	O
SCHEDULE 5: ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING				
Environmental Management Strategy				
5/1	Within 3 months of the date of the consent prepare an Environmental Management Strategy to the satisfaction of the Director-General. This strategy must: The EMS must be updated within 3 months of the completion of each Independent Environmental Audit.	ANC	The Environmental Management Strategy was approved by the Director-General on 13 March 2006. The EMS was not updated following the Independent Environmental Audit undertaken in 2009, however it is noted that the Independent Environmental Audit did not recommend any changes to this document.	D
5/2	Within 3 months of the date of the consent prepare an Environmental Monitoring Program to the satisfaction of the Director-General.	Yes	An EMP was approved by the Director-General on 13 March 2006. The Program was updated in September 2009 and approved by the Director General, on 14th October 2009.	D
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SCHEDULE 5: ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING (Cont'd)				
Environmental Management Strategy (Cont'd)				
5/3	Review and update the Environmental Monitoring Program to the satisfaction of the Director-General. Within 3 months of the completion of the Independent Environmental Audit.	Yes	The EMP was updated in September 2009 and approved by the Director General on 14 October 2009.	D
5/3A	Notify the Director-General and any other relevant agencies of any incident associated with the Quarry as soon as practicable after the incident and provide an incident report within 7 days of the incident occurring	NA	No incident at the Quarry requiring notification occurring during 2014.	O
5/4	Prepare and submit an AEMR to the Director-General and the relevant agencies.	Yes	Annual reports forwarded to nominated agencies by R.W. Corkery and Co. Pty Limited.	D
Independent Environmental Audit				
5/5	Commission an Independent Environmental Audit within 3 years of the date of consent and every 5 years thereafter.	Yes	The second Independent Environmental Audit for the period ending 9 April 2014 was completed in March 2015.	D
	A copy of the audit report must be submitted to the Director-General within 3 months of commissioning with a response to the report recommendations.	Yes	A copy of final Audit Report will be made available to the Director-General when completed.	D
Community Consultative Committee				
5/8	Within 6 months of the date of this consent establish a Community Consultative Committee to oversee the environmental performance of the Quarry.	Yes	Committee established after advertising and door knock to neighbours. Letters confirming these details have been sent to Gosford City Council and the Director-General.	D
5/9	Adopt procedures nominated for the Community Consultative Committee.	Yes	Committee procedures adopted. Two committee meetings were held in 2014 (see Annexure 4 of 2014 AEMR).	D
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ACCESS TO INFORMATION				
5/10	<p>The Applicant shall make the following publicly available on its website and ensure the information is kept up-to-date.</p> <ul style="list-style-type: none"> • The EIS. • Current statutory consents. • Approved strategies, plans or programs, • A summary of monitoring results of the development. • A complaints register, updated on a quarterly basis. • Minutes of CCC meetings. • Copies of the last 5 AEMRs. • Any independent environmental audit and the Applicant's response to the recommendations of the audit. • And other matter required by the Director-General. 	ANC	<p>Management plans and strategies are available on the Rocla. However, the most recent versions of the Environmental Monitoring Program and Air Quality Monitoring Program have not been updated on the website. The complaints register has also not been updated on the website since December 2012.</p> <p>Both the monitoring programs and the complaints register have since been placed on the Rocla website.</p>	D
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