

**MENANGLE SAND AND SOIL
ANNUAL REVIEW (Condition D9)**



Benedict Sands Menangle (LEC 2018/342158)

01 January 2025 - 31 December 2025

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1 Introduction

1.1 Overview & Follow up

Benedict Industries Pty Ltd (Benedict) is the operator of the Menangle Soil and Sand Facility (MSS) located at 31 Menangle Road, Menangle NSW 2568.

Condition D9 of the Consolidated Consent approval requires the preparation of an annual review of the environmental performance of the Development.

This is the third annual review and is for the period 01 January 2025 – 31 December 2025.

Acknowledgement that the 2024-year submission was satisfactory, and any recommendations below have been incorporated into this 2025 Review document.

Department of Planning, Housing and Infrastructure



NSW Planning ref: DA85/2865-PA-61
Mrs Alycia O'Brien
Environmental Compliance Manager
Benedict Recycling Pty Limited
11 Narabang Way
BELROSE, NSW 2085
23/04/2025

Sent via the Major Projects Portal only

Subject: Menangle Quarry - Annual Review 2024

Dear Mrs O'Brien

I refer to the Annual Review for the reporting period from 1 January 2024 to 31 December 2024 for Menangle Quarry ("the development"), submitted for the Planning Secretary's consideration, as required under Schedule 2, Conditions D9 of the development consent DA 85/2865, as modified ("the consent").

The NSW Department of Planning, Housing and Infrastructure (NSW Planning) considers that the Annual Review, generally satisfied Condition D9 of the consent.

Please note that approval of this Annual Review is not endorsement of the compliance status of the development.

I note no non-compliances were reported during the reporting period.

Please review, and if necessary, revise, the strategies, plans, and programs required under the consent and submit for Planning Secretary's approval, in accordance with Schedule 2, Condition D5 of the consent.

Lastly, in accordance with Schedule 2, Condition D15 of the consent, please make the copy of the Annual Review available on the company website, including any other documents required under Condition D15, and also ensure that these documents are up-to-date.

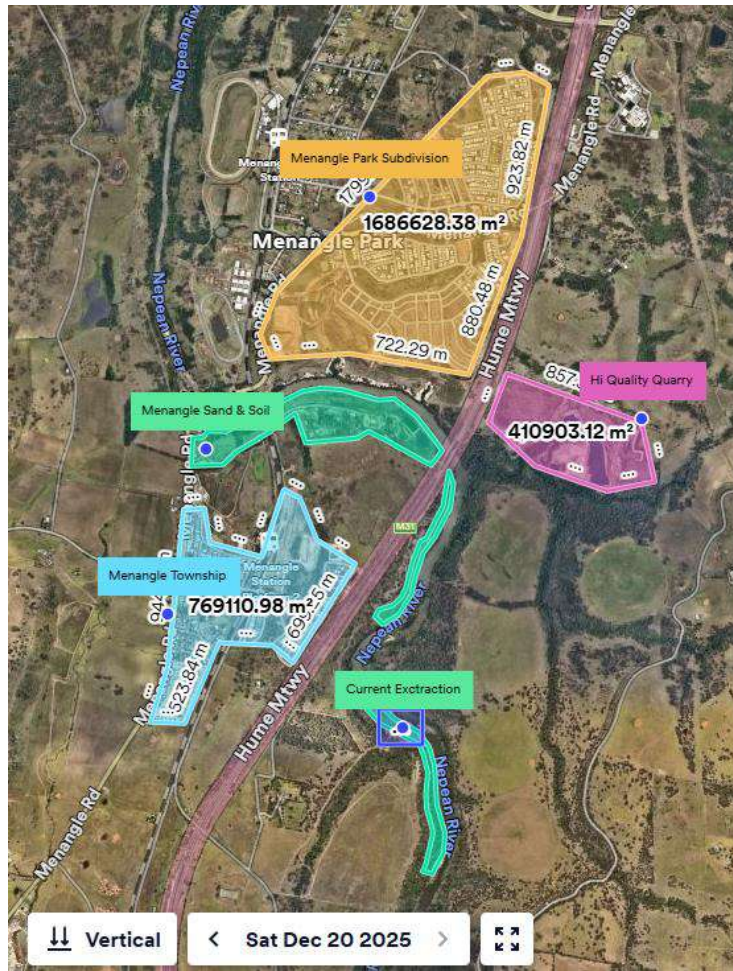
Should you need to discuss the above, please contact Georgia Dragicevic, Senior Compliance Officer, on (02) 4247 1852 or by email to Georgia.Dragicevic@planning.nsw.gov.au.

Yours sincerely

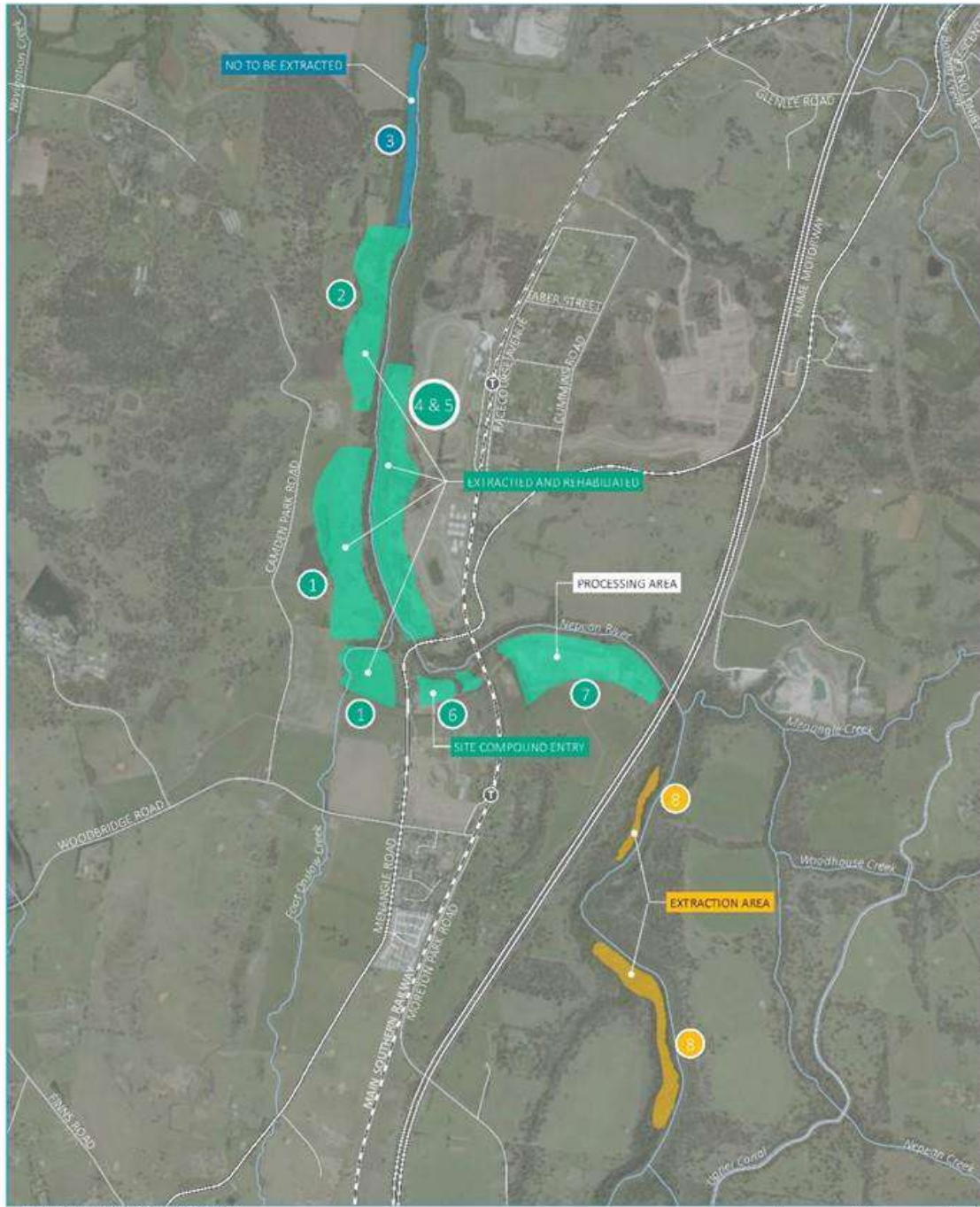
A handwritten signature in black ink, appearing to read "Katrina O'Reilly".

Katrina O'Reilly
Team Leader - Compliance
Compliance

Regional Location Context and Quarry activity



Specific staging maps for the entire MSS facility are shown below as well as the Staging Areas for Stage 8 which is the current quarrying activity area. The quarrying activity during 2025 was predominantly in Stages 8D, whilst rehabilitation activity has occurred across Stages 8A through Stages 8D notable during to five flooding events in 2025 which compromised the previous 2024 flood affected Stage 8 rehabilitation works.



Source: EMM (2022); Metromap (2022); DFSI (2017)

Menangle Quarry stages 1 to 8

KEY

- ① Train station
- Rail line
- Main road
- Local road
- Named watercourse
- Extractive operations (approved)
- Extractive operations (approved but not extracted)
- Stage 8 - extraction/rehabilitation area

Menangle Sand and Soil Quarry
Figure 1.2



2 Development

Describe the development (including any rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year?

2025 development included:

- Commencement of quarrying in Substage 8E
- Completion of extraction and commencement of rehabilitation work in Substage 8D
- Repeated Rehabilitation work in Stages 6 & 7, Substages 8A, 8B & 8C due to another five significant Nepean River flooding events during 2025

3 Monitoring Results and Complaints

Include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, including a comparison of these results against the:

- **relevant statutory requirements, limits or performance measures/criteria**

NOISE MONITORING

Noise (Condition B4)

B4. The Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 2 at any Residence on privately-owned land.

Criteria dB(A) Residences a	Day		Shoulder Period
	LAeq (15 minute)	LAeq (15 minute)	6.00 am to 7.00 am Monday to Saturday LA(max)
2, 3, 5b, 6, 7, 8, 9	45	45	55
4	54	52	62
10, 11	35	35	45
All other Residences	35	35	45

An example of the Noise monitoring reporting during 2025 is included as Attachment B. Quarterly testing has been occurring. In 2025 Noise testing occurred in February, April, July and November. In all the four reports conducted by EMM the noise results have been:

“Noise levels from site complied with all relevant limits and consent noise conditions.”

AIR QUALITY MONITORING

Condition B14 requires the preparation of an Air Quality Management Plan which was version 9, produced by EMM and approved by the DPE on 19 April 2022.

Condition D5 of the Consent requires review of the Management Plans within 3 months of the completion of the Annual Review. After the submission of the 2023 Annual Review, it was proposed to update the Air Quality Monitoring program by moving one of the dust gauges (DDG01) some 130m to the West to avoid sample contamination by regular mowing activities.

Secondly, as the two, four-week ambient air quality monitoring campaigns have been successfully completed it was also proposed to remove these requirements from the AQMP.

These changes to the AQMP were accepted by NSW Planning on 13/09/2024 (see [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.benedict.com.au/wp-content/uploads/AQMP-final.pdf](https://www.benedict.com.au/wp-content/uploads/AQMP-final.pdf))

Within the AQMP there is now one monitoring activity required:

1. Regular air quality monitoring

Permanent dust monitors are located on site at three locations. Since quarry operations commenced on Stage 8, the results of the dust monitoring have been posted online (see: [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.benedict.com.au/wp-content/uploads/Menangle-Dust-Monitoring-Results-2025-8.pdf](https://www.benedict.com.au/wp-content/uploads/Menangle-Dust-Monitoring-Results-2025-8.pdf))

Summary dust monitor results from January 2025 – December 2025 are listed below.

Month	Particulate	Unit	Lowest value	Highest value	Mean of samples
January	Ash Content	g/m2	0.2	6.3	3.2
	Combustible matter	g/m2	0.2	4.1	2.2
February	Ash Content	g/m2	0.1	0.6	0.4
	Combustible matter	g/m2	0.1	0.6	0.4
March	Ash Content	g/m2	0.1	0.9	0.5
	Combustible matter	g/m2	0.1	0.7	0.4
April	Ash Content	g/m2	0.4	2.7	1.7
	Combustible matter	g/m2	0.3	1.9	1.1
May	Ash Content	g/m2	0.4	1.9	1.3
	Combustible matter	g/m2	0.2	1.3	0.9
June	Ash Content	g/m2	0.1	0.6	0.3

	Combustible matter	g/m ²	0.2	0.7	0.4
July	Ash Content	g/m ²	0.1	0.6	0.3
	Combustible matter	g/m ²	0.2	0.7	0.4
August	Ash Content	g/m ²	0.4	0.9	0.6
	Combustible matter	g/m ²	0.2	0.7	0.4
September	Ash Content	g/m ²	0.2	2.6	1.4
	Combustible matter	g/m ²	0.2	1.6	1.0
October	Ash Content	g/m ²	0.5	2.4	1.3
	Combustible matter	g/m ²	0.4	1.5	0.9
November	Ash Content	g/m ²	1.0	7.5	3.7
	Combustible matter	g/m ²	0.7	5.4	2.7
December	Ash Content	g/m ²	0.6	1.8	1.3
	Combustible matter	g/m ²	0.5	1.4	1.0

The mean dust monitoring results are generally compliant. The only monitoring anomalies are impacted by seasonal mowing in preparation and during bushfire season. It is worth noting that this DDG1 location is also impacted by the nearby Menangle Road and significant land subdivision release earthworks to the North and South of the location.

GROUNDWATER MONITORING

Condition B19 requires annual groundwater monitoring to be conducted at 5 locations. This was conducted quarterly in terms of data capture and EMM has produced a summary report in March 2026 (see Attachment C), the Conclusion from the report reads as below :

Conclusion

Groundwater levels across the monitoring network generally fluctuate in response to Nepean River water levels

and climatic conditions. There has been no evidence of quarry-related impacts to the groundwater table.

COMPLAINTS (EPA Licence)

Site complaints have been monitored since January 2021, and the results are posted on our website each month.

In the 2025 period there we no site complaints via the EPA or directly received (see: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.benedict.com.au/wp-content/uploads/Menangle-Site-Complaints-2025-7.pdf)

One anonymous complaint was made to NSW Planning on 5 May 2025 regarding “unauthorised vegetation clearance”. A response to this was submitted on 8 May and NSW Planning acknowledged that the response was acceptable and a site visit was also organised. No further correspondence or issues were raised on this matter.

RE: Menangle Quarry DA85/2865, as modified, complaint alleging un...

Alycia O'Brien
 To: Michael Holz; Brett Jarvis
 Cc: Ernest Dupere; Ewen Mckenzie

Fri 16/05/2025 2:44 PM

You replied to this message on 16/05/2025 3:11 PM.

Hi,

Just had a call from Georgia (from The Department) regarding that complaint about alleged veg clearing at Menangle.

She was happy with our response. She is going to come for a site visit next Thurs (22/05) morning 10am as she said they have never done an inspection since we commenced operations and will close out the complaint.

I can attend.

Regards,

Alycia O'Brien
 Environmental Compliance Manager
 T: 02 8761 0000 M: 0437 468 258
 Working days: Wednesday, Thursday and Friday

CONSENT CONDITIONS COMPLIANCE – compliance or triggered analysis for full Consent – see Attachment A

- ***requirements of any plan or program required under this consent.***

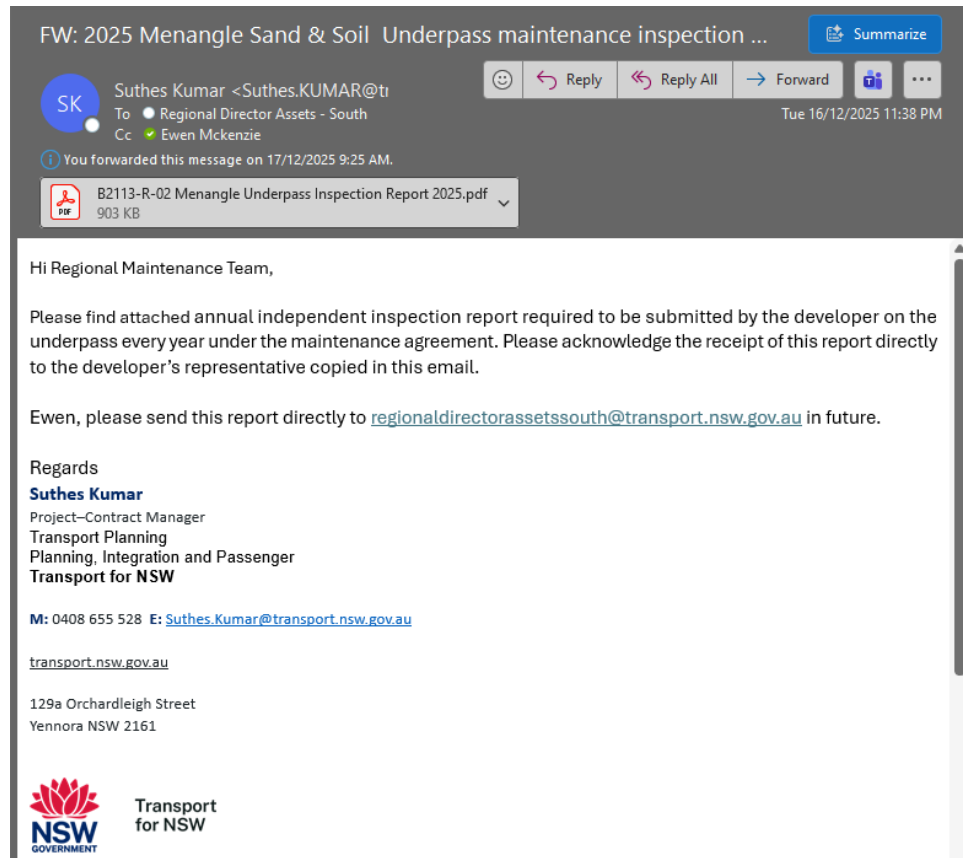
The requirements and triggers are addressed through the Consent Condition compliance comments and triggers. Other key plan actions are listed below:

Annual Production data supplied to MEG

Supplied 2025 (March 2026)

Annual engineering assessment of Hume Highway Underpass

This was completed by Bridge Designs Pty Ltd and submitted to TfNSW on 16 December 2025. It was forwarded to the TfNSW Regional Maintenance team on 16th December 2025 and we are still awaiting feedback from them.



Site Rehabilitation and Restoration Annual Progress Report

Supplied - see Attachment D and additional Prog Report Attachments due to file sizes

Includes:

Landform establishment and stability assessment
 Growth medium development assessment
 Floristic Monitoring assessment

Weed monitoring assessment.
 Nest-Box and Woody debris assessment
 UASS: Revised Rehabilitation Methodology Oct 2024

Review of BRMP Summary Monitoring Report

Supplied - see Attachment E

Annual water balance review and surface water monitoring

Supplied - See Attachment F

- **monitoring results of previous years**

The required EPL Complaints, Dust and Noise Monitoring for the site prior to 2023 has been carried out monthly since 2001. There have been no issues as discussed above.

- **relevant predictions in the documents listed condition A7(c) [MOD 1 Summary, Layout, Report]**

The commencement of quarrying in Stage 8 occurred on 4 September 2023. The development has been occurring generally in accordance with all the respective development Conditions of Consent and Management Plans. Rehabilitation and monitoring results have been impeded by two significant flood events in 2024 and again in 2025.

The Stage 8 timetable is as follows:

Stage	Start Date	Finish Date
8A	24/05/2023	10/11/2023
8B	15/11/2023	20/03/2024
8C	26/03/2024	26/08/2024
8D	8/11/2024	1/11/2025
8E	1/11/2025	

4 Non-compliances or incidents

Identify any non-compliance or incident which occurred in the previous calendar year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence.

Five Flood events have occurred during 2025.

These both had significant impacts on the quarry function and impeded the physical rehabilitation efforts across Stages 6,7 & 8 and required significant clean-up activities. The key impacts were the deposition of silt, washed away hydro mulch, and tree and branch material used for re seeding.

2025 Flood Events

23 May	8.0m water rise (100mm rain)
2 July	5.0m water rise (61mm rain)
3 August	4.0m water rise (48mm rain)
22 August	6.4m water rise (86mm rain)
11 September	6.0m water rise (99.6mm rain)

The responsibilities contained in Table 5.2 Flood scour and risk remedial response TARP, of the Flood Management Plan were followed as below:

Prior to flooding

- Quarry personnel advised
- BOM monitoring – hourly
- Substages 8C prepared (backfill and batter to 1:5 adjacent to river)
- Flatten exposed extraction batters and smooth all sand and soil
- All Plant and equipment moved to higher ground

Affected Areas of Quarry

- Stage 6
- Stage 7
- Restoration Area 1
- Substage 8A (rehabilitation)
- Substage 8B (rehabilitation)
- Substage 8C (rehabilitation)
- Substage 8D (extraction)



Post Floods

Incident Reports created – see Attachments G,H,I,J & K

Clean up debris

Clean out silt deposits on rehabilitated land and fill any eroded landform

Inspect affected tree health and stability (none affected)

Reinstate monitoring plot boundaries (if relevant) and all clumps

Retrieve and relocate available woody debris

Assess impact on seeding and planting (order plants)

Reinstate scoured batters to maximum batter angles

Ensure the extraction base level has not been scoured and reestablished the extraction level 1m above the extraction groundwater level

Sediment deposits



Rehabilitation Recovery

The revised rehabilitation planting strategy that was discussed and introduced in 2024 (see 2024 Annual Review) has continued successfully in 2025. An expert in Urban Agronomy and Soil Science (UASS) was engaged in mid-2024 (post flood events) to review the rehabilitation methodology and come up with a more sustainable approach to the rehabilitation. A report was produced by UASS in October titled Menangle Sand and Soil Stage 8 Extraction Area Changes to the Rehabilitation Methodology October 2024 from which modified planting strategies have been adopted. The report was included in BRMP Rehabilitation and Restoration Annual Progress Report 2024 and is again attached in this report. See Attachment L.

The Biodiversity and Rehabilitation Management Plan (BRMP) and to some extent the Flood Management Plan (FMP), were developed almost ten years ago and relied on a methodology that did not predict the rapid increase of flood event frequency. What effectively was a 1 in ten-year event in the 1970-1990 decades, becomes 11 flood events in the last five years (2020, 2021, 2022 x 2, 2024 x 2, 2025 x 5).

Pollution Incident Response Management Plan

The site, as required by the EPA, operates a Pollution Incident Response Management Plan (PIRMP)

The PIRMP documents are held on site and involve scenario toolbox training for staff. These are reviewed annually as part of the EPA Annual Report Process.

During 2025 the following preventative staff training was implemented:

- Warden / Chief Warden Training
- Building Evacuation Training
- Live Fire Training - Use of Portable Fire Fighting Equipment
- Silica Dust Awareness Training
- Isolation, Lockout and Safety Tagging Training
- Risk Assessment training

Mining Regulator Audits are conducted as follows:

- Air Quality or Dust and Other Airbourne Contaminants
- Electrical
- Emergency Management
- Fire or Explosion
- Roads and Traffic
- Engineering Control Plan
- Ground or Strata failure
- Health

Significant Incidents in 2025

- 5 x Flood events as above

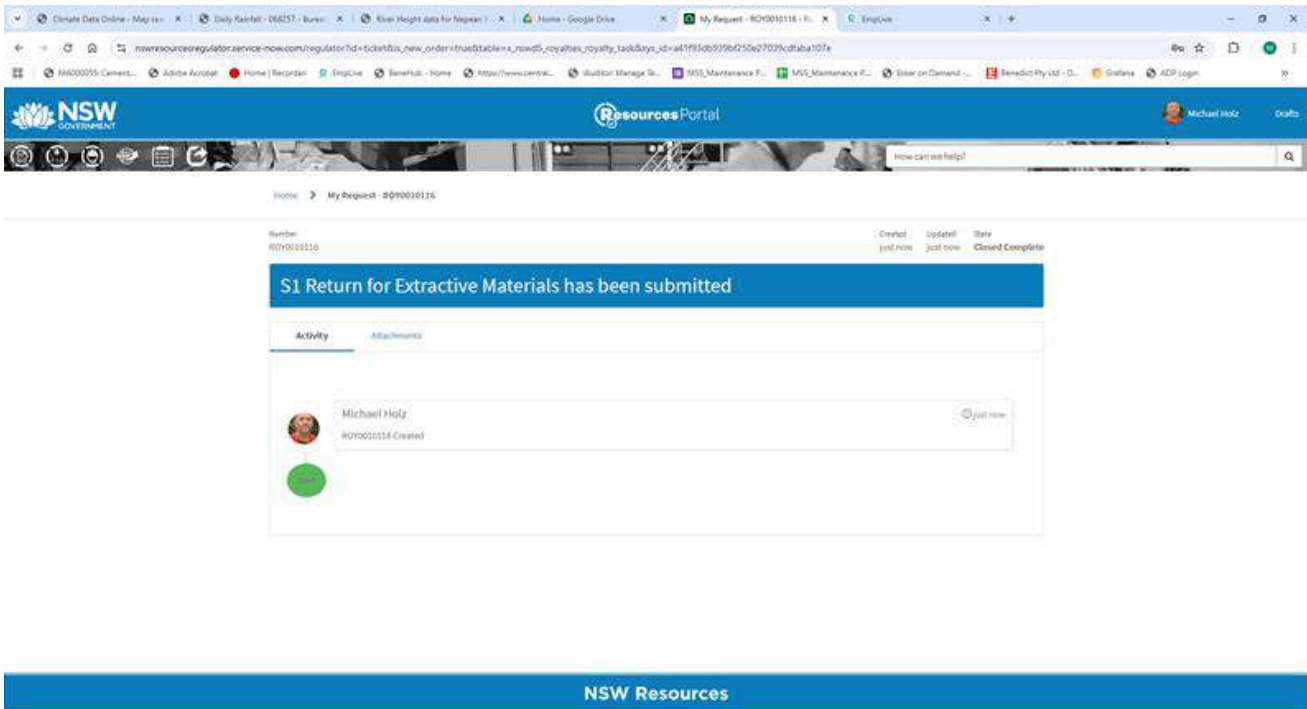
5 Compliance status summary

- ***Each year, from the date of commencement of Quarrying Operations in the Stage 8 Area, the Applicant must provide calendar year quarry production data to MEG by no later than 30 January. The data must be provided using the relevant standard form and a copy of the data must be included in the Annual Review. [Condition A37]***

A photographic record of the MEG S1 Return lodgement for 2025 is included below:

The Stage 8 Tonnes lodged with the NSW Resource Regulator for 2025 was: 147,238 Tonnes.

The commercial value of the tonnes extracted was: \$5,073,989.99.



- ***The Applicant must report on any water captured, intercepted or extracted from the site each year (directly and indirectly) in the Annual Review, including water taken under each Water Access Licence as applicable. [Condition B30]***

Water is extracted by water pump from the Nepean River for dust suppression purposes. This activity is recorded and interfaced with WaterNSW. An extract from the 2025 records is attached as Attachment M

- ***The Applicant must ensure that the flood storage capacity of the final rehabilitated landform is no less than the pre-existing flood storage capacity at all stages of the development, unless otherwise approved in writing by the Planning Secretary. Details of the available flood storage capacity must be reported in the Annual Review. [Condition B35]***

The Stage 8 quarry is in its early stages and now has rehabilitated landforms (multiple flood x 4 affected) applicable for this review is the final landforms in Substages 8A, 8B, 8C and 8D. We can confirm that the difference between the commencement levels and the final landform levels was a mean final landform reduction across the three stages of 3.44m which confirms that the flood storage capacity has not been compromised. Full details of levels across the four completed substages are listed in Attachment A (see Condition B35).

- ***the effectiveness of the noise and air quality management systems and any other plans***

These management plans were reviewed by EMM and amendments have been proposed for the monitoring locations for noise testing. A summary of all the recommended NMP changes is below. This will again be reviewed within 3 months of this Annual Review and feedback given in the 2026 Annual Review.

Noise monitoring: review the location of receptor sites as there has now been significant infill developments around the quarry site that render the original noise assessment pointless. We will also review the frequency

of the noise assessment in line with potential revised locations and suggest that noise assessments could have a trigger function rather than just being time centric.

- **report on waste minimisation and management in the Annual Review.**

The Stage 8 development generates little waste by-products. Clearing of land generates useful rehabilitation vegetation which is stored and reused. Weed residues such as Lantana and the like can be buried in the extraction hole. Any other non-organic debris that might occasionally arrive onsite via elevated river levels or floods would be taken to the site rubbish bin and removed by the regular contractor service.

- **compliance with the performance measures, criteria and operating conditions in this consent, as they relate to the Stage 8 Area**

Every effort has been made to comply with the operating and performance measures in place in effect this Annual review is measuring operational performance over a twelve-month period and management performance leading into 2026.

The significant impact on the successful implementation of the total plan has been the impact of the May and June 2024 Nepean River floods and the five 2025 floods. Seven flood events in two years have hampered rehabilitation efforts and required new thinking and different responses to make rehabilitation effective.

A full comparison of the obligations of all the Consolidated Consent Conditions has been addressed for 2025 in Attachment A

6 Trends in performance measures, criteria and operating conditions

Identify any trends in the monitoring data/requirements over the life of the development.

Aspect	EIS Prediction	2025 Performance	Trend	Implemented Management actions
Noise	Quarterly testing	No non-compliances	Ongoing	Review management plan and frequency of monitoring and relevant monitoring locations.
Air Quality	Dust monitoring monthly – reported on website	Generally Compliant	Significantly large earthworks going on in Menangle Park subdivisions and may be influencing results at time –	Monitor and record offsite dust activities that may affect results

			Visual dust from earthworks apparent	
Biodiversity/Rehab	Stages 8A, 8B and Stage 8C (predominantly rock base and limited extraction value). Commenced and completed Stage 8D. Commenced Stage 8E. Progress is faster than the original EIS prediction	Flood affected but progressed by focussing on older plants around large tree logs – 21 “clumps” located in 8A-8D	Weed and mulching thickness challenges – weed removal may take up to 7-8 separate events.	Adapted to long stem planting post floods in 2024 – Greater focus on native grasses
Weed Management	Measure progress	Flood affect x 5 in 2025 but improved over larger area (Substage 8A-8C)	Improving – see BRMP progress report	Vigilance and revise mulch strategy and prioritise native grasses and fast-growing native bushes
Nest Boxes	60/106 installed	Added 16	Increasing rollout – usage rate is about 13%	Ongoing Rollout with arborist supervision – monitor for repairs and usage
Heritage	Report	No discoveries	Ongoing	Observations upon new substage clearing
Complaints	Monitor report on website	One via Dept of Planning – investigated, site inspection and complaint unfounded	Continue	No Change
Groundwater	Monitor Quarterly	Quarterly testing	Continue	Review after annual report and Independent environmental audit
Water Balance	Report after 12 months data	12-month review was completed in April 2025. Impacted then by 5 more flood events	Monitor water monthly	Review after annual report

7 Predicted v Actual impact of the development

Identify any discrepancies between the predicted and actual impacts of the development and analyse the potential cause of any significant discrepancies.

There have been no significant discrepancies in terms of environmental impact apart from the numerous flooding events and their impact on rehabilitation efforts and methodology. The rehabilitation program has been significantly impeded by a further five separate flood events which occurred between within two months of each other which has given cause to investigate and change the planting methodology by using long stemmed more mature native species. MSS now has an onsite nursery with over 1300 Native seedlings which are propagated in 650 potted batches on a 3 month cycle to assist with creating more flood proof rehabilitation. This is discussed in Attachments D & E.

8 Proposed Environmental Improvements

Describe what measures will be implemented over the next calendar year to improve the environmental performance of the development.

- New planting methodology to resist flood damage – 3 species focus per annum
- Ongoing nest box roll out – 57% installed currently.
- Appropriate infill planting and weed management.
- Staged rehabilitation
- Modified mulching and woody debris placement – flood tolerant.
- All recommendations provided in the Independent Audit will be addressed and completed
- A nursery was started onsite as part of the revised Rehabilitation approach during late 2024. it currently contains 1300 native plants that are being cared for and grown until matured and ready to use in rehab areas onsite. During 2025 the size of the nursery was increased to be able to hold more plants
- All management plans will be reviewed within 3 months of submitting the annual review report as per the consent
- Rehabilitation and weed management onsite will be continued
- Nestboxes will be installed as we progress through each substage
- Review the mulching and slashing strategy
- Review the frequency and locations of noise monitoring given other physical developments in the region
- Review the frequency of all monitoring activities regarding their effectiveness and propose alternatives if necessary





Attachments

Attachment A – Conditions Compliance Report

(b) Provide a conditions compliance report which tracks the compliance of the development with the conditions of this approval

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
A2	The conditions in this Schedule do not apply retrospective requirements in relation to Quarrying Operations undertaken in Stages 1 to 7 of the development that have been completed prior to 31 December 2020 (inclusive).	Noted	Compliant
A3	From the commencement date of construction activities associated with Stage 8 Operations, as notified under condition A5(a) of this Schedule, the obligations in Schedule 1 of this development consent will continue to apply in	Noted	Compliant


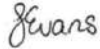
Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	relation to Stages 1 to 7 of the development, except in so far as they are specifically amended by the conditions of this Schedule.		
A4	In the event of an inconsistency, ambiguity or conflict between the conditions in Schedules 1 and 2 of this development consent, as they relate to the Stage 8 Operations, the conditions in Schedule 2 prevail to the extent of the inconsistency, ambiguity or conflict.	Noted	Compliant
A5	The Applicant must notify the Department in writing of the date of commencement of any of the following phases of the development, at least two weeks before that date:	Construction notification 20/12/22 – commenced works 16 Jan 2023 Operations commencement notification - 9/8/2023. Extraction in Substage 8A commenced 4/9/2023. Phase 2 (substage 8C) commencement notification 15/3/2024 Notification for extraction of Substages 8D & 8E occurred on 4/10/2024	Compliant
	a. construction activities associated with Stage 8 Operations;		Compliant
	b. Quarrying Operations in each of Phases 1 to 7;		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>c. cessation of Quarrying Operations (i.e. quarry closure); and</p> <p>d. any period of suspension of Quarrying Operations (i.e. care and maintenance).</p>	 <p>Menangle Quarry - Post Approval Document Received - (DA85/2865-PA-36)</p> <p>Dear Zhen,</p> <p>Thank you your post approval document in relation to the Menangle Quarry has been received by the Department. Details of this document are below and in the attachment.</p> <p>Date Logged: 18/10/2024</p> <p>Document Name: Commencement of Phase 2 (IC)</p> <p>Description of Document: As per Condition A(3) (Management) and 5 (Soil) is advising the EPA of its intention to commence operations (stages) in Phase 2 (Substages IC)</p> <p>Applicable Conditions: Schedule Condition</p> <p>A. 5(1)</p> <p>To help in to your account click here or visit the Major Projects Website. Please do not reply to this email.</p> <p>Kind regards, The Department of Planning and Infrastructure</p> <p></p> <p>Department of Planning, Housing and Infrastructure </p> <p>NSW Planning ref: DA85/2865-PA-54 Mrs Aynia O'Shion Environmental Compliance Manager BENEDICT RECYCLING PTY LIMITED 11 NARRABANG WAY BELLINGH: New South Wales 2085 08/10/2024</p> <p>Sent via the Major Projects Portal only Subject: Menangle Quarry - Notification - commencement of works - Phase 3 substages 8D-8E on the 29 October 2024</p> <p>Dear Mrs O'Shion</p> <p>Reference is made to your post approval matter, DA85/2865-PA-54, Notification of commencement of works, submitted as required by Condition A.6 (b) of DA85/2865 as modified (the consent) to the NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 4 October 2024.</p> <p>NSW Planning has reviewed the notification and notes that the commencement of works at Phase 3 substages 8D-8E is proposed for 29 October 2024.</p> <p>You are reminded to ensure that all relevant approvals and management plans for this stage of the project are obtained and approved prior to commencement.</p> <p>Please note that acknowledgement of this notification is not an endorsement of the compliance status of the project.</p> <p>Should you wish to discuss the matter further, please contact me on 0429400261 or email compliance@planning.nsw.gov.au</p> <p>Yours sincerely  Katrina O'Reilly Team Leader - Compliance Compliance</p>	<p>Not Triggered</p> <p>Not Triggered</p>



Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
A6	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the operation of the development, and any rehabilitation required under this Schedule.	Noted	Compliant
A7	<p>The development (as modified) may only be carried out:</p> <p>a. in compliance with the conditions of this consent;</p> <p>b. in accordance with all written directions of the Planning Secretary; and</p> <p>c. generally in accordance with the EIS, EA (Mod 1), Amended Project Summary and the Development Layout and Modification Report.</p>	Noted	<p>Compliant</p> <p>Compliant</p> <p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
A8	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:	Noted	Compliant
	a. the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and		Compliant
	b. the implementation of any actions or measures contained in any such document referred to in condition A8(a) of Schedule 2.		Compliant
A9	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document/s listed in	Noted	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	condition A7(c) of Schedule 2. In the event of an inconsistency, ambiguity or conflict between any of the document/s listed in condition A7(c) of Schedule 2, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.		
A10	<p>The Applicant must establish and maintain a Nepean River Buffer Zone during Quarrying Operations in the Stage 8 Area. This buffer zone must:</p> <p>a. include a minimum horizontal setback of 10 m extending landward from the 64 m AHD contour on the western side of the Nepean River;</p>	Vegetation Identification Report Approved by DPE 26/04/2022	<p>Compliant</p> <hr/> <p>Complaint</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>b. be informed by a native vegetation identification report, which must:</p> <p>(i) be prepared by a suitably qualified and experienced botanist or ecologist, whose appointment has been endorsed by the Planning Secretary;</p> <p>(ii) include detailed site surveys to identify the DBH of all native trees that occur within the 10 m horizontal setback from the 64 m AHD contour referred to in sub-paragraph (a);</p> <p>(iii) classify all native trees identified in subparagraph (b)(ii) with a DBH of greater than or equal to 0.1 m as Protected Trees and provide their GPS coordinates; and</p> <p>(iv) include a map illustrating a 7.5 m setback (measured at the outside of the native tree trunk) around each of the identified</p>	 <p style="text-align: center;">Department of Planning and Environment</p> <p>Ms Alycia Campbell Narabang Way Belrose NSW 2065</p> <p>28/04/2022</p> <p>Dear Ms Campbell</p> <p style="text-align: center;">Menangle Quarry (DA85/2865) Spatial Survey Data – Conditions A10 and A11</p> <p>I refer to the survey plans, GPS coordinates and data files which were submitted in accordance with Condition A10(b)(v) and part of Condition A11 of Schedule 2 of the consent for Menangle Quarry (DA85/2865).</p> <p>I understand the Native Vegetation Identification Report for Substages 8A-8C (Phases 1 and 2), required under Conditions A10(a), A10(b) (i) to (iv), A10(c) and parts of Condition A11, is provided in Appendix A of the <i>Menangle Sand and Quarry Biodiversity and Rehabilitation Management Plan</i> (BRMP) (version 3.1, dated February 2022) and that the final landform for Stages 8A-8C is provided in Appendix C of BRMP to address the relevant part of Condition A11. I note the BRMP was approved by the Planning Secretary on 9 March 2022.</p> <p>Accordingly, the Planning Secretary is satisfied that the requirements of Condition A10 and A11 of Schedule 2 of DA85/2865 have been met.</p> <p>If you wish to discuss the matter further, please contact Nagindar Singh on 8289 6873 or via email at nagindar.singh@planning.nsw.gov.au.</p> <p>Yours sincerely</p>  <p>Jessie Evans Director, Resource Assessments Resource Assessments</p> <p><i>As nominee of the Planning Secretary</i></p>	<p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>Protected Trees; (v) the map required under subparagraph (iv) must overlay high-resolution ortho-photographs, with supporting digital terrain data files provided in spatial format for GIS and as high-resolution JPEG files; and</p>		
	<p>c. be amended to include the findings of the native vegetation identification report, such that it is widened to include areas where the Protected Tree setbacks extend beyond the minimum 10 m horizontal setback referred to in subparagraph (a).</p>		<p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
A11	The Applicant must submit a copy of the native vegetation identification report and associated survey plans, GPS coordinates and data files required under condition A10(b) of Schedule 2 and associated final landform plans to the Planning Secretary for each of Phases 1 to 7 of the development prior to commencing any vegetation clearing or Quarrying Operations in the relevant phase.	<p>Report Approved by DPE 26/04/2022</p>  <p style="text-align: center;">Department of Planning and Environment</p> <p>Ms Alycia Campbell Narabang Way Belrose NSW 2085 26/04/2022</p> <p>Dear Ms Campbell</p> <p style="text-align: center;">Menangle Quarry (DA85/2865) Spatial Survey Data – Conditions A10 and A11</p> <p>I refer to the survey plans, GPS coordinates and data files which were submitted in accordance with Condition A10(b)(v) and part of Condition A11 of Schedule 2 of the consent for Menangle Quarry (DA85/2865).</p> <p>I understand the Native Vegetation Identification Report for Substages 8A-8C (Phases 1 and 2), required under Conditions A10(a), A10(b) (i) to (iv), A10(c) and parts of Condition A11, is provided in Appendix A of the <i>Menangle Sand and Quarry Biodiversity and Rehabilitation Management Plan</i> (BRMP) (version 3.1, dated February 2022) and that the final landform for Stages 8A-8C is provided in Appendix C of BRMP to address the relevant part of Condition A11. I note the BRMP was approved by the Planning Secretary on 9 March 2022.</p> <p>Accordingly, the Planning Secretary is satisfied that the requirements of Condition A10 and A11 of Schedule 2 of DA85/2865 have been met.</p> <p>If you wish to discuss the matter further, please contact Nagindar Singh on 8289 6873 or via email at nagindar.singh@planning.nsw.gov.au.</p> <p>Yours sincerely</p>  <p>Jessie Evans Director, Resource Assessments Resource Assessments <i>As nominee of the Planning Secretary</i></p>	Compliant
A12	With the written agreement of the Planning Secretary, the Applicant may seek to reduce the minimum 7.5 m horizontal setback distance	Noted	Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	for Protected Trees to an appropriate distance recommended by a consulting arborist assessment. Any variation request must be supported by an expert report prepared by the consulting arborist and will be determined by the Planning Secretary on a case by case basis.		
A13	The Applicant must retain and manage the minimum Nepean River Buffer Zone in accordance with the commitments in the documents listed in condition A7(c) of Schedule 2 (as may be amended by the conditions of this consent).	Noted	Compliant
A14	Prior to undertaking Quarrying Operations in Substage 8G, the Applicant must update the TUFLOW hydrodynamic model used to generate the flood sensitivity analysis in the Additional Flood Impact Sensitivity Assessment dated 17	This Condition relates to activities prior to extraction and operations in Substage 8G. This is some years away.	Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	December 2019, prepared by Advisian in the Amended Project Summary, to include the post extraction topography for Substages 8G-M, using hydraulic roughness Scenario B, and simulate the 1% AEP flood.		
A15	Prior to undertaking Quarrying Operations in Substage 8G, the Applicant must provide the Planning Secretary with a copy of the model required under condition A14 and a plan depicting any areas identified as having a post extraction 1% AEP peak flow velocity of 4 metres/second or greater.	This Condition relates to activities prior to extraction and operations in Substage 8G. This is some years away.	Not Triggered
A16	The Applicant must not carry out construction works or Quarrying Operations or locate any ancillary infrastructure within the Exclusion Areas.	Noted	Compliant
A17	The Applicant must not:	Noted	

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>a. carry out Quarrying Operations or regrading; and/or</p> <p>b. remove vegetation, except where necessary for Weed control, within the Nepean River Buffer Zone, without the prior written agreement of the Planning Secretary.</p> <p>The written agreement of the Planning Secretary may be provided in circumstances where those activities are necessary for environmental management purposes.</p>		<p>Compliant</p> <p>Compliant</p> <p>Not Triggered</p>
A18	<p>The Applicant must ensure that any Weed control activities undertaken within the Nepean River Buffer Zone:</p> <p>a. are limited to Weed removal techniques that use hand-held tools; and</p> <p>b. minimise ground disturbance to the greatest extent practicable.</p>	Noted	<p>Compliant</p> <p>Compliant</p> <p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
A19	The Applicant must not undertake extraction within 7.5 m of any Protected Trees without the written agreement of the Planning Secretary under condition A12 of Schedule 2.	Noted	Not Triggered
A20	The Applicant must maintain a minimum 7.5 m setback between Quarrying Operations and any native trees a located in the Restoration Area, except where a reduced setback is supported by an assessment by a suitably qualified and experienced arborist, and evidence of this assessment has been provided to the Planning Secretary. * In this condition, the setback is to be measured from the outside of the tree trunk.	Noted	Not Triggered
A21	The Applicant must not carry out any extraction:	Noted	
	a. in Stages 1, 2, 4, 5, 6 or 7 after the date specified in		Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	condition 30 of Schedule 1; or b. in Stage 3 at any time.		Compliant
A22	<p>Prior to the commencement of Quarrying Operations in each of Phases 1 to 7, the Applicant must:</p> <p>a. engage a registered surveyor to mark out the boundaries of the approved limits of extraction for the relevant Substages in each phase (as set out conceptually in the Appendix 1 and as amended by the conditions of this consent);</p> <p>b. submit a survey plan of these boundaries and their GPS coordinates to the Planning Secretary; and</p>	<p>Phase 1-7 are parts of the Stage 8 area defined in the definitions. Phase 1 is substages 8A-8B. Phase 2 is substage 8C. Both these Phases have been pegged and have been documented by JMD in the Sketch of Setout Works provided as part of Appendix A of the Biodiversity and Rehabilitation Management Plan (page A12)</p> <p>The survey plan for 8A and 8B was provided through the Portal to address Conditions A10 and A11 which includes the required survey GPS coordinates information.</p> <p>The 20 protected trees are marked and listed in the BRMP page 137</p>	<p>Compliant</p> <p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	c. ensure that these boundaries are clearly marked at all times during the life of the development in a manner that allows operating staff and inspecting officers to clearly identify those limits.		Compliant – ongoing
A23	Stage 8 Operations may be carried out on the site until 31 December 2035. Note: Under this consent, the Applicant is required to decommission and rehabilitate the site and carry out other requirements in relation to Quarrying Operations. Consequently, this consent will continue to apply in all respects other than to permit the carrying out of Quarrying Operations	Noted	Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	until the rehabilitation of the site and other requirements have been carried out to the required standard.		
A24	A maximum of 150,000 tonnes of extractive material may be extracted from the site in any calendar year.	For the calendar year 2025, 147,238 tonnes were extracted from Stage 8.	Compliant
A25	Truck movements at the site (ie inbound combined with outbound movements) must not exceed:	Truck volumes to site have been published on the Benedict website (www.benedict.com.au) A25-Truck-Movement-Summary.pdf) since January 2021. To date the truck movement volume has not exceeded the Consented number. This data has been updated every 6 months since 2021 and is current to end 2025	
	a. a maximum of 248 movements on any given weekday;		Compliant
	b. an average of 148 movements per weekday, averaged on a weekly basis; and		Compliant
	c. a maximum of 80 movements per day on Saturdays.		Compliant


Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N								
A26	The Applicant must comply with Table 1: Operating Hours <table border="1" data-bbox="365 512 1440 850" style="margin-top: 10px;"> <thead> <tr> <th data-bbox="376 520 645 563">Activity</th> <th data-bbox="651 520 1429 563">Permissible Hours</th> </tr> </thead> <tbody> <tr> <td data-bbox="376 568 645 671">Construction work</td> <td data-bbox="651 568 1429 671"> <ul style="list-style-type: none"> • 7 am to 5 pm Monday to Friday • 7 am to 1 pm Saturday • At no time on Sundays or public holidays </td> </tr> <tr> <td data-bbox="376 676 645 780">Quarrying Operations including loading and dispatch of laden trucks</td> <td data-bbox="651 676 1429 780"> <ul style="list-style-type: none"> • 6 am to 5 pm Monday to Friday • 6 am to 12 noon Saturday • At no time on Sundays or public holidays </td> </tr> <tr> <td data-bbox="376 785 645 844">Maintenance, security, office work, cleaning, etc</td> <td data-bbox="651 785 1429 844"> <ul style="list-style-type: none"> • May be conducted at any time, provided that these activities are not audible at any residence on privately-owned land </td> </tr> </tbody> </table>	Activity	Permissible Hours	Construction work	<ul style="list-style-type: none"> • 7 am to 5 pm Monday to Friday • 7 am to 1 pm Saturday • At no time on Sundays or public holidays 	Quarrying Operations including loading and dispatch of laden trucks	<ul style="list-style-type: none"> • 6 am to 5 pm Monday to Friday • 6 am to 12 noon Saturday • At no time on Sundays or public holidays 	Maintenance, security, office work, cleaning, etc	<ul style="list-style-type: none"> • May be conducted at any time, provided that these activities are not audible at any residence on privately-owned land 	Noted. General Quarry Operating hours are Mon-Fri 6am-5pm & Sat 6am-12pm	Compliant
Activity	Permissible Hours										
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A27	The following activities may be carried out outside the hours specified in Table 1. <table border="1" data-bbox="383 999 757 1396" style="margin-top: 5px;"> <tbody> <tr> <td data-bbox="383 999 757 1145">a. delivery or dispatch of materials as requested by Police or other public authorities; and</td> </tr> <tr> <td data-bbox="383 1150 757 1289">b. emergency work to avoid the loss of lives, property or to prevent environmental harm.</td> </tr> <tr> <td data-bbox="383 1294 757 1396">In such circumstances, the Applicant must notify the Department and affected</td> </tr> </tbody> </table>	a. delivery or dispatch of materials as requested by Police or other public authorities; and	b. emergency work to avoid the loss of lives, property or to prevent environmental harm.	In such circumstances, the Applicant must notify the Department and affected	Noted	<table border="1" data-bbox="1682 999 2045 1396" style="margin-top: 5px;"> <tbody> <tr> <td data-bbox="1682 999 2045 1145">Not Triggered</td> </tr> <tr> <td data-bbox="1682 1150 2045 1289">Not Triggered</td> </tr> <tr> <td data-bbox="1682 1294 2045 1396">Not Triggered</td> </tr> </tbody> </table>	Not Triggered	Not Triggered	Not Triggered		
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Not Triggered											
Not Triggered											

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	residents prior to undertaking the activities, or as soon as is practical thereafter.		
A28	<p>Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>a. consult with the relevant party prior to submitting the subject document; and</p> <p>b. provide details of the consultation undertaken including:</p> <p>(i) the outcome of that consultation, matters resolved and unresolved; and</p> <p>(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</p>	Noted	<p></p> <p>Compliant</p> <p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
A29	<p>The Applicant may prepare and submit the Soil and Water Management Plan and/or Biodiversity and Rehabilitation Management Plan required under conditions B36 and B73 of Schedule 2 on a staged basis, prior to the commencement of Quarrying Operations in each of Phases 1 to 7. Quarrying Operations must not commence in any phase until a management plan has been approved by the Planning Secretary for that phase.</p>	<p>SWMP (B36) has been approved by DPE on 24/09/2021 BRMP (B73) has been approved by DPE on 9/03/2022 Published on the www.benedict.com.au website</p> <p>The Soil and Water Management Plan and Biodiversity and Rehabilitation Management Plan only apply to Substages 8A to 8C (also called Phases 1-2 in the Consent). These Plans need to be updated and approved before commencing in Substage 8D (also called Phase 3 in the Consent).</p> <p>The current plans also need to be reviewed and updated within 3 months of certain triggers (see Condition D5).</p>	Compliant
A30	<p>With the approval of the Planning Secretary, the Applicant may:</p> <p>a. prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which</p>	Noted	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);</p> <p>b. combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and</p> <p>c. update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).</p>		<p></p> <p>Compliant</p> <p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
A31	If the Planning Secretary agrees, a strategy, plan or program may be approved, staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Noted	Compliant
A32	Unless the Applicant and the applicable authority agree otherwise, the Applicant must:	Noted	
	a. repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and		Not Triggered
	b. relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.		Not Triggered
	Note: This condition does not apply to any damage to roads caused as a result of general road usage or		Noted

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	otherwise addressed by contributions required by condition 26 of Schedule 1.		
A33	All plant and equipment used on site, or to monitor the performance of the development must be: a. maintained in a proper and efficient condition; and b. operated in a proper and efficient manner.	Please see attached a summary of the plant and equipment maintenance planner for 2025.  A33 Maintenance chart Summary.pdf	Compliant Compliant Compliant
A34	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Noted. This has been included in site inductions	Compliant
A35	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are	Noted	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	in as at the date of this consent.		
A36	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Noted	Not Triggered
A37	Each year, from the date of commencement of Quarrying Operations in the Stage 8 Area, the Applicant must provide calendar year quarry production data to MEG by no later than 30 January.	2025 quarry production data was registered on the portal - the data was logged on 4 March 2025.	Now Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
A38	The data must be provided using the relevant standard form and a copy of the data must be included in the Annual Review.	The provision of data for the MEG was by portal. A summary of the date required is included in Section 5 of this Annual Review (above)	Compliant
A39	The Applicant must obtain all necessary approvals, licences and consents required for the carrying out of the development, including but not limited to, approvals under the Roads Act 1993, the Water Management Act 2000 and the POEO Act.	Noted	Compliant
B1	The Applicant may prepare an Early Works Construction Environmental Management Plan for the Early Works, to the satisfaction of the Planning Secretary. This plan must:	Condition B1 was originally inserted by DPE to allow some works to commence while the full management plans were being prepared/approved. It's not relevant now.	Not Triggered
	a. describe measures to be implemented to minimise construction-related impacts on biodiversity, including: (i) specific measures to minimise impacts on tree hollows, termite mounds and fauna; and		Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>(ii) detailed procedures for pre-clearance surveys and supervision (by an appropriately qualified person) of the felling of habitat trees within disturbance areas associated with the Early Works;</p> <p>b. describe measures to be implemented to manage sediment and erosion risks, including:</p> <p>(i) a detailed description of the surface water management measures to be implemented in relation to the Early Works; and</p> <p>(ii) appropriate clean water diversion systems and construction of appropriate erosion and sediment controls for the management of disturbed areas associated with the Early Works;</p>		<p>Not Triggered</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>c. include a Trigger Action Response Plan which outlines actions to be undertaken to rectify impacts associated with erosion and sedimentation during the Early Works (to the extent that these actions are not addressed by other management plans required to be in place prior to the commencement of Early Works); and</p>		Not Triggered
	<p>d. describe detailed procedures to be implemented to receive, record, handle and respond to complaints associated with the Early Works construction.</p>		
B2	<p>If the Applicant opts to seek approval for Early Works, the Applicant must not commence Early Works until the Early Works Construction Environmental Management</p>	N/A	Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N																								
	Plan is approved by the Planning Secretary.																										
B3	If the Planning Secretary approves an Early Works Construction Environmental Management Plan, the Applicant must implement that plan as approved by the Planning Secretary.	N/A	Not Triggered																								
B4	The Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 2 at any Residence on privately-owned land. Table 2: Operational Noise Criteria dB(A)	<p>The Noise Management Plan outlines our commitments for Quarterly Noise monitoring (see pages 26 onwards).</p> <p>Quarterly Monitoring occurred in the Months of February, April, July and November in 2025.</p> <p>As outlined in Appendix 4 (3) of the Consent a Noise Compliance Assessment was conducted in the first two months of operations – A copy of this was forwarded to the EPA as required.</p>	Compliant																								
	Noise generated by the development must be measured in accordance with the relevant requirements and exemptions (including	<table border="1"> <thead> <tr> <th data-bbox="772 1209 1122 1246"><i>Residences ^a</i></th> <th data-bbox="1126 1209 1406 1246"><i>Day</i></th> <th colspan="2" data-bbox="1411 1209 1850 1246"><i>Shoulder Period 6.00 am to 7.00 am Monday to Saturday</i></th> </tr> <tr> <td></td> <td data-bbox="1126 1249 1406 1286"><i>L_{Aeq} (15 minute)</i></td> <td data-bbox="1411 1249 1641 1286"><i>L_{Aeq} (15 minute)</i></td> <td data-bbox="1646 1249 1850 1286"><i>L_A(max)</i></td> </tr> </thead> <tbody> <tr> <td data-bbox="772 1289 1122 1310">2, 3, 5^b, 6, 7, 8, 9</td> <td data-bbox="1126 1289 1406 1310">45</td> <td data-bbox="1411 1289 1641 1310">45</td> <td data-bbox="1646 1289 1850 1310">55</td> </tr> <tr> <td data-bbox="772 1313 1122 1334">4</td> <td data-bbox="1126 1313 1406 1334">54</td> <td data-bbox="1411 1313 1641 1334">52</td> <td data-bbox="1646 1313 1850 1334">62</td> </tr> <tr> <td data-bbox="772 1337 1122 1358">10, 11</td> <td data-bbox="1126 1337 1406 1358">35</td> <td data-bbox="1411 1337 1641 1358">35</td> <td data-bbox="1646 1337 1850 1358">45</td> </tr> <tr> <td data-bbox="772 1361 1122 1382">All other Residences</td> <td data-bbox="1126 1361 1406 1382">35</td> <td data-bbox="1411 1361 1641 1382">35</td> <td data-bbox="1646 1361 1850 1382">45</td> </tr> </tbody> </table>	<i>Residences ^a</i>	<i>Day</i>	<i>Shoulder Period 6.00 am to 7.00 am Monday to Saturday</i>			<i>L_{Aeq} (15 minute)</i>	<i>L_{Aeq} (15 minute)</i>	<i>L_A(max)</i>	2, 3, 5 ^b , 6, 7, 8, 9	45	45	55	4	54	52	62	10, 11	35	35	45	All other Residences	35	35	45	
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^a Residence locations are shown as "Assessment Locations" in Figure in Appendix 3.





^b Receiver location 5 is representative of Residences in Menangle Village as identified in the red polygon on Figure 1 in Appendix 3.

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	certain meteorological conditions) of the NSW Industrial Noise Policy (EPA, 2000). Appendix 4 sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.		
B5	The noise criteria in condition B4 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.		Not Triggered
B6	The Applicant must:	Noted	
	a. take all reasonable steps to minimise all noise from operational activities, including low frequency noise and other audible characteristics, as well as		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>road noise associated with the development;</p> <p>b. take all reasonable steps to minimise the noise impacts of the development during noise-enhancing meteorological conditions, particularly when the noise criteria in this consent do not apply (see Appendix 4);</p> <p>c. carry out regular attended noise monitoring (every three months unless otherwise agreed with the Planning Secretary) to determine whether the development is complying with the relevant conditions of Schedule 2; and</p> <p>d. regularly assess the noise monitoring data and modify or stop operations on the site to ensure compliance with the relevant conditions of Schedule 2.</p>		<p>Compliant</p> <p>Compliant – testing conducted during April 2025</p> <p>Compliant</p>
B7	The Applicant must prepare a Noise Management Plan	Plan completed by EMM on 25/02/2022. The Plan was amended by EMM and approved by DPE 13/09/2024	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>for the development to the satisfaction of the Planning Secretary. This plan must:</p> <p>a. be prepared by a suitably qualified and experienced person/s;</p> <p>b. be prepared in consultation with the EPA;</p> <p>c. describe the measures to be implemented to ensure:</p> <p>(i) compliance with the noise criteria and operating conditions in this consent;</p> <p>(ii) best practice noise management is being employed; and</p> <p>(iii) noise impacts of the development are minimised during noise-enhancing meteorological conditions; under which the noise criteria in this consent do not apply (see Appendix 4); and</p>		<p></p> <p>Compliant</p> <p>Compliant</p> <p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>d. include a monitoring program that:</p> <ul style="list-style-type: none"> (i) is capable of evaluating the performance of the development against the noise criteria; (ii) monitors noise at the nearest and/or most affected residences; and (iii) includes a protocol for identifying any noise-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of these events. 		Compliant
B8	The Applicant must not commence Quarrying Operations in the Stage 8 Area until the Noise Management Plan is approved by the Planning Secretary.	Plan approved by DPE on 23/03/2022. Published on the www.benedict.com.au website.	Compliant



Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
		 <p>Department of Planning and Environment</p> <p>Ms Alyce Campbell Environmental Compliance Manager Benedict Recycling PTY Limited 11 Narabang Way BELROSE NSW 2085</p> <p>23/03/2022</p> <p>Dear Ms Campbell</p> <p>Menangle Quarry (DA95/2865) Noise Management Plan</p> <p>I refer to the updated Noise Management Plan which was submitted in accordance with Condition B7 of Schedule 2 of the consent for Menangle Quarry (DA95/2865).</p> <p>The Department has carefully reviewed the document and is satisfied that it generally meets the requirements of the condition.</p> <p>Accordingly, the Secretary has approved the Noise Management Plan (Revision 7, dated February 2022). Please ensure that the approved plan is placed on the project website at the earliest convenience.</p> <p>If you wish to discuss the matter further, please contact Kevin Reid on 0292746209.</p> <p>Yours sincerely</p>  <p>Jessie Evans Director, Resource Assessments Resource Assessments</p> <hr/> <p>Department of Planning, Housing & Infrastructure </p> <p>Our ref: DA95/2865 PA-40</p> <p>Evans M J Acting Environmental Compliance Manager 11 NA-RABANG WAY BELROSE 2085 15/09/2024</p> <p>Subject: Noise Management Plan version 8</p> <p>Dear Mr McKenzie</p> <p>I refer to the updated Noise Management Plan (version 8) submitted following the 2023 annual environmental review and changes made by the NSW Environment Protection Agency to the Environment Protection Licence.</p> <p>I have reviewed the plan and consider the amendments made would still meet the conditions of consent, accordingly I approve the plan.</p> <p>If you wish to discuss the matter further, please contact me via email and.dunlop@environment.nsw.gov.au</p> <p>Yours sincerely</p>  <p>And Dunlop</p>	



Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
B9	The Applicant must implement the Noise Management Plan as approved by the Planning Secretary.	Noted	Compliant
B10	The Applicant must ensure that no offensive odours (as defined under the POEO Act) are emitted by the development.	Noted	Compliant
B11	The Applicant must ensure that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 3 at any residence on privately-owned land. Table 3: Air Quality Criteria	<p>DDG1/DDG2/DDG3 have been installed. Monitoring and website posting began September 2023</p> <p>Two real-time particulate matter monitoring units initially for 2 x 4-week campaigns between Nov 2023 and Jan 2024. EMM prepared a PM 2.5 and PM 10 assessment report which was completed on 19 February 2024. (See Attachment D)</p> <p>The need to continue this real-time monitoring will be reviewed in conjunction with DPE after the 2 separate monitoring events.</p>	Compliant

Condition	Requirement		<table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>^{a, c} 25 µg/m³</td> </tr> <tr> <td>24 hour</td> <td>^b 50 µg/m³</td> </tr> <tr> <td rowspan="2">Particulate matter < 2.5 µm (PM_{2.5})</td> <td>Annual</td> <td>^{a, c} 8 µg/m³</td> </tr> <tr> <td>24 hour</td> <td>^b 25 µg/m³</td> </tr> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>^{a, c} 90 µg/m³</td> </tr> <tr> <td>^d Deposited dust</td> <td>Annual</td> <td>^b 2 g/m²/month ^a 4 g/m²/month</td> </tr> </tbody> </table>			Pollutant	Averaging period	Criterion	Particulate matter < 10 µm (PM ₁₀)	Annual	^{a, c} 25 µg/m ³	24 hour	^b 50 µg/m ³	Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a, c} 8 µg/m ³	24 hour	^b 25 µg/m ³	Total suspended particulate (TSP) matter	Annual	^{a, c} 90 µg/m ³	^d Deposited dust	Annual	^b 2 g/m ² /month ^a 4 g/m ² /month	Compliant Y/N
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^d Deposited dust	Annual	^b 2 g/m ² /month ^a 4 g/m ² /month																							
B12	The air quality criteria in Table 3 do not apply if the Applicant has an agreement with the owner/s of the relevant residence to exceed the air quality criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	Noted	<p>Notes:</p> <ul style="list-style-type: none"> ^a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources). ^b Incremental impact (i.e. incremental increase in concentrations due to the development on its own). ^c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary. ^d 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 			Compliant Y/N																			
B13	The Applicant must:	Noted																							
	<p>a. take all reasonable steps to:</p> <ul style="list-style-type: none"> (i) minimise odour, fume, greenhouse gas and dust (including PM₁₀ and PM_{2.5}) emissions of the development; (ii) minimise any visible off-site air pollution generated by the development; and (iii) minimise the extent of potential dust generating surfaces exposed in the Stage 8 Area at any given point in time; <p>b. minimise the air quality impacts of the development during adverse</p>					Compliant																			
						Compliant																			

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>meteorological conditions and extraordinary events (see Note c to Table 3 above);</p> <p>c. carry out regular air quality monitoring to determine whether the development is complying with the relevant conditions of Schedule 2; and</p> <p>d. regularly assess meteorological and air quality monitoring data and relocate, modify or stop operations on the site to ensure compliance with the relevant conditions of Schedule 2.</p>		<p>Compliant</p> <p>Compliant</p>
B13A	<p>The Applicant must construct and maintain all haul roads to minimise:</p> <p>a. excessive dust emissions by (including but not limited to):</p> <p>(i) sealing the road surface with a clean coarse aggregate or equivalent, and minimising the surface silt content of the roads or</p>	<p>Noted – the haul roads are constructed and maintained and regularly treated by a water cart to manage dust emissions. (see Attachment I for water truck filling and water use)</p> <p>The soil erosion along the escarpment observed by the auditor in the Independent environmental audit 2024 has since been repaired.</p>	<p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>implementing other surface treatment options such as chemical suppressants or paving; and</p> <p>(ii) watering the haul roads at the appropriate water rate when in use.</p> <p>b. erosion and sediment loss through the appropriate design and installation of drainage having regard to the Erosion and sediment control on unsealed roads A field guide for erosion and sediment control maintenance practices (OEH 2012) or latest version.</p>		Compliant
B14	<p>The Applicant must prepare an Air Quality Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:</p> <p>a. be prepared by a suitably qualified and experienced person/s;</p> <p>b. be prepared in consultation with the EPA;</p>	Plan approved by DPE 19/04/2022. Published on the www.benedict.com.au website.	Compliant Compliant Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>c. describe the measures to be implemented to ensure:</p> <ul style="list-style-type: none"> (i) compliance with the air quality criteria and operating conditions in this Schedule; (ii) best practice air quality management is being employed; and (iii) air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events; and 	 <p>NSW Planning, Industry & Environment</p> <p>Ms. Nicola Camporeale Environmental Compliance Manager Benedict Recycling Pty Limited 17 Menangle Way MENANGLE NSW 2805</p> <p>18/04/2022</p> <p>Dear Ms. Camporeale</p> <p>Menangle Quarry - Air Quality Management Plan (DAS/2968) Air Quality Management Plan - Version 8</p> <p>I refer to the updated Air Quality Management Plan which was submitted in accordance with condition B14 of Schedule 7 of the consent for Menangle Quarry (DAS/2968).</p> <p>The Department has carefully reviewed the document and is satisfied that it generally meets the requirements of the consent.</p> <p>Accordingly, the Secretary has approved the Air Quality Management Plan - Version 8 dated March 2022. Please ensure that the approved plan is placed on the project website at the earliest convenience.</p> <p>If you wish to discuss the matter further, please contact Karen Hearn on 0292746234.</p> <p>Yours sincerely</p>  <p>Jessica Evans Director, Resource Assessments Resource Assessments</p> <p>As authorised by the Secretary</p>	<p>Compliant</p>
	<p>d. include an air quality monitoring program that:</p> <ul style="list-style-type: none"> (i) is capable of evaluating the performance of the development against the air quality criteria; and (ii) includes a protocol for identifying any air quality-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of these events. 		<p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
B15	The Applicant must not commence Quarrying Operations in the Stage 8 Area until the Air Quality Management Plan is approved by the Planning Secretary.	<p>Plan approved by DPE on 19/04/2022. Published on the www.benedict.com.au website</p>  <p>Ms. Alycia Campbell Environmental Compliance Manager Benedict Recycling PTY Limited 11 Narabong Way BELROSE NSW 2085</p> <p>19/04/2022</p> <p>Dear Ms. Campbell</p> <p style="text-align: center;">Menangle Quarry - Air Quality Management Plan (DA852865) Air Quality Management Plan - Version 9</p> <p>I refer to the updated Air Quality Management Plan which was submitted in accordance with condition B14 of Schedule 2 of the consent for Menangle Quarry (DA852865).</p> <p>The Department has carefully reviewed the document and is satisfied that it generally meets the requirements of the conditions.</p> <p>Accordingly, the Secretary has approved the Air Quality Management Plan - Version 9 (dated March 2022). Please ensure that the approved plan is placed on the project website at the earliest convenience.</p> <p>If you wish to discuss the matter further, please contact Kevin Reid on 0292746209.</p> <p>Yours sincerely,</p>  <p>Jessie Evans Director, Resource Assessments Resource Assessments As nominee of the Secretary</p>	Compliant
B16	The Applicant must implement the Air Quality Management Plan as approved by the Planning Secretary.	Noted	Compliant
B17	Prior to the commencement of Quarrying Operations in the Stage 8 Area, and for the life of the development, the Applicant must ensure that	Fully Installed and Operational at the site weighbridge since 3/08/2022	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>there is a suitable meteorological station operating in close proximity to the site that:</p> <p>a. complies with the requirements in the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007); and</p> <p>b. is capable of measuring meteorological conditions in accordance with the NSW Industrial Noise Policy (EPA, 2000), unless a suitable alternative is approved by the Planning Secretary following consultation with the EPA.</p>		<p>Compliant</p> <p>Compliant</p>
B18	The Applicant must ensure that diesel spills and the like are cleaned up immediately so as not present a risk to water quality if the relevant Substage is inundated by floodwaters.	Noted – Part of the PIRMP process	Compliant

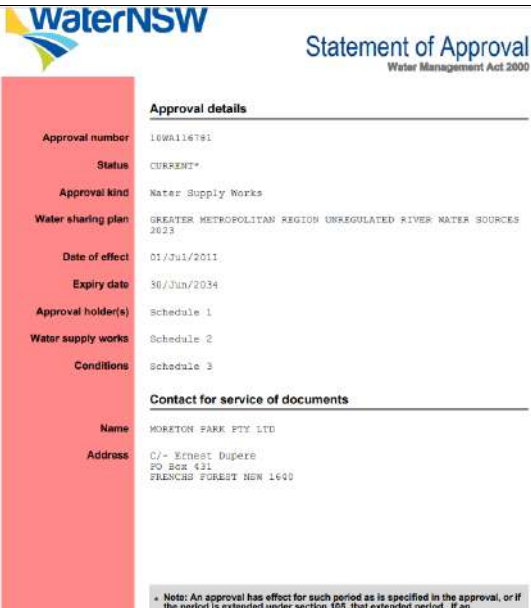
Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
B19	The Applicant must monitor groundwater levels at Groundwater Bores BH01_S, BH01_D, BH02, BH03 and BH04 as shown in Figure 1 in Appendix 5, using continuous data loggers, for the duration of Quarrying Operations in the Stage 8 Area.	A groundwater monitoring and analysis report was prepared by EMM for 2025. (see Attachment C). Quarterly download logger data has been collected onsite and the information continually forwarded to EMM for the next annual review.	Compliant
B20	The Applicant must ensure that Quarrying Operations do not compromise the integrity of the monitoring bores identified in condition B19 of Schedule 2.	Noted	Compliant
B21	The Applicant must:	Sampling occurred in 2025. EMM completed a review for 2025 (See Attachment C)	Compliant
	a. collect groundwater quality samples at each of the monitoring locations identified in condition B19; and		
	b. analyse collected groundwater quality samples for all major anions and cations and field parameters; on an annual basis for the duration of Quarrying		


Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	Operations in the Stage 8 Area.		
B22	The Applicant must ensure that:	1 bore prior to start of extraction, monitored for 7 days prior to extraction, water level recorded twice a day. As extraction progresses, the first bore can be moved to the base of the pit and additional 1-2 bores placed in pit too. All 2-3 bores to be monitored daily while extracting. Bores have been drilled progressively in each substage and monitored as required (see addendum letter from recent Independent environmental audit conducted, noting compliance with this condition).	Compliant
	a. temporary bores are drilled or augered progressively in each Substage to determine the local water table position immediately prior to commencing extraction in each Substage; and		Compliant
	b. the pit floor in each Substage remains at least 1 metre above the measured water table level averaged over a seven-day period following the date of drilling or augering.		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
		<p>IAN SWANE & ASSOCIATES P/L PO Box 369, MORTDALE NSW 2223</p> <p>Mob: +61 0418 867 112 Email: iswane@bigpond.com</p> <p>Benedict Industries 33 – 39 Riverside Road GHIPPING NORTON NSW 2170</p> <p>Attention: Alycia O'Brien Environmental Compliance Manager</p> <p>27 March 2025</p> <p>Menangle_250327_ISAA letter 2024_Benedict Menangle</p> <p>Dear Alycia</p> <p>ADDENDUM TO INDEPENDENT ENVIRONMENTAL AUDIT, BENEDICT MENANGLE SAND & SOIL QUARRY, 31 MENANGLE ROAD, MENANGLE NSW 2568 (43 pages)</p> <p>This letter provides Benedict Industries (Benedict) and the NSW Department of Planning, Housing and Infrastructure (DPHI) with an addendum to the independent environmental audit (IEA) issued by Ian Swane & Associates dated 14 March 2025 and titled "Benedict Menangle Sand and Soil Quarry, 31 Menangle Road, Menangle NSW 2568, independent Environmental Audit".</p> <p>One of the conclusions made by the IEA was that no significant non-compliances were identified during the Audit Period for the Stage 8 work. The one non-compliance concerned Planning Consent Condition B22(a), which requires temporary bores to be drilled or augered progressively in each Substage to determine the local water table position immediately prior to commencing extraction in each Substage. At the time the IEA was issued, the groundwater specialist from EMM advised that no data had been provided showing that the work required by this condition had been undertaken.</p> <p>Since the IEA was issued, Benedict has provided the independent environmental auditor with data indicating that Condition B22(a) has been met. The data was provided in emails issued on 21 and 26 March 2025 and comprised:</p> <ul style="list-style-type: none"> ➢ Temporary bores had been installed in substages 8A, 8B and 8C. The well for stage 8D is soon to be installed; ➢ The wells were constructed by digging a hole and placing a 2m x 50mm pipe in the ground and then use a measuring rod to measure the deep to groundwater; ➢ A photo of temporary bore 8B is provided in Figure 1; ➢ The locations of temporary wells 8A and 8B are shown in Figure 2. Temporary well 8C hit bedrock and could not access the water table to measure the water table; and ➢ The water level elevations measured are: Well 8A 60.80 mAHD, Well 8B 60.82 mAHD, Well 8C = 60.79 mAHD (bedrock). <p>Based on this data, the independent environmental auditor considers that:</p> <ul style="list-style-type: none"> ➢ The data gap identified by EMM has been address that that "compliance ranking" for Condition 22(a) should be changed from yellow to green; and ➢ The conclusion in executive summary and Section 4.11 regarding non-compliances needs to be changed to read that no non-compliances were identified by the independent environmental audit. <p>Menangle_250327_ISAA letter PAGE 1</p>	
B23	The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of	Noted	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	the development to match its available water supply.		
B24	The Applicant must develop a groundwater model using a variant of Modflow standard software, or equivalent software, to quantify the progressive takes from water sources during Quarrying Operations in the Stage 8 Area.	Completed as part of the Soil and Water Management Plan	Compliant
B25	The Applicant must:	Completed as part of the Soil and Water Management Plan	Compliant
	a. initially construct the groundwater model required under condition B24 of Schedule 2 using the first three months of groundwater monitoring data collected from 17 June 2020 to 16 September 2020;		
	b. update the groundwater model following collection of the first 12 months of data collected from 17 June 2020 to 16 June 2021; and		Complaint
c. incorporate the outputs of the groundwater model	Compliant		

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	into the Site Water Balance as required under condition B36(c)(i) of Schedule 2.		
B26	If a potential flood event (equivalent to a level of 64 m AHD at Menangle Weir, which represents the approximate height of overtopping of the Nepean River bank) does not occur between 17 June 2020 to 16 June 2021, then the Applicant must update the groundwater model required under condition B24 of Schedule 2 following the first flood event equivalent to or greater than this level when it occurs.	Completed	Compliant
B27	The Applicant must obtain any necessary Water Access Licences for the development under the Water Act 1912 and/or the Water Management Act 2000.	NSW Water Licence was renewed in June 2024 until June 2034 (copy below)	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
		 <p>Approval was granted on 11 February 2022 by the Natural Resources Access Regulator (CAA-2021-11223) for the Stage 8 Sand extraction</p>	

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
			
B28	When making an application for any necessary Water Access Licence, the Applicant must specify the annual take of water from each affected water source, as estimated by the groundwater model required under condition B24 of Schedule 2.		Compliant
B29	Should the maximum annual water take as calculated by the groundwater model increase due to subsequent revisions of the groundwater model, as required under	Noted	Not Triggered


Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	conditions B25 and B26 of Schedule 2, the Applicant must acquire the necessary additional licence shares to account for the maximum predicted annual volume.		
B30	The Applicant must report on any water captured, intercepted or extracted from the site each year (directly and indirectly) in the Annual Review, including water taken under each Water Access Licence as applicable.	The review of the water balance and surface water quality is an annual reporting requirement in the Soil and Water Management Plan (SWMP) and the collection of 12 months of data will occur by March 2026. A copy of the water monitoring results for March 2025 to December 2025 are attached for reference (see Attachment F)	This will be completed in April 2025 and analysis included in the 2025 Annual review
B31	The Applicant must install and maintain suitable erosion and sediment control measures in the Stage 8 Area. These measures must be designed and implemented having regard to the guidance series Managing Urban Stormwater: Soils and Construction and be detailed in the Soil and Water Management Plan required	This is ongoing and the Rehabilitation and Restoration Annual Progress Report (see Attachment D) included Attachment A which monitors and records drainage, erosion and sediment control inspections.	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	under condition B36 of Schedule 2.		
B32	The Applicant must prepare a Flood Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:	Plan completed by EMM on 25 February 2022	Compliant
	a. be prepared by suitably qualified and experienced person/s;		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>b. identify measures to:</p> <ul style="list-style-type: none"> (i) proactively prepare for, and respond to, any flood event in which the active extraction area is likely to be inundated by floodwaters emanating from the Nepean River; (ii) ensure the safety of site personnel; (iii) minimise, to the greatest extent practicable, the areas of exposed ground on the site that would be susceptible to flood risks (including scour and erosion and potential transport of sediment to downstream waters); (iv) ensure that the active extraction area in any Substage does not exceed 0.33 hectares at any one time; (v) ensure that the batter adjacent to the Nepean River Buffer Zone does not exceed: <ul style="list-style-type: none"> • a maximum 		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>slope of 1:1 at any time; and</p> <ul style="list-style-type: none"> • a maximum slope of 1:5 in preparation for flood events; <p>(vi) ensure that no more than a 30 metres length of the batter adjacent to the Nepean River Buffer Zone (measured in total) has a slope exceeding 1:5 at any one time; and</p> <p>(vii) rectify any flood-related damage to areas undergoing rehabilitation; and</p> <p>c. include a Trigger Action Response Plan which outlines actions to be undertaken in preparation for, and immediately following, a flood event including detailed protocols and timeframes for:</p> <ul style="list-style-type: none"> (i) backfilling the active extraction area to achieve a maximum batter slope of 1:5 adjacent to the Nepean River 		<p>Compliant and Triggered in 2025 x 5</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	Buffer Zone in preparation for flood events; (ii) avoiding the downstream movement of debris from the site; (iii) recommencing Quarrying Operations following a flood event; and (iv) rectifying any damage to areas undergoing rehabilitation following a flood event.		

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
B33	The Applicant must not commence Quarrying Operations in the Stage 8 Area until the Flood Management Plan is approved by the Planning Secretary.	<p>Plan approved by DPE on 9/4/2021. Revised version approved 25/10/2022. Published on the www.benedict.com.au website</p>  <p>The image shows an email approval letter from the NSW Department of Planning and Environment. The recipient is Mr. Ayria Campbell, Environmental Compliance Manager at Benedict Recycling Pty Limited. The letter, dated 25/10/2022, approves the revised Flood Management Plan for Menangle Quarry (Condition B32 of DA952965). It references a previous approval on 9/4/2021 and mentions that the revised plan was approved on 25/10/2022. The letter is signed by Carl Dumpton, Team Leader for Resource Assessments.</p>	Compliant
B34	The Applicant must implement the Flood Management Plan as approved by the Planning Secretary.	Noted	Compliant



Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>c. include a:</p> <p>i. Site Water Balance that:</p> <ul style="list-style-type: none"> • includes details of: <ul style="list-style-type: none"> - sources and security of water supply; - water use and management on the site; - reporting procedures, including the annual preparation of a site water balance; and • minimises clean and potable water use on the site; • incorporates the outputs of the groundwater water model required under condition B24 of Schedule 2; 		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>ii. Surface Water Management Plan, that includes:</p> <ul style="list-style-type: none"> • detailed baseline data on surface water flows and quality in watercourses and/or water bodies that could potentially be affected by the development; • surface water impact assessment criteria, including trigger levels for investigating any potentially adverse impacts, and surface water management performance measures; • a detailed description of the surface water management system on the site, including the: <ul style="list-style-type: none"> - clean water diversion system; - erosion and sediment controls (including the construction of bunds and swales within each Substage); and - water storages (including a description of 		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>measures to maintain the storage capacity of sediment basins);</p> <ul style="list-style-type: none"> • a program to monitor and report on: <ul style="list-style-type: none"> - any surface water discharges; - the effectiveness of the water management system; - surface water quality in sediment basins; <p>and</p> <ul style="list-style-type: none"> - water levels and quality in the Nepean River both upstream and downstream of the site; and <ul style="list-style-type: none"> • a protocol for identifying and investigating any exceedances of the surface water impact assessment criteria and for notifying the Department and relevant stakeholders of these events; 		



Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>iii. Groundwater Management Plan that includes:</p> <ul style="list-style-type: none"> • all available baseline data for the site; • groundwater performance criteria, including trigger levels for investigating any potentially adverse groundwater impacts, particularly with respect to aquatic habitat and regional groundwater systems; • a protocol to ensure that Quarrying Operations do not exceed the extraction depth limit specified in condition B22(b) of Schedule 2; • measures to ensure that the integrity of the groundwater monitoring network is not compromised by Quarrying Operations; • a clear description of the reporting processes and procedures to be adopted for the routine 		Compliant


Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	collation, analysis and provision of monitoring data as required under conditions B21 and B22 of Schedule 2; and <ul style="list-style-type: none"> • a protocol for identifying and investigating any exceedances of the groundwater performance criteria and for notifying the Department and relevant stakeholders of these events. 		
B37	Subject to condition A29, the Applicant must not commence Quarrying Operations in the Stage 8 Area until the Soil and Water Management Plan is approved by the Planning Secretary.	Plan approved by DPE on 25/03/2022. Published on the www.benedict.com.au website.	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
		 <p>Ms Alicia Campbell Governance & Compliance Manager Benedict Sanding Pty Limited 11 WARRING WY BEN BOUT NSW 2005</p> <p>25/09/2022</p> <p>Dear Ms Campbell</p> <p>Message County (DA 812885) Soil and Water Management Plan - Version 3</p> <p>I refer to the updated Soil and Water Management Plan - Version 3 which was submitted in accordance with Condition 8(a) of Schedule 2 of the consent for Menangle County (DA 812885).</p> <p>The Department has carefully reviewed the document and is satisfied that it generally meets the requirements of the conditions.</p> <p>Accordingly, the Secretary has approved the Soil and Water Management Plan (Plan) (DA 812885 - 3). Please ensure that the approved plan is placed on the ground works at the relevant construction.</p> <p>If you wish to discuss the matter further, please contact Kevin Field on 0200746200.</p> <p>Yours sincerely,</p>  <p>JASON FRANKS Director - Resource Assessment Resource Assessment As nominee of the Secretary</p>	
B38	The Applicant must implement the Soil and Water Management Plan approved by the Planning Secretary.	Noted	Compliant
B39	The Applicant must ensure that all surface discharges from the site comply with the relevant provisions of the POEO Act.	Noted	Compliant
B40	The Applicant must prepare an Ephemeral Creek Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:	The Ephemeral Creek Management Plan has now been completed and appended to the SWMP as part of the 2024 Management Plan Review. Approval as per below	Completed

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	a. be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;		Completed
	b. describes the measures that would be implemented to manage and control soil erosion and bank stabilisation (if required) and limit the risk of impacts on downstream receiving environments;		Completed
	c. provide details of the methods and timing of extraction within Substages 8E, 8F or 8G that demonstrate the integrity of the ephemeral creek (shown conceptually in Figure 5 of Appendix 1) would be maintained for as long as practicable during operations;		Completed
	d. provide for construction and stabilisation of appropriate diversion channels to divert		Completed

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>surface water flows around the disturbance area, unless otherwise approved by the Planning Secretary;</p> <p>e. provide final designs for the road crossing and realigned section of creek that are supported by hydrological modelling and meet the rehabilitation objectives in Table 4; and</p> <p>f. describe the methods and timing for rehabilitation of the final realigned section of creek channel.</p>		<p>Completed</p> <p>Not Triggered</p>
B41	The Applicant must not undertake any construction activities or Quarrying Operations within Substages 8E, 8F or 8G until the Ephemeral Creek Management Plan is approved by the Planning Secretary.	Noted	Not Triggered



Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
B42	The Applicant must implement the Ephemeral Creek Management Plan approved by the Planning Secretary.	<p>Department of Planning, Housing & Infrastructure</p>  <p>Our ref: DABS/2865-PA-42</p> <p>Ewen McKenzie Acting Environmental and Compliance Manager BENEDICT RECYCLING PTY LIMITED 11 NARABANG WAY BELROSE, New South Wales 2065</p> <p>20/09/2024</p> <hr/> <p>Subject: Updated Soil and Water Management Plan and component Ephemeral Creek Management Plan</p> <p>Dear Mr McKenzie</p> <p>I refer to the updated Soil and Water Management Plan version 5 (SWMP), and component Ephemeral Creek Management Plan (ECMP), submitted in accordance with the relevant conditions of consent.</p> <p>I note the plans have been updated to include extraction stages 8D to 8M and in response to matters raised by the Department during its review. I note both plans have been prepared and updated by suitably qualified persons at EMM consulting, Tooker and Associates and GRC Hydro.</p> <p>I have reviewed both plans and consider the amendments made to the SWMP and the new ECMP address the relevant conditions of consent, accordingly I approve both plans.</p> <p>If you wish to discuss the matter further, please contact me by email: carldumpleton@planning.nsw.gov.au.</p> <p>Yours sincerely</p>  <p>Carl Dumpleton – Team Leader Resources and Assessments As nominee of the Planning Secretary</p>	Noted

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
B43	Prior to commencing Quarrying Operations in the Stage 8 Area, the Applicant must make an application to TfNSW under Section 138 of the Roads Act 1993 for any proposed works within the Hume Highway Motorway Road Reserve (including the area under the Menangle Bridges).	<p>WAD # SYD17/00793/04 between TfNSW & MSS was completed with construction securities accepted on 7 December 202</p> 	Compliant
B44	The Applicant must enter into a legally binding agreement with TfNSW (eg a licence, not a lease or an easement), for the operation and ongoing maintenance of the section of the haul road and associated infrastructure within the Hume Highway Motorway Road Reserve (including under the Menangle Bridges). The legally binding agreement must be executed prior to any construction within the road reserve. All TfNSW legal	WAD as above	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	costs associated with drafting and executing the legally binding agreement must be borne by the Applicant.		
B45	The Applicant must:	WAD as above	
	a. provide an appropriately designed sealed access under and adjacent to the Menangle Bridges and comply with TfNSW drainage and pavement standards;		Compliant
	b. Deleted		
	c. provide unrestricted access to TfNSW to undertake maintenance on the Menangle Bridges and associated facilities at all times;		Compliant
d. remove any detritus associated with the construction and use of the access and haul road under and adjacent to the Menangle Bridges; and	Compliant		

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	e. protect the piers of the Menangle Bridges, as well as any other part of the bridge structure and associated facilities from any potential damage as a result of the development;		Compliant
B46	In making the application to TfNSW required under condition B43, the Applicant must provide:	WAD as above	
	a. details demonstrating how the requirements in condition B45 will be met during the early establishment phase of the development, including: <ul style="list-style-type: none"> (i) sealing and drainage design details for the access road under and adjacent to the Menangle Bridges; and (ii) anchoring details for any structure(s) associated with the development that may become floating debris during flood events; and 		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	b. details demonstrating how the compliance with the requirements in condition B45 will be maintained over the life of the development.		Compliant
B47	The Applicant must ensure that works undertaken within the Hume Highway Motorway Road Reserve do not in any way destabilise the foundations of the Hume Highway, including the Menangle Bridges. Should rectification works be required as a result of the development, they must be undertaken by the Applicant in accordance with TfNSW requirements and standards, and at no expense to TfNSW.	Noted	Compliant
B48	The Applicant must not undertake any works within the Hume Highway Motorway Road Reserve (including the area under the Menangle Bridges) without the consent of TfNSW under Section 138 of the Roads Act 1993.	WAD – TfNSW gave construction approval on 13 December 2022	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
B49	<p>Within 12 months of commencing Quarrying Operations in the Stage 8 Area, and every five years thereafter until the conclusion of Quarrying Operations, the Applicant must undertake a Road Safety and Condition Audit for the development, to the satisfaction of the Planning Secretary. This Audit must:</p> <p>a. be undertaken by a suitably qualified independent expert/s whose appointment has been endorsed by the Planning Secretary;</p> <p>b. be prepared in consultation with Council;</p> <p>c. assessment the safety, performance and condition of the site’s vehicular access onto Menangle Road, including the associated acceleration and deceleration lanes;</p>	<p>– The Road Safety and Condition Audit was submitted on 9 December 2024 and Conditionally approved on 6 February 2025</p>  <p>Our ref: DA85/2895-PA-56</p> <p>Ms Alycia O'Brien Environmental Compliance Manager 11 NARABANG WAY BELROSE NSW 2085 08/02/2025</p> <p>Subject: Condition B49 - Road Safety and Condition Audit</p> <p>Dear Ms O'Brien</p> <p>I refer to your submission of the Road Safety and Condition Audit, dated 9 December 2024, prepared by EMM consulting. The Department has reviewed the report and considers that it meets the requirements of condition B49 of the consent.</p> <p>The report identifies that at the site entrance, for heavy vehicles exiting the site, the:</p> <ol style="list-style-type: none"> stop signs are faded and would benefit with replacing; and stop line marking is missing and the report recommends this be installed. <p>Condition 21 of the consent requires the site entrance be maintained. Given both items form part of the site entrance, it is requested you install these items within 3 months of the date of this letter.</p> <p>If you wish to discuss the matter further, please contact Carl Dumpleton (Team Leader, Resources and Energy Assessments), on 9228 6263 or carl.dumpleton@planning.nsw.gov.au</p> <p>Yours sincerely</p>  <p>Jessie Evans, Director Resources and Energy As nominee of the Planning Secretary</p> <p>The two Conditions were completed and the DPE advised on 28 February 2025.</p>	<p>Not Triggered</p> <p>Not Triggered</p> <p>Not Triggered</p> <p>Not Triggered</p>



Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	d. identify any road works that are required to ensure compliance with relevant Austroads standards or relevant Council requirements;		Not Triggered
	e. be documented in a Road Safety and Condition Audit Report which must be submitted to Council and the Planning Secretary for approval within three months of commencing the Audit.		Not Triggered
B50	Within 12 months of completing each Road Safety and Condition Audit required under condition B49 of this Schedule, unless otherwise agreed by the Planning Secretary, the Applicant must complete any road works recommended in the Audit, to the satisfaction of Council. If there is a dispute regarding the implementation of any recommendations contained in the Audit, the Applicant	Noted	Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	may refer the matter to the Planning Secretary for resolution.		
B51	For the duration of the Stage 8 Operations, the Applicant must continue to pay Council a rehabilitation levy on all sand and soil removed from the Stage 8 Area in accordance with the existing rates, calculation methods and indexation required under condition 26 of Schedule 1. The first instalment of these payments is to be made based on the most recent Index Review Date under Schedule 1.	Noted	Compliance has been sought by stages
B52	The Applicant must keep accurate records of all truck movements to and from the site (including time of arrival and dispatch) and publish a	Weighbridge data is collected for each truck movement. A summary of the truck movements is published on the website (see: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.benedict.com.au/wp-content/uploads/A25-truck-movement.pdf)	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	summary of records on its website every 6 months.		
B53	No direct access to or from the development via the Hume Highway is permitted.	Noted	Compliant
B54	<p>The Applicant must:</p> <p>a. ensure that all laden trucks entering or exiting the site have their loads covered;</p> <p>b. ensure that all laden trucks exiting the site are cleaned of material that may fall from vehicles, before leaving the site;</p> <p>c. take all reasonable steps to minimise traffic safety issues and disruption to local road users; and</p> <p>d. take all reasonable steps to ensure that appropriate signage is displayed on all trucks used to transport quarry products from the development so they can be easily identified by other road users.</p>	Noted	<p>Compliant</p> <p>Compliant</p> <p>Compliant</p> <p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
B54A	The Applicant must:	Noted	
	a. prevent headlights from the off-road haul truck impacting upon the Hume Motorway; and		Compliant
	b. ensure the off-road haul truck operating within the site is restricted to a travel speed of 20 km/hour or less.		Compliant
B55	The Applicant must prepare a Traffic Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:	Completed by EMM v7 February 2022	
	a. be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;		Compliant
	b. be prepared in consultation with TfNSW and Wollondilly Shire and Campbelltown Councils;		Compliant
	c. include details of all transport routes and traffic		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	types to be used for development-related traffic;		
	d. describe the processes in place for the control of truck movements entering and exiting the site;		Compliant
	e. include details of the measures to be implemented to minimise traffic safety issues and disruption to local road users;		Compliant
	f. include a Drivers' Code of Conduct that includes procedures to ensure that drivers: <ul style="list-style-type: none"> (i) adhere to posted speed limits or other required travelling speeds; (ii) adhere to designated transport routes; and (iii) implement safe and quiet driving practices; 		Compliant
	g. describe the measures to be put in place to ensure compliance with the Drivers' Code of Conduct; and		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>h. describe measures to minimise the transmission of dust and tracking of material onto the surface of public roads from vehicles exiting the site; and</p> <p>i. describe measures to be put in place to ensure the off-road haul truck complies with its operating conditions.</p>		<p>Compliant</p> <p>Compliant</p>
<p>B56</p>	<p>The Applicant must not commence Quarrying Operations in the Stage 8 Area until the Traffic Management Plan is approved by the Planning Secretary.</p>	<p>Approved by DPE on 23/03/2022. Published on website https://www.benedict.com.au/wp-content/uploads/J190166_24_MSS_Traffic-MP_v7.pdf</p>  <p>Ms Alycia Campbell Operations Planning Support Manager Benedict Recycling PTY LIMITED 11 Mandurang Way BELROSE NSW 2085</p> <p>23/03/2022</p> <p>Dear Ms Campbell</p> <p style="text-align: center;">Menangle Quarry (DA85/2605) Traffic Management Plan</p> <p>I refer to the updated Traffic Management Plan which was submitted in accordance with Condition B54A and B55(i) of Schedule 2 of the consent for the Menangle Quarry (DA85/2605).</p> <p>The Department has carefully reviewed the document and is satisfied that it generally meets the requirements of the conditions.</p> <p>Accordingly, the Secretary has approved the Traffic Management Plan (Revision 7, dated February 2022). Please ensure that the approved plan is placed on the project website at the earliest convenience.</p> <p>If you wish to discuss the matter further, please contact Kevin Reid on 0202746200.</p> <p>Yours sincerely</p>  <p>Jessie Evans Director, Resource Assessments Resource Assessments As nominee of the Secretary</p>	<p>Compliant</p>



Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
B57	The Applicant must implement the Traffic Management Plan as approved by the Planning Secretary.	Noted	Compliant
B58	The Applicant must ensure that the development does not cause any direct or indirect impact on any identified heritage item located outside the approved disturbance area.	Noted	Compliant
B59	If suspected human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Applicant must immediately notify NSW Police and Heritage NSW, and work must not recommence in the area until authorised by NSW Police and Heritage NSW.	Noted	Not Triggered
B60	If any previously unknown Aboriginal object or Aboriginal place is discovered in the Stage 8 Area:	Noted	Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	a. all work in the immediate vicinity of the object or place must cease immediately;		Not Triggered
	b. a 10 metre buffer area around the object or place must be cordoned off; and		Not Triggered
	c. Heritage NSW must be contacted immediately.		Not Triggered
B61	Work in the immediate vicinity of an object or place subject to condition B60 may only recommence if:	Noted	Not Triggered
	a. the potential Aboriginal object or Aboriginal place is confirmed by Heritage NSW upon consultation with the Registered Aboriginal Parties not to be an Aboriginal object or Aboriginal Place; or		Not Triggered
	b. an Aboriginal Heritage Impact Permit is obtained under section 90 of the National Parks and Wildlife Act 1974, and the Aboriginal Cultural Heritage Management Plan is revised to include appropriate measures in respect the		Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	Aboriginal object or Aboriginal place, to the satisfaction of the Planning Secretary.		
B62	<p>The Applicant must prepare an Aboriginal Cultural Heritage Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:</p> <p>a. be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;</p> <p>b. be prepared in consultation with Heritage NSW and Registered Aboriginal Parties;</p>	Completed by EMM v3 February 2022	<p>Compliant</p> <p>Compliant</p> <p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>c. describe the measures to be implemented within the Stage 8 Area, Nepean River Buffer Zone and Restoration Area to:</p> <ul style="list-style-type: none"> (i) ensure all workers on the site receive suitable Aboriginal cultural heritage inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions; (ii) protect, monitor and manage Aboriginal objects and Aboriginal places; (iii) protect Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development; (iv) manage any new Aboriginal objects or Aboriginal places discovered during the life of the development; 		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	(v) maintain and manage reasonable access for relevant Aboriginal stakeholders to Aboriginal objects and Aboriginal places (outside of the approved disturbance area); and (vi) facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site.		
B63	The Applicant must not commence Quarrying Operations in the Stage 8 Area until the Aboriginal Cultural Heritage Management Plan is approved by the Planning Secretary.	Approved by DPE on 25/03/2022. Published on the website https://www.benedict.com.au/about/policies-compliance/	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
		 <p>Mr Alycia Campbell Environmental Compliance Manager Benedict Recycling PTY Limited 11 NARABANG WAY BELROSE NSW 2085</p> <p>25/03/2022</p> <p>Dear Ms Campbell</p> <p style="text-align: center;">Menangle Quarry (DA952866) Aboriginal Heritage Management Plan - Version 3</p> <p>I refer to the updated Aboriginal Heritage Management Plan - Version 3 which was submitted in accordance with Conditions B58-B64 of Schedule 2 of the consent for the Menangle Quarry (DA952866).</p> <p>The Department has carefully reviewed the document and is satisfied that it generally meets the requirements of the conditions.</p> <p>Accordingly, the Secretary has approved the Aboriginal Heritage Management Plan - Version 3 (Revision 3, dated February 2022). Please ensure that the approved plan is placed on the project website at the earliest convenience.</p> <p>If you wish to discuss the matter further, please contact Kevin Reid on 02 02746209.</p> <p>Yours sincerely</p>  <p>Jessica Evans Director, Resource Assessments Resource Assessments As nominee of the Secretary</p>	
B64	The Applicant must implement the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary.	Noted	Compliant
B65	Prior to commencing construction of any linear infrastructure required for the carrying out of the development (including conveyors, access roads and haul roads), the Applicant must:	Existing tracks are being used, and no additional clearing will be required, therefore, there will be no need to survey, map vegetation or provide offsets.	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	a. determine the final alignment of the linear infrastructure by survey;		Not Triggered
	b. minimise the environmental impacts of the alignment of this infrastructure, where practicable;		Not Triggered
	c. map the final vegetation clearance, excluding any vegetation within the approved disturbance area as identified under condition A22 of Schedule 2;		Not Triggered
	d. submit a survey plan of the disturbance boundaries for linear infrastructure and their respective GPS coordinates to the Planning Secretary; and		Not Triggered
	e. identify relevant ecosystem and species credits required to compensate for the clearance identified in subparagraph (c), to the satisfaction of BCD.		Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
B66	The Applicant must retire the ecosystem and species credits identified under condition B65(e) in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.	Not required if there is no clearing.	Not triggered
B67	Prior to commencing Quarrying Operations in the Stage 8 Area, or other timeframe agreed by the Planning Secretary, the Applicant must make suitable arrangements for the long-term protection of the Restoration Area as described in the documents listed in condition A7(c) of Schedule 2, to the satisfaction of the Planning Secretary.	This process commenced in February of 2023 and remains an ongoing legal negotiation at the time of this review.	Seeking Compliance
B68	If the Restoration Area does not meet the listing criteria of the targeted communities or the completion criteria in Table 6 in Appendix 7, within the timeframes established in the Biodiversity and	Noted	Not triggered



Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	Rehabilitation Management Plan, then the Applicant must retire the relevant deficient biodiversity credits in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.		
B69	<p>The Applicant may satisfy condition B67 of Schedule 2 by establishing a positive covenant on title under section 88E of the NSW Conveyancing Act 1919. If the Applicant seeks to establish a positive covenant on title:</p> <p>a. the positive covenant must stipulate that the Applicant will manage the Restoration Area and all rehabilitated Substages in accordance with the Biodiversity and Rehabilitation Management Plan required under condition B73 of Schedule 2; and</p>	Noted as per B67	

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	b. the Applicant must establish a trust with sufficient funds (calculated in accordance with the total fund deposit requirements for a biodiversity stewardship site in accordance with BC Act) to provide for the ongoing management of the Restoration Area and all rehabilitated Substages in accordance with the Biodiversity and Rehabilitation Management Plan, to the satisfaction of the Planning Secretary.		

<p>B70</p>	<p>The Applicant must rehabilitate all areas impacted by the Stage 8 Operations to the satisfaction of the Planning Secretary. This rehabilitation must be consistent with the final rehabilitation plans submitted to the Planning Secretary under condition A11 of Schedule 2 and must comply with the objectives in Table 4, to the satisfaction of the Planning Secretary. Table 4: Rehabilitation objectives</p>	<p>Noted – subject to the Annual Review process</p> <table border="1" data-bbox="871 389 1865 1201"> <thead> <tr> <th data-bbox="871 389 1099 427">Feature</th> <th data-bbox="1099 389 1865 427">Objective</th> </tr> </thead> <tbody> <tr> <td data-bbox="871 427 1099 655"><i>Stage 8 Area</i></td> <td data-bbox="1099 427 1865 655"> <ul style="list-style-type: none"> • Safe (both within the site and in relation to downstream environs, including under flood conditions) • Hydraulically, geotechnically and geomorphologically stable • Non-polluting • Fit for the intended post-Quarrying Operations land use(s) • Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land or the Hume Highway </td> </tr> <tr> <td data-bbox="871 655 1099 791"><i>Surface infrastructure</i></td> <td data-bbox="1099 655 1865 791"> <ul style="list-style-type: none"> • Infrastructure within the Hume Motorway road reserve (including the area under the Menangle Bridges) decommissioned and rehabilitated in accordance with TfNSW requirements • All other surface infrastructure decommissioned and removed, unless otherwise agreed by the Planning Secretary </td> </tr> <tr> <td data-bbox="871 791 1099 959"><i>Quarry Substages</i></td> <td data-bbox="1099 791 1865 959"> <ul style="list-style-type: none"> • Pit floor partially backfilled with sufficient and appropriate material to promote establishment of River-Flat Eucalypt Forest EEC • Substages progressively landscaped and vegetated to meet the objectives, performance and completion criteria in Table 6 in Appendix 7 • Batters to be established to a maximum slope of 1:1 (V:H) along the landward edge of each Substage and 1.5 (V:H) adjacent to the Nepean River Buffer Zone </td> </tr> <tr> <td data-bbox="871 959 1099 1102"><i>Final Landform</i></td> <td data-bbox="1099 959 1865 1102"> <ul style="list-style-type: none"> • No reduction in flood storage capacity, compared with pre-development conditions, unless otherwise agreed by the Planning Secretary • Designed to incorporate geomorphological features to allow for the free draining discharge of clean water from the site • Minimise sediment laden run-off into the Nepean River </td> </tr> <tr> <td data-bbox="871 1102 1099 1166"><i>Water Quality</i></td> <td data-bbox="1099 1102 1865 1166"> <ul style="list-style-type: none"> • Water discharged from the site is suitable for receiving waters and capable of supporting existing aquatic ecology and riparian vegetation </td> </tr> <tr> <td data-bbox="871 1166 1099 1201"><i>Community</i></td> <td data-bbox="1099 1166 1865 1201"> <ul style="list-style-type: none"> • Ensure public safety </td> </tr> </tbody> </table>	Feature	Objective	<i>Stage 8 Area</i>	<ul style="list-style-type: none"> • Safe (both within the site and in relation to downstream environs, including under flood conditions) • Hydraulically, geotechnically and geomorphologically stable • Non-polluting • Fit for the intended post-Quarrying Operations land use(s) • Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land or the Hume Highway 	<i>Surface infrastructure</i>	<ul style="list-style-type: none"> • Infrastructure within the Hume Motorway road reserve (including the area under the Menangle Bridges) decommissioned and rehabilitated in accordance with TfNSW requirements • All other surface infrastructure decommissioned and removed, unless otherwise agreed by the Planning Secretary 	<i>Quarry Substages</i>	<ul style="list-style-type: none"> • Pit floor partially backfilled with sufficient and appropriate material to promote establishment of River-Flat Eucalypt Forest EEC • Substages progressively landscaped and vegetated to meet the objectives, performance and completion criteria in Table 6 in Appendix 7 • Batters to be established to a maximum slope of 1:1 (V:H) along the landward edge of each Substage and 1.5 (V:H) adjacent to the Nepean River Buffer Zone 	<i>Final Landform</i>	<ul style="list-style-type: none"> • No reduction in flood storage capacity, compared with pre-development conditions, unless otherwise agreed by the Planning Secretary • Designed to incorporate geomorphological features to allow for the free draining discharge of clean water from the site • Minimise sediment laden run-off into the Nepean River 	<i>Water Quality</i>	<ul style="list-style-type: none"> • Water discharged from the site is suitable for receiving waters and capable of supporting existing aquatic ecology and riparian vegetation 	<i>Community</i>	<ul style="list-style-type: none"> • Ensure public safety 	<p>Not Triggered</p>
Feature	Objective																
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<p>B71</p>	<p>The Applicant must rehabilitate the Substages progressively, to the</p>	<p>Noted</p>															

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	satisfaction of the Planning Secretary.		
B72	Unless otherwise agreed by the Planning Secretary, the Applicant must ensure that:	Noted – Quarry Operations commenced on 4 September 2023 and the DPE was advised on 9 August 2023 of the commencement	Compliant
	a. no more than two Substages are opened, excavated or worked at any one time without the written approval of the Planning Secretary;	See Condition A5 for ongoing notifications	Compliant
	b. the active extraction area in all combined Substages does not exceed 0.33 hectares at any one time;		Compliant
	c. the area of exposed ground at any one time is minimised as far as reasonable and feasible, for the life of the development;		Compliant
	d. Quarrying Operations do not progress from one phase of the development to another unless the progressive rehabilitation performance criteria in the Biodiversity and		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>Rehabilitation Management Plan have been met (with the exception of in the active extraction area) for the previous phase (see condition B73(d) of Schedule 2); and</p> <p>e. the post-extraction batter along the landward edge of each Substage does not exceed a maximum slope of 1:1 (V:H) or the natural underlying sandstone profile.</p>		Compliant
B73	<p>The Applicant must prepare a Biodiversity and Rehabilitation Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:</p> <p>a. be prepared by suitably qualified and experienced person/s;</p> <p>b. be prepared in consultation with BCD and Council;</p>	BRMP and VMP was completed by EMM v3.1 February 2022. It was approved by DPE on 9/3/2022.	Compliant Compliant Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>c. describe the short, medium, and long-term measures to be undertaken to:</p> <ul style="list-style-type: none"> (i) ensure compliance with the biodiversity objectives outlined in Table 6 in Appendix 7; (ii) ensure compliance with the rehabilitation objectives outlined in Table 4 of Schedule 2; and (iii) prevent impacts on aquatic biodiversity, including through the stabilisation of riverbanks and the prevention of sediment-laden runoff; 	 <p>Miss Alycia Campbell Environmental Compliance Manager Benedict Recycling Pty Ltd 11 Narabang Way Belrose, NSW, 2085</p> <p>20/07/2021</p> <p>Dear Miss Campbell,</p> <p style="text-align: center;">Menangle Sand and Soil Quarry (DA85/2865) Combination of Management Plans</p> <p>I refer to your request (DA85/2865-PA-16) to combine the Vegetation Management Plan (VMP) with the Biodiversity and Rehabilitation Management Plan (BRMP), which was submitted in accordance with condition A30 of Schedule 2 of the consent for the Menangle Sand and Soil Quarry (DA85/2865).</p> <p>The Department understands that through the combination of the VMP and BRMP, you are attempting to ensure a consistent approach to vegetation management across the development. The Department has carefully reviewed your request and is satisfied that a clear relationship has been demonstrated between these two plans.</p> <p>Accordingly, the Planning Secretary has approved the combination of the VMP and BRMP.</p> <p>If you wish to discuss the matter further, please contact Callum Firth at callum.firth@dpiw.nsw.gov.au.</p> <p>Yours sincerely</p>  <p>Matthew Spratt Director Resource Assessments <i>as nominee of the Planning Secretary</i></p>	<p>Compliant</p>
	<p>d. include detailed progressive rehabilitation performance criteria that must be met for each phase of the development before extraction can progress into subsequent phases;</p>		<p>Compliant BRMP subject to review in 2025 due to flooding</p>



Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	e. include detailed performance and completion criteria for the Restoration Area and the final rehabilitation of the Stage 8 Area (including timeframes for the achievement of the listing criteria of the targeted communities) based on the performance and completion criteria in Table 6 in Appendix 7;		Compliant BRMP subject to review in 2025 due to flooding
	f. include a program to monitor, independently audit and report on progress against the criteria in subparagraphs (d) and (e), including reporting in the Annual Review;		Compliant BRMP subject to review in 2025 due to flooding
	g. include an evaluation of the performance of the Restoration Area and the progressive rehabilitation of the Stage 8 Area against the performance and completion criteria required under paragraph (d) above;		Compliant BRMP subject to review in 2025 due to flooding

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	h. include triggers for remedial action (including additional planting or seeding), where the performance or completion criteria required under (d) and (e) above are not met;		Compliant BRMP subject to review in 2025 due to flooding
	i. describe management measures to ensure that Quarrying Operations do not encroach on the Nepean River Buffer Zone and Exclusion Areas;		Compliant
	j. include a detailed description of the measures to be implemented to:		Compliant
	(i) demonstrate compliance with conditions B76 and B78;		Compliant
	(ii) manage the collection and propagation of seed;		Compliant
	(iii) trial methods of extraction of seed resources on site and implement the most effective method of seed recovery;		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	(iv) minimise impacts on tree hollows and termite mounds where reasonable and feasible;		Compliant
	(v) minimise impacts on fauna, including undertaking pre-clearance surveys and supervision (by an appropriately qualified person) of the felling of habitat trees;		Compliant
	(vi) protect native vegetation and fauna habitat outside the approved disturbance area, including in the Restoration Area;		Compliant
	(vii) implement the Stage 8 Area Weed Control Strategy in the Amended Project Summary, except where varied by condition A18 of Schedule 2;		Compliant
	(viii) control feral pests;		Compliant
	(ix) control erosion;		Compliant
	(x) control unrestricted access;		Compliant
	(xi) manage bushfire hazards;		Compliant



Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	(xii) rehabilitate any areas of the Nepean River that are materially harmed by the development (including indirect or incidental impacts); and		Compliant
	(xiii) progressively rehabilitate the site and reasonably and feasibly minimise disturbance areas; and		Compliant BRMP subject to review in 2025 due to flooding
	(xiv) ensure the successful rehabilitation and protection of Stages 6 and 7 until the completion of Quarrying Operations in the Stage 8 Area;		Compliant BRMP subject to review in 2025 due to flooding
	k. include an annual program to monitor and report on: (i) the effectiveness of the measures required under (j) above; (ii) progress against the detailed performance and completion criteria required under (d) and (d) above; (iii) any progressive improvements that could be		Compliant BRMP subject to review in 2025 due to flooding

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>implemented to improve biodiversity outcomes; and (iv) any additional or remedial actions required over the next 12 months;</p>		
	<p>l. identify the potential risks to the successful rehabilitation of the Stage 8 Area, particularly where rehabilitation is damaged or delayed by flooding, and include a detailed description of the contingency measures to be implemented to mitigate against these risks; and</p>		Compliant BRMP subject to review in 2025 due to flooding
	<p>m. include details of who would be responsible for monitoring, reviewing, and implementing the plan.</p>		Compliant
B74	<p>Subject to condition A29, the Applicant must not commence Quarrying Operations in the Stage 8 Area until the Biodiversity and Rehabilitation</p>	<p>Approved by DPE on 09/03/2022. Published on website https://www.benedict.com.au/wp-content/uploads/J190166_26_MSS_BRMP.pdf</p>	Compliant

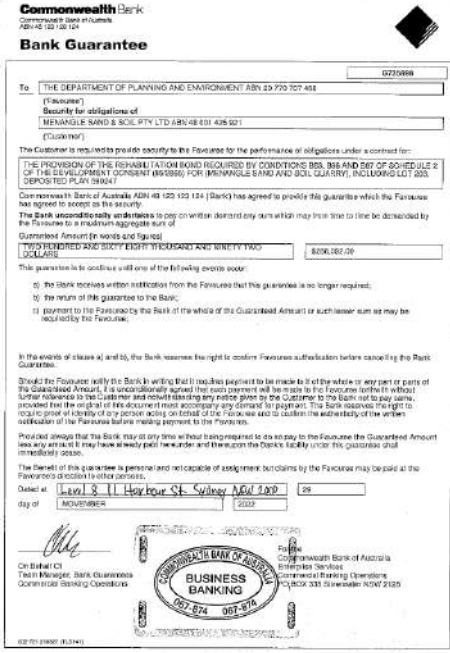
Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	Management Plan is approved by the Planning Secretary.	 <p style="text-align: center;">Department of Planning and Environment</p> <p>Ms Alycia Campbell 11 NARABANG WAY BELROSE New South Wales 2085</p> <p>09/03/2022</p> <p>Dear Ms Campbell</p> <p style="text-align: center;">Menangle Quarry (DA 85/2865) Biodiversity and Rehabilitation Management Plan</p> <p>I refer to the Biodiversity and Rehabilitation Management Plan (Revision 3.1 dated 23 February 2022) which was submitted in accordance with condition B73 of the consent (DA 85/2865).</p> <p>The Department has carefully reviewed the document and considers it meets the relevant conditions of consent.</p> <p>Accordingly, I approve the Biodiversity and Rehabilitation Management Plan (Revision 3.1, dated 23 February 2022). Please ensure that the approved plan is placed on the project website at the earliest convenience.</p> <p>If you wish to discuss the matter further, please contact Carl Dumpleton on carl.dumpleton@planning.nsw.gov.au / 9274 6283.</p> <p>Yours sincerely</p>  <p>Jessie Evans Director, Resource Assessments Resource Assessments</p>	
B75	The Applicant must implement the Biodiversity and Rehabilitation Management Plan as approved by the Planning Secretary.	Noted	Compliant
B76	The Applicant must place or create a minimum of 106 nest boxes or tree hollows within the Restoration Area within 12 months of	60 have now been installed. The remainder to be installed as stages are cleared for safe access.	Compliant to date

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	commencing Quarrying Operations in the Stage 8 Area.		
B77	<p>The Applicant must, to the greatest extent practicable, maximise the salvage of resources within the Stage 8 Area, including retention of:</p> <p>a. nut and seed resources from native trees; and</p> <p>b. leaf and small branch material for mulching, for beneficial reuse on the site, including in rehabilitated Substages and in the Restoration Area.</p>	Noted - operational	<p>Compliant</p> <hr/> <p>Compliant</p> <hr/> <p>Compliant</p>
B78	<p>Following the conclusion of extraction in each Substage, the Applicant must actively place logs and woody debris salvaged from the approved disturbance area within the completed Substage at the following ratios:</p> <p>a. logs and woody debris at least 10 cm in diameter and greater than 0.5 m in length are to be placed in a</p>	Noted - operational	<p>Compliant – subject to flood impacts</p> <hr/> <p>Complaint – subject to flood impacts</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>configuration that reflects natural systems, such that there is overall at least 400 m of this woody debris per hectare for all completed Substages; and</p> <p>b. large woody debris at least 50 cm in diameter and greater than 0.5 m in length, such that there is overall at least 100 m of this large woody debris per hectare for all completed Substages.</p>		<p>Complaint subject to flood impacts</p>
B79	<p>The Applicant may undertake timber milling in Stage 8, provided this timber milling occurs outside of the Nepean River Buffer Zone and the Exclusion Areas, and that the Applicant can demonstrate ongoing compliance with condition B78 of this Schedule.</p>	Noted	Not Triggered
B80	<p>The Applicant must rehabilitate 1.22 ha within Stage 6 and 3.44 ha within Stage 7 of the development in accordance with the objectives and the</p>	<p>This has been occurring and has been inhibited by past flooding – Status update for all stages is in Attachment D – Site Rehabilitation Progress Report -</p>	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	performance and completion criteria in Table 6 in Appendix 6.		
B81	<p>By the end of December 2020, or other timing as agreed by the Planning Secretary, the Applicant must submit a Vegetation Management Plan for Stages 6 and 7 to the Planning Secretary for approval. This plan must:</p> <p>a. satisfy the relevant requirements of condition 13 of Schedule 1;</p> <p>b. clearly define the extent and scope of Stage 6 vegetated lands;</p> <p>c. clearly define the extent and scope of Stage 7 vegetated lands and identifies that the diversity of species established via retention of current species, tubestock planting or direct seeding is to be raised to deliver the native plant</p>	<p>Approval was received from DPE to combine the Vegetation Management Plan with B73 BRMP on 20/7/2022.</p>  <p>Miss Ayea Campbell Environmental Compliance Manager Benedict Recycling Pty Ltd 11 Narandang Way Belrose, NSW, 2085 20/07/2021</p> <p>Dear Miss Campbell,</p> <p style="text-align: center;">Menangle Sand and Soil Quarry (DA952865) Combination of Management Plans</p> <p>I refer to your request (DA952865-PA-16) to combine the Vegetation Management Plan (VMP) with the Biodiversity and Rehabilitation Management Plan (BRMP), which was submitted in accordance with condition A30 of Schedule 2 of the consent for the Menangle Sand and Soil Quarry (DA952865).</p> <p>The Department understands that through the combination of the VMP and BRMP, you are attempting to ensure a consistent approach to vegetation management across the development. The Department has carefully reviewed your request and is satisfied that a clear relationship has been demonstrated between these two plans.</p> <p>Accordingly, the Planning Secretary has approved the combination of the VMP and BRMP.</p> <p>If you wish to discuss the matter further, please contact Callum Firth at callum.firth@dpe.nsw.gov.au</p> <p>Yours sincerely</p>  <p>Matthew Scott Director Resource Assessments in accordance with the Planning Secretary</p>	<p>Compliant</p> <hr/> <p>Compliant</p> <hr/> <p>Compliant</p> <hr/> <p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>species diversity identified in Table 5 in Appendix 6;</p> <p>d. establish baseline data for the existing habitat in the Stage 6 and 7 areas;</p> <p>e. describe how the Stage 6 and 7 vegetated lands would be managed and how habitat would be established and retained; and</p> <p>f. include detailed biodiversity objectives and performance and completion criteria for Stages 6 and 7 of the development, based on the general objectives and performance and completion criteria in Table 5 in Appendix 6, to the satisfaction of the Planning Secretary.</p>		<p>Compliant</p> <p>Compliant</p> <p>Compliant</p>
B82	The Applicant must implement the Vegetation Management Plan for Stages 6 and 7 to the satisfaction of the Planning Secretary.	Noted	Compliant


Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
B83	<p>Within 6 months of the approval of the Biodiversity and Rehabilitation Management Plan, the Applicant must lodge a Rehabilitation Bond with the Department to ensure that rehabilitation of the Stage 8 Area is implemented in accordance with the performance and completion criteria set out in the plan and the relevant conditions in Schedule 2 of this consent. The sum of the bond must be an amount agreed by the Planning Secretary and determined by:</p>	<p>Bond lodged with DPE 29/11/2022 \$268,092</p> 	Compliant
	<p>a. calculating the cost of rehabilitating all disturbed areas of the site at third party rates (other than land acquisition costs), taking into account the likely surface disturbance over the next 3 years of Quarrying Operations; and</p>		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	b. employing a suitably qualified, independent and experienced person to verify the calculated costs.		Compliant
B84	The calculation of the Rehabilitation Bond must be submitted to the Department for approval at least 2 months prior to the lodgement of the bond.	Noted	Compliant
B85	The Rehabilitation Bond must be reviewed and if required, an updated bond must be lodged with the Department within 3 months following:	Noted	Compliant
	a. any update or revision to the Biodiversity and Rehabilitation Management Plan;		Not Triggered
	b. the completion of an Independent Environmental Audit in which recommendations relating to the implementation of the Biodiversity and Rehabilitation Management Plan have been made; or		Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	c. in response to a request by the Planning Secretary.		Not Triggered
B86	If rehabilitation is completed generally in accordance with the relevant performance and completion criteria, to the satisfaction of the Planning Secretary, the Planning Secretary will release the bond.	Noted	Not Triggered
B87	If rehabilitation is not completed generally in accordance with the relevant performance and completion criteria, the Planning Secretary will call in all, or part of, the bond, and arrange for the completion of the relevant works.	Noted	Not Triggered
B88	If the Applicant establishes a positive covenant on title under section 88E of the NSW Conveyancing Act 1919 under condition B69, then the Planning Secretary may waive the requirement for all or part of the Rehabilitation Bond required under conditions B83 to B87.	Noted	Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
B89	The Applicant must manage noxious weeds on the site in accordance with the Biodiversity and Rehabilitation Management Plan, and subject to the restrictions in condition A18 of this Schedule, to the satisfaction of the Planning Secretary.	Noted. Weed management occurring onsite – operational and ongoing	Compliant
B90	The Applicant must:	Noted	
	a. take all reasonable steps to minimise the visual and off-site lighting impacts of the development, including potential lighting impacts on the Hume Highway;		Compliant
	b. ensure that the visual appearance of all new structures, facilities or works (including paint colours and specifications) is aimed at blending as far as possible with the surrounding landscape; and		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	c. take all reasonable steps to: <ul style="list-style-type: none"> (i) shield views of Quarrying Operations and associated equipment from users of public roads and at privately-owned residences; and (ii) direct any on-site lighting downwards to avoid lighting impacts on the Hume Highway. 		Compliant
B91	The Applicant must: <ul style="list-style-type: none"> a. manage on-site sewage treatment and disposal in accordance with the requirements of an applicable EPL, and to the satisfaction of EPA and Council; b. minimise the waste generated by the development; c. ensure that the waste generated by the development is appropriately stored, handled, and disposed of; and 	Noted	Compliant Compliant Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	d. report on waste minimisation and management in the Annual Review.		Compliant
B92	Except as expressly permitted in an applicable EPL, specific resource recovery order or exemption under the Protection of the Environment Operations (Waste) Regulation 2014, the Applicant must not receive waste at the site for storage, treatment, processing, reprocessing or disposal.	Noted - a log of all material imported in the site is attached below  B91 log of materials imported 2024.pdf	Compliant
B93	The Applicant must ensure that all tanks and similar storage facilities (other than for water) are protected by appropriate bunding or other containment, in accordance with the relevant Australian Standards.	Noted	Compliant
B94	The Applicant must ensure that the storage, handling, and transport of dangerous goods is done in accordance with the latest version of the Australian Standards,	Noted	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>particularly AS 1940-2004 The storage and handling of flammable and combustible liquids (Standards Australia, 2004) and AS/NZS 1596:2014 The storage and handling of LP Gas (Standards Australia, 2014), and the Australian Dangerous Goods Code.</p>		
B95	<p>The Applicant must:</p> <p>a. ensure that the development:</p> <p>(i) provides for asset protection in accordance with the relevant requirements in the Planning for Bushfire Protection (RFS, 2006) guideline; and</p> <p>(ii) ensure that there is suitable equipment to respond to any fires on the site; and</p> <p>b. assist the RFS and emergency services to the extent practicable if there is a fire in the vicinity of the site.</p>	<p>Fire Safety training is conducted for all staff annually as part of the PIRMP process</p>	<p>Compliant</p> <p>Compliant</p>


Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
C1	As soon as practicable and no longer than 7 days after obtaining monitoring results showing an exceedance of any noise or air quality criterion in PART B of Schedule 2 following the date of commencement of Quarrying Operations in the Stage 8 Area, the Applicant must provide details of the exceedance to any affected landowners/tenants if the Applicant has not otherwise reached an agreement to exceed the relevant criteria with the affected landowner pursuant to condition B5 or B12. For any exceedance of any air quality criterion in PART B of this consent, the Applicant must also provide to any affected land owners and tenants a copy of the fact sheet entitled "Mine Dust and You" (NSW Health, 2017).	Noted	Compliant



Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
C2	If, at any time following the date of commencement of Quarrying Operations in the Stage 8 Area, a landowner considers the development to be exceeding any noise or air quality criterion in PART B of Schedule 2, they may ask the Planning Secretary in writing for an independent review of the impacts of the development on their land.	Noted	Not Triggered
C3	If the Planning Secretary is not satisfied that an independent review is warranted, the Planning Secretary will notify the landowner in writing of that decision, and the reasons for that decision, within 21 days of the request for a review.	Noted	Not Triggered
C4	If the Planning Secretary is satisfied that an independent review is warranted, then within 3 months of the Planning Secretary's decision, or as otherwise agreed by the Planning Secretary and the	Noted	Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>landowner, the Applicant must:</p> <p>a. commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Planning Secretary, to:</p> <p style="padding-left: 20px;">(i) consult with the landowner to determine their concerns;</p> <p style="padding-left: 20px;">(ii) conduct monitoring to determine whether the development is complying with the relevant criteria in PART B of Schedule 2; and</p> <p style="padding-left: 20px;">(iii) if the development is not complying with that criteria, identify measures that could be implemented to ensure compliance with the relevant criteria; and</p> <p>b. give the Planning Secretary and landowner a copy of the independent review; and</p>		<p>Not Triggered</p> <p>Not Triggered</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	c. comply with any written requests made by the Planning Secretary to implement any findings of the review.		Not Triggered
D1	An Environmental Management Strategy must be prepared for the development to the satisfaction of the Planning Secretary. This strategy must:	Completed by EMM 25 Feb 2022	Compliant
	a. provide the strategic framework for environmental management of the development;		Compliant
	b. identify the statutory approvals that apply to the development;		Compliant
	c. set out the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>d. set out the procedures to be implemented to:</p> <ul style="list-style-type: none"> (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii) receive record, handle and respond to complaints; (iii) resolve any disputes that may arise during the course of the development; (iv) respond to any non-compliance and any incident; (v) respond to emergencies; and 		Compliant
	<p>e. include:</p> <ul style="list-style-type: none"> (i) references to any strategies, plans and programs approved under the conditions of this consent; and (ii) a clear plan depicting all the monitoring 		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	to be carried out under the conditions of this consent.		
D2	The Applicant must not commence Quarrying Operations in the Stage 8 Area until the Environmental Management Strategy is approved by the Planning Secretary.	<p>Approved by DPE on 23/03/2022. Published on website https://www.benedict.com.au/wp-content/uploads/Environmental-Management-Strategy_V3.pdf</p>  <p>The letter is dated 23/03/2022 and is addressed to the Applicant. It states that the Department has approved the Environmental Management Strategy (Version 3, dated February 2022) and that the Applicant must not commence quarrying operations until the strategy is approved by the Planning Secretary. The letter includes the NSW Government logo and the signature of the Planning Secretary, David Crisp.</p>	Compliant
D3	The Applicant must implement the Environmental Management Strategy as approved by the Planning Secretary.	This was updated to Version 5 and approved by the Secretary	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
		<p>Department of Planning, Housing & Infrastructure</p>  <p>Our ref: DA65/2865-PA-46</p> <p>Ewen McKenzie Acting Environmental Compliance Manager 11 NARABANG WAY BELROSE 2085 13/09/2024</p> <hr/> <p>Subject: Environmental Management Strategy version 5</p> <p>Dear Mr McKenzie</p> <p>I refer to the updated Environmental Management Strategy (version 5) submitted following the 2023 annual environmental review and in response to review comments made by the Department.</p> <p>I have reviewed the plan and consider the minor amendments would still meet the conditions of consent, accordingly I approve the plan.</p> <p>If you wish to discuss the matter further, please contact me via email: carl.dumpleton@planning.nsw.gov.au</p> <p>Yours sincerely</p>  <p>Carl Dumpleton Team Leader – Energy and Resources Assessments As nominee of the Planning Secretary</p>	
D4	<p>Management plans required under this Schedule must be prepared in accordance with relevant guidelines, and include:</p> <p>a. a summary of relevant background or baseline data;</p>	Management Plans were updated in 2024	<p>Compliant</p> <hr/> <p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	b. details of: (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;		Compliant
	c. a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;		Compliant
	d. a program to monitor and report on the: (i) impacts and environmental performance of the development; and (ii) effectiveness of the		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	management measures set out pursuant to condition D4(c);		
	e. a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;		Compliant
	f. a program to investigate and implement ways to improve the environmental performance of the development over time;		Compliant
	g. a protocol for managing and reporting any: (i) incident, non-compliance or exceedance of the impact assessment criteria or performance criteria; (ii) complaint; or (iii) failure to comply with statutory requirements; and		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	h. a protocol for periodic review of the plan. Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.		Compliant
D5	Within three months of: a. the submission of an incident report under condition D7; b. the submission of an Annual Review under condition D9; c. the submission of an Independent Environmental Audit under condition D11; d. the approval of any modification to the conditions of this consent; or e. the issue of a direction of the Planning Secretary under condition A8 which requires a review, the suitability of existing strategies, plans and programs required under	Review of the Management Plans will commence post Annual Review (including DPE feedback) and any updated plans will be forwarded to DPE by 31 June 2024	Compliant Compliant Compliant Not Triggered Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	this consent must be reviewed by the Applicant.		
D6	<p>If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary and submitted to the Planning Secretary for approval within six weeks of the review.</p> <p>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</p>	Noted	<p>Compliant – This occurred in 2024 and will occur in 2026</p> <p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
D7	The Applicant must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing via the Major Projects Website and identify the development (including the development application number and name) and set out the location and nature of the incident.	Noted	Not Triggered
D8	Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing via the Major Projects Website and identify the development (including the development application number and name), set out the condition of this consent that the development is non-	Noted	Not Triggered

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.</p> <p>Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</p>		
D9	<p>By the end of March in each year after the commencement of Quarrying Operations in the Stage 8 Area, or other timeframe agreed by the Planning Secretary, a report must be submitted to the Department reviewing the environmental performance of the development, to the satisfaction of the Planning Secretary. This review must:</p> <p>a. describe the development (including any rehabilitation) that was</p>	<p>Annual Review report DUE March 31 each year following commencement of quarrying activities (second report was March 31, 2025. Copy to Website and Council</p> <p>D9(g) measures that will be implemented over the next year to improve environmental performance of the development</p> <ul style="list-style-type: none"> - All recommendations provided in the independent audit will be addressed and completed - A nursery was started onsite during May 2024, it currently contains 600 native plants that are being cared for and grown until matured and ready to use in rehab areas onsite. During 2025 the size of the nursery will be reviewed to increase in size to be able to hold more plants - All management plans will be reviewed within 3 months of submitting the annual review report as per the consent 	<p>Compliant</p> <p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;</p> <p>b. include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, including a comparison of these results against the:</p> <ul style="list-style-type: none"> (i) relevant statutory requirements, limits or performance measures/criteria; (ii) requirements of any plan or program required under this consent; (iii) monitoring results of previous years; and (iv) relevant predictions in the documents listed condition A7(c). 	<ul style="list-style-type: none"> - Rehab and weed management onsite will be continued - Nestboxes will be installed as we progress through each substage 	<p>Compliant</p>

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	c. identify any non-compliance or incident which occurred in the previous calendar year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence;		Compliant
	d. evaluate and report on: (i) the effectiveness of the noise and air quality management systems; and (ii) compliance with the performance measures, criteria and operating conditions in this consent, as they relate to the Stage 8 Area;		Compliant
	e. identify any trends in the monitoring data over the life of the development;		Compliant
	f. identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	g. describe what measures will be implemented over the next calendar year to improve the environmental performance of the development.		Compliant
D10	Copies of the Annual Review must be submitted to Council and made available to any interested person upon request.	Noted	Compliant
D11	Within one year of the commencement of Quarrying Operations in the Stage 8 Area, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:	Commission Independent Environmental Audit by 4 September 2024 (submit within 3 months) Next Independent Environmental Audit required every three years 2027, 2030....	Compliant – Ian Swane & Assoc were appointed as well as some additional consultants required by NSW Planning. An extension of time was granted until 28 March 2025
	a. be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	been endorsed by the Planning Secretary;		
	b. be carried out in consultation with the relevant agencies;		Compliant
	c. assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licences and mining leases for the development (including any assessment, strategy, plan or program required under these approvals);		Compliant
	d. review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent;		Compliant
	e. recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	<p>abovementioned approvals and this consent; and</p> <p>f. be conducted and reported to the satisfaction of the Planning Secretary.</p>		Compliant
D12	<p>Within three months of commencing an Independent Environmental Audit, or within another timeframe agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.</p> <p>Note: The audit team must be led by a suitably qualified</p>	Noted	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	auditor and include experts in any fields specified by the Planning Secretary.		
D13	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit.	Noted	Compliant
	Note: For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a		Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.		
D14	Noise and air quality monitoring under Part B of this Schedule is not required at all privately-owned residences and the use of representative monitoring locations can be used to demonstrate compliance with criteria.	Noted	Compliant
D15	Prior to commencing Quarrying Operations in the Stage 8 Area, the Applicant must:		
	a. make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this consent) publicly available on its website:		

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	(i) the document/s listed in condition A7(c);	Completed	Compliant
	(ii) all current statutory approvals for the development;	Completed	Compliant
	(iii) all approved strategies, plans and programs required under the conditions of this consent;	Completed	Compliant
	(iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;	Copy of the 2024 Annual Review online	Compliant
	(v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;	Copy of the 2024 Annual Review online	Compliant
	(vi) a summary of the current stage and progress of the development;	Copy of the 2024 Annual Review online	Compliant

Condition	Requirement	Tracking	Compliant Y/N Triggered Y/N
	(vii) contact details to enquire about the development or to make a complaint;	Completed - also a sign at the front gate	Compliant
	(viii) a complaints register, updated monthly;	Completed	Compliant
	(ix) the Annual Reviews of the development;	Noted and being prepared for 2024	Compliant
	(x) audit reports prepared as part of any Independent Environmental Audit of the development and the Applicant's response to the recommendations in any audit report;	Completed	Compliant
	(xi) any other matter required by the Planning Secretary; and	Noted	Compliant
	b. keep such information up to date for the life of the development and to the satisfaction of the Planning Secretary.	Noted	Compliant

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Appendix 4 Noise Compliance Assessment

Applicable Meteorological Conditions

1. The noise criteria in condition B4 of Schedule 2 are to apply under all meteorological conditions except the following:
 - (a) where 3°C/100 metres (m) lapse rates have been assessed, then:
 - (i) wind speeds greater than 3 metres/second (m/s) measured at 10m above ground level;
 - (ii) temperature inversion conditions between 1.5°C and 3°C/100m and wind speeds greater than 2m/s measured at 10m above ground level; or
 - (iii) temperature inversion conditions greater than 3°C/100m.
 - (b) where Pasquill Stability Classes have been assessed, then:
 - (i) wind speeds greater than 3m/s at 10m above ground level;
 - (ii) stability category F temperature inversion conditions and wind speeds greater than 2m/s at 10m above ground level; or
 - (iii) stability category G temperature inversion conditions.

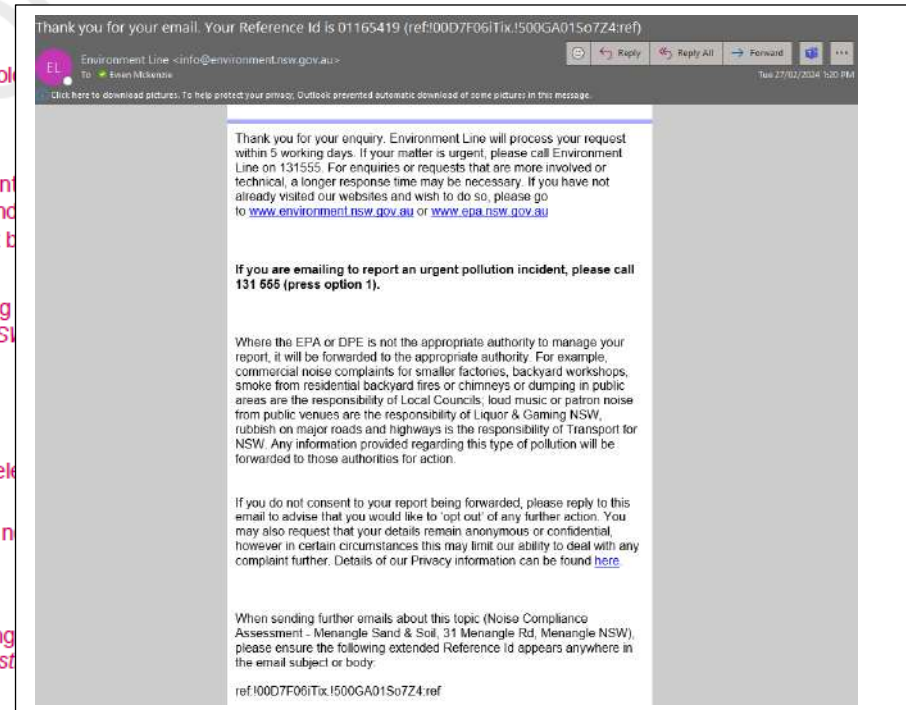
Determination of Meteorological Conditions

2. Except for wind speed at microphone height, the data to be used for determining meteorological conditions is that recorded by the meteorological station required under condition B17 of Schedule 2.

Compliance Monitoring

3. A noise compliance assessment must be undertaken within two months of commencement in the Stage 8 Area. The assessment must be conducted by a suitably qualified and experienced practitioner and must assess compliance with condition B4 of Schedule 2. A report must be submitted to EPA within 1 month of the assessment. Submitted to EPA 27/2/24
4. Unless otherwise agreed by the Planning Secretary, attended compliance monitoring must be undertaken in accordance with the relevant requirements for reviewing performance set out in the *NSW Noise Policy for Industry* (EPA, 2000), in particular the requirements relating to:
 - (c) monitoring locations for the collection of representative noise data;
 - (d) meteorological conditions during which collection of noise data is not appropriate;
 - (e) equipment used to collect noise data, and conformity with Australian Standards relevant to noise measurement and recording;
 - (f) modifications to noise data collected, including for the exclusion of extraneous noise and modifying factors apart from adjustments for duration,
 - (g) modifying factors apart from adjustments for duration,

with the exception of applying appropriate modifying factors for low frequency noise during which compliance monitoring should be undertaken in accordance with Fact Sheet C of the *NSW Noise Policy for Industry*



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Appendix 6 Additional Stage 6 and 7 Biodiversity and Rehabilitation Requirements

Table 5: Additional Biodiversity Objectives and Performance and Completion Criteria for Stage 6 and 7 Vegetated Areas

Rehabilitation Objective	Performance Indicator	Completion Criteria	Example Justification/validation methods	Performance Guidance
Composition Objective				
The vegetation composition of Stages 6 and 7 are recognisable as River-flat Eucalypt Forest EEC.	Native plant species are characteristic of River-flat Eucalypt Forest EEC as described in the Final Determination. <i>HN526 benchmark for native plant species richness is ≥24 species.</i> <i>It is noted that Eucalyptus botryoides x saligna is not listed in the River-flat Eucalypt Forest EEC Final Determination, but is to count as one species towards the benchmark value.</i>	Presence of a suitable number or proportion of species listed in the Final Determination. This is considered to be ≥24 species, across all monitoring plots, that are aligned with the species list in the Final Determination.	Use of standard 20 x 20 m floristic sampling plot(s) where all flora species present are recorded.	This criterion should be met early (i.e. at 5 years post-establishment), otherwise it is unlikely to be met in the long-term.
Structure Objectives				
The vegetation structure of Stages 6 and 7 are recognisable as, or is trending towards, the target BVT HN526, which provides a suitable surrogate for River-flat Eucalypt Forest EEC	Cover and abundance of plant growth forms are characteristic of, or are trending towards, the target BVT benchmarks, which are provided in the completion criteria.	Total foliage cover of species allocated to Tree (TG) growth form is trending towards the benchmark range of 27.5– 32.5	Use of BAM where all flora species present in a 20 x 20 m plot are recorded, with foliage cover and abundance of each species.	Foliage cover of Tree (TG) growth form is trending towards target value.
		Total foliage cover of species allocated to Shrub (SG) growth form is trending towards the benchmark range of 21-31		Foliage cover of Shrub (SG) growth form is trending towards target value.

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Rehabilitation Objective	Performance Indicator	Completion Criteria	Example Justification/validation methods	Performance Guidance
		Total foliage cover of species allocated to Grass and Grass-like (GG) growth form is trending towards the benchmark range of 24.45-30.45		Foliage cover of Grass and Grass-like (GG) growth form is trending towards target value.
		Total foliage cover of species allocated to Forb (FG) growth form is trending towards the benchmark range of 24.45-30.45		Foliage cover of Forb (FG) growth form is trending towards target value.
Function Objectives				
Levels of ecosystem function have been established that demonstrate that Stages 6 and 7 are self-sustainable, or is trending towards self-sustainability	Evidence of plant reproduction and regeneration is present	The cover and species richness of the groundcover, including grasses and forbs, is stable or increasing, and is within the benchmark ranges	The ongoing persistence of groundcover species, which are relatively short lived and for which recruitment is not straightforward to measure, is regarded as evidence of reproduction and regeneration of these species	An initial decline in species richness and cover may occur, however a stabilisation in observed cover and richness should be observed by 5 to 10 years post-establishment.
		Second generation individuals of shrubs and trees are present	Presence of second-generation canopy species is evident within the rehabilitation domain (i.e. not limited to the plot, but present within rehabilitation of the same target community and age).	No performance guidance. The presence of second-generation trees and shrubs may not be evident for many years post-establishment.

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Rehabilitation Objective	Performance Indicator	Completion Criteria	Example Justification/validation methods	Performance Guidance
	Cover of exotic species is low	Cover of 'high threat exotic' (HTE) and 'priority weeds' is no more than 2%.	Data collected in accordance with BAM. Sum foliage cover of species identified as 'high threat exotic' under the BAM and 'priority weeds' as identified by the Local Land Services (LLS) in the relevant strategic weed management plan for the region.	Cover of HTE and priority weed species are declining towards target value. Given the very high weed loads it is expected that it will take some time for weed growth to be brought under control and will require ongoing maintenance.
	Indicators of nutrient cycling are suitable for sustaining the target plant community type	Litter cover is within the benchmark range. There is no biometric benchmark, and thus the BAM benchmark of 40 for PCT835 is adopted	Data collected in accordance with BAM via five 1 m ² subplots within the 20 m ² floristic plot	Litter cover is increasing towards target value.
<p>Notes:</p> <p>Achieving biometric vegetation type (BVT) HN526 and/or plant community type (PCT) in the NSW Bionet Vegetation Information System (PCT835), can be used as a suitable surrogate for the EEC. BVT benchmarks are more specific (to vegetation type level, usually with lower and upper thresholds), whereas PCT benchmarks are to a broader vegetation class level (which is a grouping of similar vegetation types). For this reason, BVT benchmarks have generally been utilised in this table as being the best available.</p> <p>The Completion Criteria column refers to the desired end goal, with the Performance Guidance column providing broad guidance on how the completion criteria should be interpreted in terms of producing future performance criteria in relevant Vegetation Management Plan(s). It is noted that the completion criteria and performance indicators in Table 5 will need to be resolved with more specific performance criteria relevant to different areas of the site.</p> <p>It is also noted that stochastic events such as flood or fire might affect the achievement of performance standards and criteria, and whilst the intent will still be to achieve restoration and rehabilitation of the River-flat Eucalypt Forest EEC in the long-term, such events will need to be taken into account on a case by case basis for specific performance standards.</p>				

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Appendix 7 Stage 8 Operations Biodiversity and Rehabilitation

Table 6: Biodiversity Objectives and Performance and Completion Criteria

Rehabilitation Objective	Performance Indicator	Completion Criteria	Example Justification/validation methods	Performance Guidance
Composition Objective				
The vegetation composition of the Restoration Area and rehabilitated substages are recognisable as River-flat Eucalypt Forest EEC.	Native plant species are characteristic of River-flat Eucalypt Forest EEC as described in the Final Determination. <i>HN526 benchmark for native plant species richness is ≥24 species.</i> <i>It is noted that Eucalyptus botryoides x saligna is not listed in the River-flat Eucalypt Forest EEC Final Determination, but is to count as one species towards the benchmark value.</i>	Presence of a suitable number or proportion of species listed in the Final Determination. This is considered to be ≥24 species, across all monitoring plots, that are aligned with the species list in the Final Determination.	Use of standard 20 x 20 m floristic sampling plot(s) where all flora species present are recorded.	This criterion should be met early (i.e. at 5 years post-establishment), otherwise it is unlikely to be met in the long-term.
Structure Objectives				
The vegetation structure of the Restoration Area and rehabilitated substages are recognisable as, or is trending towards, the target BVT HN526, which provides a suitable surrogate for River-flat Eucalypt Forest EEC	Cover and abundance of plant growth forms are characteristic of, or are trending towards, the target BVT benchmarks, which are provided in the completion criteria.	Total foliage cover of species allocated to Tree (TG) growth form is trending towards the benchmark range of 27.5– 32.5	Use of BAM where all flora species present in a 20 x 20 m plot are recorded, with foliage cover and abundance of each species.	Foliage cover of Tree (TG) growth form is trending towards target value.
		Total foliage cover of species allocated to Shrub (SG) growth form is trending towards the benchmark range of 21-31		Foliage cover of Shrub (SG) growth form is trending towards target value.

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Rehabilitation Objective	Performance Indicator	Completion Criteria	Example Justification/validation methods	Performance Guidance
		Total foliage cover of species allocated to Grass and Grass-like (GG) growth form is trending towards the benchmark range of 24.45 - 30.45		Foliage cover of Grass and Grass-like (GG) growth form is trending towards target value.
		Total foliage cover of species allocated to Forb (FG) growth form is trending towards the benchmark range of 24.45 - 30.45		Foliage cover of Forb (FG) growth form is trending towards target value.
Function Objectives				
Levels of ecosystem function have been established that demonstrate the Restoration Area and rehabilitated substages are self-sustainable, or is trending towards self-sustainability	Evidence of plant reproduction and regeneration is present	The cover and species richness of the groundcover, including grasses and forbs, is stable or increasing, and is within the benchmark ranges	The ongoing persistence of groundcover species, which are relatively short lived and for which recruitment is not straightforward to measure, is regarded as evidence of reproduction and regeneration of these species	An initial decline in species richness and cover may occur, however a stabilisation in observed cover and richness should be observed by 5 to 10 years post-establishment.
		Second generation individuals of shrubs and trees are present	Presence of second-generation canopy species is evident within the rehabilitation domain (i.e. not limited to the plot, but present within rehabilitation of the same target community and age).	No performance guidance. The presence of second-generation trees and shrubs may not be evident for many years post-establishment.

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Rehabilitation Objective	Performance Indicator	Completion Criteria	Example Justification/validation methods	Performance Guidance
	Cover of exotic species is low	Cover of 'high threat exotic' (HTE) and 'priority weeds' is no more than 2%.	Data collected in accordance with BAM. Sum foliage cover of species identified as 'high threat exotic' under the BAM and 'priority weeds' as identified by the Local Land Services (LLS) in the relevant strategic weed management plan for the region.	Cover of HTE and priority weed species are declining towards target value. Given the very high weed loads it is expected that it will take some time for weed growth to be brought under control and will require ongoing maintenance.
	Indicators of nutrient cycling are suitable for sustaining the target plant community type	Litter cover is within the benchmark range. There is no biometric benchmark, and thus the BAM benchmark of 40 for PCT835 is adopted	Data collected in accordance with BAM via five 1 m ² subplots within the 20 m ² floristic plot	Litter cover is increasing towards target value.
<p>Notes:</p> <p><i>Achieving biometric vegetation type (BVT) HN526 and/or plant community type (PCT) in the NSW Bionet Vegetation Information System (PCT835), can be used as a suitable surrogate for the EEC. BVT benchmarks are more specific (to vegetation type level, usually with lower and upper thresholds), whereas PCT benchmarks are to a broader vegetation class level (which is a grouping of similar vegetation types). For this reason, BVT benchmarks have generally been utilised in this table as being the best available.</i></p> <p><i>The Completion Criteria column refers to the desired end goal, with the Performance Guidance column providing broad guidance on how the completion criteria should be interpreted in terms of producing future performance criteria within the Biodiversity and Rehabilitation Management Plan required under condition B73 of Schedule 2 of this consent. It is noted that the completion criteria and performance indicators in Table 6 will need to be resolved with more specific performance criteria relevant to different areas of the site. For example, the Amended restoration area will contain a tree overstorey and thus the performance standard should be higher compared to the Amended extraction area where some time will be required for the tree overstorey cover to become established. Refined performance criteria are to be included in the Biodiversity and Rehabilitation Management Plan.</i></p> <p><i>It is also noted that stochastic events such as flood or fire might affect the achievement of performance standards and criteria, and whilst the intent will still be to achieve restoration and rehabilitation of the River-flat Eucalypt Forest EEC in the long-term, such events will need to be taken into account on a case by case basis for specific performance standards.</i></p>				

Appendix 8 Incident Notification and Reporting Requirements

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Department via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition D7 of Schedule 2 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - a. identify the development and application number;
 - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - c. identify how the incident was detected;
 - d. identify when the applicant became aware of the incident;
 - e. identify any actual or potential non-compliance with conditions of consent;
 - f. describe what immediate steps were taken in relation to the incident;
 - g. identify further action(s) that will be taken in relation to the incident; and
 - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - a. a summary of the incident;
 - b. outcomes of an incident investigation, including identification of the cause of the incident;
 - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - d. details of any communication with other stakeholders regarding the incident.