

Response to Recommendations/ Response to Non Compliance FINAL Version

Table 1 Response to non-compliances

Condition Reference	Description	Audit Risk Rating	Response	Boral Actions
S3.C7A The Applicant must not dispatch more than: a) 33 laden trucks from the site in any hour between 6 am and 9 am; b) 40 laden trucks from the site in any hour between 9 am and 3 pm; c) 23 laden trucks from the site in any hour between 3 pm and 6 am; and d) a total of 400 laden trucks from the site per day.	Within the limit of 400 laden trucks from the site per day. Highest number of trucks leaving site 298 per day. 11 exceedances in hourly limits recorded: 7am 39 trucks on 20/04/2020 35 trucks on 30/04/2020 3pm 27 trucks on 05/12/2019 25 trucks on 12/12/2019 25 trucks on 10/03/2020 25 trucks on 12/03/2020 25 trucks on 18/03/2020 25 trucks on 06/04/2020 26 trucks on 08/04/2020 24 trucks on 15/04/2020 24 trucks on 23/04/2020 Opportunity for improvement [DQ8/20]: A Traffic Management System should be developed to monitor and control truck dispatch movements in accordance with limitations.	Non-compliant – Low Risk	The Transport Management Plan (TMP) will be updated with a proposal of the implementation of a traffic dispatch management system to meet the requirements of this condition. Upon approval of the revised TMP, relevant staff will be presented with a toolbox session to educate them about the updated management plan requirements and a sign off sheet will be collected and filed. If transport dispatch limits are not practical, Boral Land and Property Group (BLPG) to consult with DPIE regarding modification of this condition	Engage contractor (TTPP) to revise the plan as per recommendation to monitor and control truck dispatch movements in accordance with limitations. In the interim relevant staff will receive a toolbox session to reduce instances of non-compliance with the existing plan with another toolbox session to be conducted once the updated plan is finalised. Sign on sheets to be completed and filed for each session to demonstrate awareness. If transport dispatch limits are not practical, consult with DPIE regarding modification of this condition

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	<p>Opportunity for improvement [DQ9/20]: If the hourly truck dispatch limitations are not practical for operations, consultation with DPIE should occur to understand if modification of this condition is appropriate</p>			
S4.C28 The Applicant must comply with the discharge limits in any EPL, or with section 120 of the POEO Act	<p>The following uncontrolled discharge events occurred in the reporting period that resulted in exceedances, or inability to sample:</p> <ul style="list-style-type: none"> • 18/11/2017 • 06/01/2019 • 19/03/2019 • 04/06/2019 • 05/06/2019 <p>Opportunity for improvement [DQ12/20]: Implement updated Water Management Plan when approved to reconfigure storage on site and prevent uncontrolled discharge events.</p>	Non-compliant – Medium Risk	The updated Water Management Plan is currently under review by the department. Once the Plan has been approved, then implementation of the recommendations can be pursued.	Follow up with DPIE/DPIE (Water) regarding the status of the assessment of the WMP. Previous advice from DPIE (Water) is that the plan won't be reviewed for a month due to an assessment backlog. Once review by DPI (Water) has been completed then Boral will submit the plan to DPIE for approval.
S4.C32 By 18 May 2008, or as otherwise agreed to by the Secretary, the Applicant must:	By 18 May 2008, or as otherwise agreed to by the Secretary, the Applicant must:	Non-compliant – Medium Risk	The updated Water Management Plan is currently under review by the department, which details the	Complete works in accordance with the approved WMP once finalised.

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<p>(a) modify the existing dam at the site to create increased capacity offline from Rocklow Creek;</p> <p>(b) construct dams within the site of sufficient capacity to ensure that the water quality criteria in condition 29 can be met for all rainfall events up to and including the 5-day duration 95th percentile rainfall event;</p> <p>(c) ensure the discharge and overflow points of the dams do not cause erosion at the point of discharge/overflow;</p> <p>(d) rehabilitate and stabilise the banks of the dams; and</p> <p>(e) ensure the integrity of the dams would not be compromised by flooding; to the satisfaction of the EPA and the Secretary.</p>	<p>(a) modify the existing dam at the site to create increased capacity offline from Rocklow Creek;</p> <p>(b) construct dams within the site of sufficient capacity to ensure that the water quality criteria in condition 29 can be met for all rainfall events up to and including the 5-day duration 95th percentile rainfall event;</p> <p>(c) ensure the discharge and overflow points of the dams do not cause erosion at the point of discharge/overflow;</p> <p>(d) rehabilitate and stabilise the banks of the dams; and</p> <p>(e) ensure the integrity of the dams would not be compromised by flooding; to the satisfaction of the EPA and the Secretary.</p>		<p>dam upgrade works designed to meet this condition.</p>	<p>Senior management to discuss capital funds required to implement the works contained in the WMP currently under assessment.</p> <p>Once works are completed a letter is to be drafted notifying EPA/DPIE of completion of the physical works.</p>
<p>S4.C72 The Applicant must ensure that the storage, handling, and transport of dangerous goods is done in accordance with the relevant Australian Standards, particularly</p>	<p>The Applicant must ensure that the storage, handling, and transport of dangerous goods is done in accordance with the relevant Australian Standards, particularly</p>	<p>Non-compliant – Low Risk</p>	<p>Delivery drivers to sign in onsite to ensure that goods are delivered and correctly placed into the bund</p>	<p>Take inventory of the stored chemicals across the site to ensure bunds are available and capacity is adequate.</p>

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AS1940 and AS1596, and the Dangerous Goods Code.	<p>AS1940 and AS1596, and the Dangerous Goods Code.</p> <p>Opportunity for improvement [DQ16/20]</p> <p>Opportunity for improvement [DQ16/20]: Bunded fuel drum storage area to be used correctly with all oil drums to be positioned within the bunded area.</p> <p>Storage and handling of dangerous goods appears to be mostly occurring appropriately on site. Oil drums are not being storage appropriately within the bounds of bunded areas. See Appendix 3.</p> <p>Environmental Coordinator and Quarry Manager note this is a delivery issue they have raised with their contractors</p>		One point lessons (OPL) to be created for bunded area to instruct storage requirements.	<p>Create OPL for bunded areas and training package for staff to complete.</p> <p>Delivery drivers to sign in on site to ensure that goods are delivered and placed into the bund</p>
S4A.C1 As soon as practicable and no longer than 7 days after obtaining monitoring results showing	As soon as practicable and no longer than 7 days after obtaining monitoring results showing an	Non-compliant – Low Risk	Publication of Pollution Monitoring Data – Exceedence Notification Report has been created to trigger the review of	Publication of Pollution Monitoring Data – Exceedence Notification Report has been created to trigger the review of

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<p>an exceedance of any criteria in Schedule 4 the Applicant must:</p> <p>(a) provide to any affected landowners and tenants; and,</p> <p>(b) publish on its website the full details of the exceedance.</p> <p>Any exceedance of any criteria in Schedule 4 is an incident that must be notified to the Department in accordance with condition 7 of Schedule 5 of this consent.</p> <p>For any exceedance of the air quality criteria or air quality measures in Schedule 4, the Applicant must also provide to any affected landowners and tenants a copy of the fact sheet entitled Mine Dust and You (NSW Minerals Council, 2011) fact sheet (as may be updated from time to time).</p>	<p>exceedance of any criteria in Schedule 4 the Applicant must:</p> <p>(a) provide to any affected landowners and tenants; and,</p> <p>(b) publish on its website the full details of the exceedance.</p> <p>Any exceedance of any criteria in Schedule 4 is an incident that must be notified to the Department in accordance with condition 7 of Schedule 5 of this consent.</p> <p>For any exceedance of the air quality criteria or air quality measures in Schedule 4, the Applicant must also provide to any affected landowners and tenants a copy of the fact sheet entitled Mine Dust and You (NSW Minerals Council, 2011) fact sheet (as may be updated from time to time).</p>		<p>this requirement internally before formal notification is made to the Department in accordance with the consent.</p> <p>Note that the monitoring data is currently published on the Boral website https://www.boral.com.au/our-commitment/environmental-reporting where details on the monitoring data are presented, including any exceedances.</p>	<p>this requirement internally before formal notification is made to the Department in accordance with the consent.</p> <p>Note that the monitoring data is currently published on the Boral website https://www.boral.com.au/our-commitment/environmental-reporting where details on the monitoring data are presented, including any exceedances. This is also a requirement of the Environment Protection Licence (although the EPL data needs to be published within 14 days). Boral will therefore amend the publication date of relevant data to the website to ensure it occurs within the 7 day period that is required in the event an exceedance of the Schedule 4 criteria occurs.</p>
S5.C7 The Applicant must immediately notify the Secretary and any other relevant agencies of any	The Applicant must immediately notify the Secretary and any other relevant agencies of any	Non-compliant – Low Risk	Immediate Notification Report is to be completed by staff and senior management internally when immediate notification to	Complete relevant notification form and notify relevant agencies (DPEI/EPA/OEH) in

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incident. Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested	incident. Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.		<p>the Secretary is required. Details will be kept on file.</p> <p>Publication of Pollution Monitoring Data – Exceedance Notification Report has been created to trigger the review of this requirement internally before formal notification is made to the Department in accordance with the consent.</p>	<p>accordance with relevant conditions of approval/consent.</p> <p>Attach notification reports and associated emails to the internal Immediate Notification form and file into G drive under “8-10 Training Awareness and Incidents” in the Environmental folder.</p>

Table 2 Response to Recommendations

Reference	Consent Condition/Issue	Recommendation	Response	Boral Actions
DQ1/20	DQ3/17	Finalise revised Water Management Plan (WMP).	Updated WMP is currently under review with DPIE	Boral to follow up on status of the review and approval of the WMP with DPIE. Previous advice from DPI (Water) is that the plan won't be reviewed for a month due to backlog. Once review by DPI (Water) has been completed then Boral will submit the plan to DPIE for approval.
DQ2/20	DQ5/17	Follow up approval of works required under S4, C38 from DPIE.	EPA have approved works as completed. A letter describing the completion of	Boral to draft letter and send to DPIE via the major projects portal.

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			the works to be drafted by Boral and sent to DPIE to confirm completion to satisfaction to the secretary.	
DQ3/20	DQ6/17	Determine whether 'regional' monitoring that has been completed is satisfactory and the regional monitoring program can therefore be suspended.	Boral to correspond with DPIE to clarify the definition of 'regional' monitoring and propose cessation of monitoring as a function of the satisfactory completion of the monitoring program.	Boral to draft letter and send to DPIE via the major projects portal.
DQ4/20	DQ7/17	Update of EPL Pollution Incident Response Monitoring Plan (PIRMP) to include measures to prevent mud tracking onto public roads from the site.	<p>As discussed with the auditor the PIRMP v10 was updated to include mud tracking, however this has now been removed.</p> <p>It was determined that a more appropriate location for a documented procedure to prevent mud tracking onto the road would be through the Erosion and Sediment Control Plan located in Section 6. The effectiveness of the controls described in the plan are monitored via the site environmental checklist (monthly checklist and EPP)</p>	<p>Boral does not consider that it is appropriate to include mud tracking into a PIRMP given the negligible risk of material environmental harm posed by such an activity.</p> <p>This is consistent with the PIRMP contents of other sites' in NSW.</p> <p>Procedures for managing sediment tracking onto the road are to be addressed as part of the Erosion and Sediment Control Plan and monitored via existing environmental inspection tools.</p>

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DQ5/20	DQ8/17	Confirm tyre numbers stored on site are less than 500, and if there is a requirement for more than 500 tyres, consult with EPA regarding a licence.	Boral confirms that less than 500 tyres are stored on the premises A contract is currently being tendered for the removal of the tyres not currently being utilised for re-use onsite by an appropriately licensed external contractor	Boral to finalise contract for removal of excess tyres. Boral to update the onsite tyre register as per the Johns River Quarry template.
DQ6/20	DQ8/17	Finalise revised Bushfire Management Plan and ensure it covers safe storage of tyres in accordance with “Tyre Stewardship Australia Best Practice Guidelines for Tyre Storage and Emergency Preparedness (March 2019)” guidelines and “Fire & Rescue NSW Fire Safety Guideline – Guideline for bulk storage of rubber tyres” (December 2014).	The Bushfire Management Plan will be updated by Boral in accordance with the requirements of these guidelines	Boral to update Bushfire Management Plan to address relevant industry and NSW Fire and Rescue guidelines.
DQ7/20	DQ10/17	Ensure all management plans are prepared and reviewed in accordance with the requirements of the conditions of consent It is suggested a review record/register is maintained.	A record will be created and attached to the Environmental Permit Planner	BW to complete review of EPP

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<i>Reference</i>	<i>Consent Condition/Issue</i>	<i>Recommendation</i>	<i>Response</i>	<i>Boral Actions</i>
DQ8/20	Schedule 3, Condition 7a – Transportation	A Traffic Management System should be developed to monitor and control truck dispatch movements in accordance with limitations	<p>The transport management plan will be updated with a traffic dispatch management system.</p> <p>Upon approval staff will be presented with a toolbox talk to communicate the management plan requirements and a sign on sheet to the toolbox will be collected and filed.</p>	<p>Engage contractor (TTPP) to revise the plan as per recommendation.</p> <p>In the interim staff will participate in a toolbox session to notify them of the requirements in order to reduce instances of non-compliance with the existing plan. Another toolbox presentation will also be conducted once the updated plan is finalised. Sign on sheets will be collected and filed.</p>
DQ9/20	Schedule 3, Condition 7a – Transportation	If the hourly truck dispatch limitations are not practical for operations, consultation with DPIE should occur to understand if modification of this condition is appropriate.	BLPG to correspond with DPIE to determine if a modification of limits is practical.	<p>If transport dispatch limits are not practical, consult with DPIE regarding modification of this condition</p> <p>BLPG to correspond</p>
DQ10/20	Schedule 3, Condition 1 – Operation of Plant and Equipment	Prioritise maintenance checks of bag houses in crushing and screening plans to ensure they are maintained in a proper and efficient condition.	A plant inspection checklist is undertaken daily by staff to ensure that plant components are working correctly and any corrective actions are completed.	Ensure plant inspection checklists are completed and filed into G drive so we can provide evidence in audit.

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DQ11/20	Schedule 4, Condition 12 – Identification of Boundaries	Confirm survey plan has been submitted to the Secretary.	A letter will be drafted and submitted to DPIE to confirm receipt of the survey plan	Boral to draft letter to DPIE for submission to the portal
DQ12/20	Schedule 4, Condition 28 – Water Discharge Limits	Implement updated Water Management Plan when approved to reconfigure storage on site and prevent uncontrolled discharge events.	The updated Water Management Plan is currently under review with the department, which details the dam upgrade works designed to meet this condition.	<p>Complete works once the updated WMP is approved in accordance with the approved plan.</p> <p>Senior management to discuss capital requirement for completion of the works once the WMP has been finalised.</p> <p>Once works are completed a letter is to be drafted notifying EPA/DPIE of completion of the physical works.</p>
DQ13/20	Schedule 4, Condition 29 – Site Water Balance	Ensure all future Annual Reviews address the reporting requirements in Schedule 4, Condition 29.	Boral to ensure requirements in Schedule 4, Condition 29 are met in the next Annual Review	Boral to complete Annual Review in accordance with Schedule 4, Condition 29
DQ14/20	Schedule 4, Condition 33 – Offline Dam	Ensure Dam Upgrade Plan is updated or incorporated into the updated approved Water Management Plan.	The dam upgrade plan is included in Appendix G of the updated WMP currently under review by DPI (Water)	Completed
DQ15/20	Schedule 4, Condition 35A – Lower Dam Transition Plan	Ensure the approved updated Water Management	The dam transition plan is included in the Options Assessment (Section 5.3) of	Completed

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		Plan includes the Lower Dam Transition Plan.	the updated WMP currently under review by DPI (Water)	
DQ16/20	Schedule 4, Condition 37 – Other Water Management Works	Bunded fuel drum storage area to be used correctly with all oil drums to be positioned within the bunded area.	<p>Delivery drivers to sign in onsite to ensure that goods are delivered and correctly placed into the bund</p> <p>One point lessons (OPL) to be created for bunded area to instruct storage requirements.</p>	<p>Boral to complete an inventory of the stored chemicals across the site to ensure bunds are available and capacity is adequate.</p> <p>Boral to create an OPL for bunded areas and training package for staff to complete, with a sign on sheet to be recorded and filed.</p> <p>Delivery drivers to sign in onsite to ensure that goods are delivered and placed into the bund</p>
DQ17/20	Schedule 4, Condition 38 – Bunding	Ensure all fuel, oil and chemical storage areas occurs in appropriately bunded areas.	As above	As above
DQ18/20	Schedule 4, Condition 46 – Flora and Fauna Management Plan	Condition numbering references are incorrect throughout document (see Table 2.1 for an example). Update condition reference numbering in next review.	Condition references will be amended in the next review of the Flora and Fauna Management Plan document as per the recommendation.	Boral will update the update the condition reference numbering as part of the next review cycle of the Flora and Fauna Management Plan.
DQ19/20	Schedule 4, Condition 47 – Flora and Fauna Management Plan (FFMP)	Vegetation Clearing Protocol (VCP) to be updated to	The VCP will be updated in the next review of FFMP	Boral will update the VCP as per the recommendations as part of the next review

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		address collecting seed from site and conserving and reusing topsoil.		cycle of the Flora and Fauna Management Plan.
DQ20/20	Schedule 4, Condition 54 – Rehabilitation and Conservation Bond	Rehabilitation Conservation Bond not lodged within the required timeframe. Boral to ensure timing requirements are met for obligations under this consent.	Rehabilitation Conservation Bond to be recalculated and lodged in accordance with the obligations under the consent.	Boral to lodge bond in accordance with the obligations.
DQ21/20	Schedule 4, Condition 62 – Road Haulage	It is recommended that sweeping increase to three times per week, the PIRMP is updated to address this matter, and consideration of further mitigation measures is undertaken.	<p>Sweeping of the Princes Motorway on ramp currently occurs.</p> <p>Further mitigation methods will be investigated once extent of sediment being tracked onto the road is quantified and response measures evaluated.</p> <p>The updated WMP details Erosion and Sediment Controls in Section 6 and these controls will be monitored via the site environmental checklist rather than the PIRMP, which is not considered the appropriate document for this activity.</p>	Assess effectiveness of the wheel wash and implement improvements if necessary to address sediment tracking on access roads.

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DQ22/20	Schedule 5, Condition 4 – Revision of Strategies, Plans and Programs	The document control tables within the all the plans, strategies and programs required under this consent do not reflect the reviews that have occurred. Ensure all documents are reviewed in accordance with this condition of consent. Update the relevant management plans to contain information on timing of review.	Subsequent management plans to include a more accurate description of the document control process, include reviews that have been undertaken and then main focus of the review.	Boral to present a more detailed and accurate document control section in the relevant management plans as per the recommendations.