

Prepared for Newman Quarrying

Independent Audit

Slys Quarry Expansion Project

Clarence Valley, Mororo, NSW

June 2023

Project Number: 230086

Document verification

Project Title:	Slys Quarry Expansion Project
Project Number:	230086
Project File Name:	230086_IEA_Final V1.0

Revision	Date	Prepared by	Reviewed by	Approved by
Draft	21/06/2023	O. Merrick	W. Heiniger	Natascha Arens
Final	28/06/2023	O. Merrick	N. Arens	Natascha Arens

NGH Pty Ltd prints all documents on environmentally sustainable paper including paper made from bagasse (a by-product of sugar production) or recycled paper.

Table of Contents

Acronyms and Abbreviations	iii
Executive summary	v
1. Introduction	6
1.1. Background	6
1.1.1. Expansion project 2016.....	7
1.1.2. Project modification	9
1.1.3. Environmental Protection Licence (EPL)	9
1.2. Audit objectives.....	1
1.2.1. Audit scope and period	1
2. Audit methodology	1
2.1. Selection of the audit team.....	1
2.2. Independent audit scope development	1
2.3. Compliance evaluation	2
2.4. Site interviews	2
2.5. Consultation.....	2
2.6. Compliance status descriptors.....	3
3. Audit findings	3
3.1. Compliance performance	4
3.2. Summary of agency notices, orders, penalties or prosecutions	4
3.3. Non-compliances	5
3.4. Previous audit recommendations	3
3.5. Environmental plans, subplans and post approval documents	3
3.5.1. Noise Management Plan (Schedule 3, Condition 5)	4
3.5.2. Blast Management Plan (Schedule 3, Condition 10)	4
3.5.3. Air Quality Management Plan (Schedule 3, Condition 14).....	4
3.5.4. Soil and Water Management plan, (Schedule 3, Condition 20)	4
3.5.5. Traffic Management Plan (Schedule 3, Condition 24)	5
3.5.6. Biodiversity and Rehabilitation Management plan (Schedule 3, Condition 31).....	5
3.5.7. Bushfire Management Plan (Schedule 3, Condition 40).....	6
3.5.8. Environmental Management Strategy (Schedule 5, Condition 1).....	6
3.5.9. Pollution Incident Response Management Plan (EPL 11649, O.4)	6
3.5.10. Site inspections incidents and other records.....	7
3.5.11. Stakeholder, community engagement and complaints	7

3.6.	Environmental performance	7
3.7.	Environment Protection Licence (EPL 11649).....	7
3.8.	Consultation outcome	7
3.9.	Complaints.....	9
3.10.	Incidents	9
3.11.	Actual versus perceived impacts.....	9
3.12.	Site inspection	9
3.13.	Site interviews	9
3.14.	Improvements opportunities.....	10
3.15.	Key strengths.....	10
4.	Recommendations	10
4.1.	Summary of compliance and non-compliance against conditions.....	10
5.	Conclusion	1
	Appendix A Auditor team approval	A-I
	Appendix B Audit table.....	B-I
	Appendix C Audit plan.....	C-I
	Appendix D Independence Declarations and Auditors CVs.....	D-I
	Appendix E Agency consultation	E-I
	Appendix F Audit frequency direction (DPE)	F-I
	Appendix G Site photographs.....	G-II

Figures

Figure 1-1	Locations of each site (taken from Consolidated Consent 6624)	7
Figure 1-2	Sly’s Quarry Expansion Project (Department of Planning and Environment, 2016).....	8
Figure 1-3	Expansion Project site layout (taken form Consolidated Consent 6624).....	9

Table

Table 1-1	Environmental Protection Licence (11649) modification history	1
Table 2-1:	Compliance status descriptors	3
Table 3-1	Statutory instrument (Conditions of Consent 7098) audit classification status.....	4
Table 3-2	Conditions of Consent 6624, summary of non-compliances	1
Table 3-3	Summary of management plan implementation findings.....	1
Table 3-2	Independent Environmental Audit (2021) findings	3
Table 4-1	Conditions of Consent 6624, summary of non-compliances	1

Table 5-1 Statutory instrument (Conditions of Consent 7098) audit classification status..... 1

Acronyms and Abbreviations

AS/NZS	Australian Standard/ New Zealand Standard
AQMP	Air Quality Monitoring Program
BMP	Blast Management Plan
BRMP	Biodiversity and Rehabilitation Management Plan
BuMP	Bushfire Management Plan (BuMP)
CoC	Conditions of Consent
CVC	Clarence Valley Council
DA	Development Application
dBL	Decibels
DCoC	Drivers Code of Conduct
DP	Deposited Plan
DPE	Department of Planning and Environment (NSW)
DRNSW	Department of Regional New South Wales (DRNSW, formerly Department of Planning Industry and Environment)
E	Endangered
EIS	Environmental impact statement
EMS	Environmental Management Strategy
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</i>
EPA	Environment Protection Authority (New South Wales)
EPL	Environment Protection Licence
FM Act	<i>Fisheries Management Act 1994 (NSW)</i>
ha	hectares

HMP	Heritage Management Plan
IEA	Independent Environmental Audit
KFH	Key Fish Habitat
km	kilometres
L	litre
LGA	Local government area
m	metres
ML	megalitre
mm/s	millimetres per second
NBMP	Nest-box Management Plan
NGH	NGH Consulting
NMP	Noise Management Plan
NSW	New South Wales
PIRMP	Pollution Incident Response Management Plan
PHUP	Pacific Highway Upgrade Project
REF	Review of Environmental Factors
SWMP	Soil and Water Management Plan
SSD	State Significant Development
TEC	Threatened ecological community
TfNSW	Transport for New South Wales
TMP	Traffic Management Plan
tn	tonne
V	Vulnerable

Executive summary

Newman Quarrying Pty Ltd (Newman Quarrying) operates Sly's Quarry; an existing approved sandstone and sand quarry located at Lot 2 Deposited Plan (DP) 1055044, Jackybulbin Road, Mororo in New South Wales (NSW). The site is located approximately 2.6 kilometres (km) west of the Pacific Highway, in the Clarence Valley Local Government Area (LGA).

In 2016 Newman Quarrying prepared a development application (DA) for the Sly's Quarry Expansion Project (the 'Project'). The DA submitted was for the expansion of the existing quarry, and involved staged expansion of the existing sandstone quarry pit (site A) extending a further 11.1 hectares (ha); increasing the quarry's maximum rate of extraction from 100,000 to 500,000 tonnes per annum; increasing the quarry's hours of operation; increasing the number of quarry product truck movements (i.e. to and from the quarry) up to a maximum of 250 movements (125 laden trucks exiting the quarry) per day under peak operations; importing mulch and topsoil for rehabilitation and other material (such as clay) to meet product specification blends; and continued rehabilitation of the previous sand quarry sites (sites B and C) and rehabilitation of disused portions of the existing sandstone quarry (site A).

The Department of Planning and Environment (DPE) reviewed the updated reports and approved the Project, which was classified as a State Significant Development (SSD) (SSD – 6624) in April 2016, subject to Conditions of Consent (CoC). Schedule 5 Condition 11 of such CoCs requires an Independent Environmental Audit to be conducted at every three years thereafter the date of Consent.

This scheduled Independent Environmental Audit (IEA) covers the period 22 April 2021 to 28 April 2023, noting due to natural disaster events (catastrophic bushfires for 2019/2020); an extension of time was requested by Newman Quarrying and approved by the Department for the IEA that would have otherwise been due in 2020 to be delayed until June 2021. This delay request was granted by the Department and was subject to the next scheduled IEA being completed by 30 June 2023.

The audit found three (3) non-compliances from a total of 84 Conditions of Approval. Where the identified non-compliance was relevant to details contained within a specific management plan, this was further described, with suggested management actions attributed to each identified non-compliance.

1. Introduction

Newman Quarrying Pty Ltd (Newman Quarrying) are seeking to undertake the next scheduled Independent Environment Audit, required every three years, in accordance with Conditions of Consent (6624). NGH has been engaged for the 2023 Independent Environmental Audit (IEA).

1.1. Background

Newman Quarrying operates Sly's Quarry; an existing approved sandstone and sand quarry located at Lot 2 Deposited Plan (DP) 1055044, Jackybulbin Road, Mororo in New South Wales (NSW). The site is located approximately 2.6 km west of the Pacific Highway, in the Clarence Valley Local Government Area (LGA).

Original development consent for the quarry was granted by Maclean Shire Council (now Clarence Valley Council) in 1995 (consent number 1995/128), under the *State Environmental Planning Policy (SEPP) No. 37 – Continued Mines and Extractive Industries*. A further consent (1997/011) was granted by Maclean Shire Council in 1997. The operations approved under this development consent consisted of:

- site A, an area of approximately 22 ha (area which includes the current active sandstone quarry);
- site B, sand extraction operation approximately 5 ha in area south of Tullymorgan-Jackybulbin Road (now closed and rehabilitated/ ongoing); and
- site C, the sand extraction area approximately 44 ha in area, on the western section of Lot 2 on the northern side of Tullymorgan-Jackybulbin Road (now closed and rehabilitated).

Refer to Figure 1-1 overleaf for locations of each site.

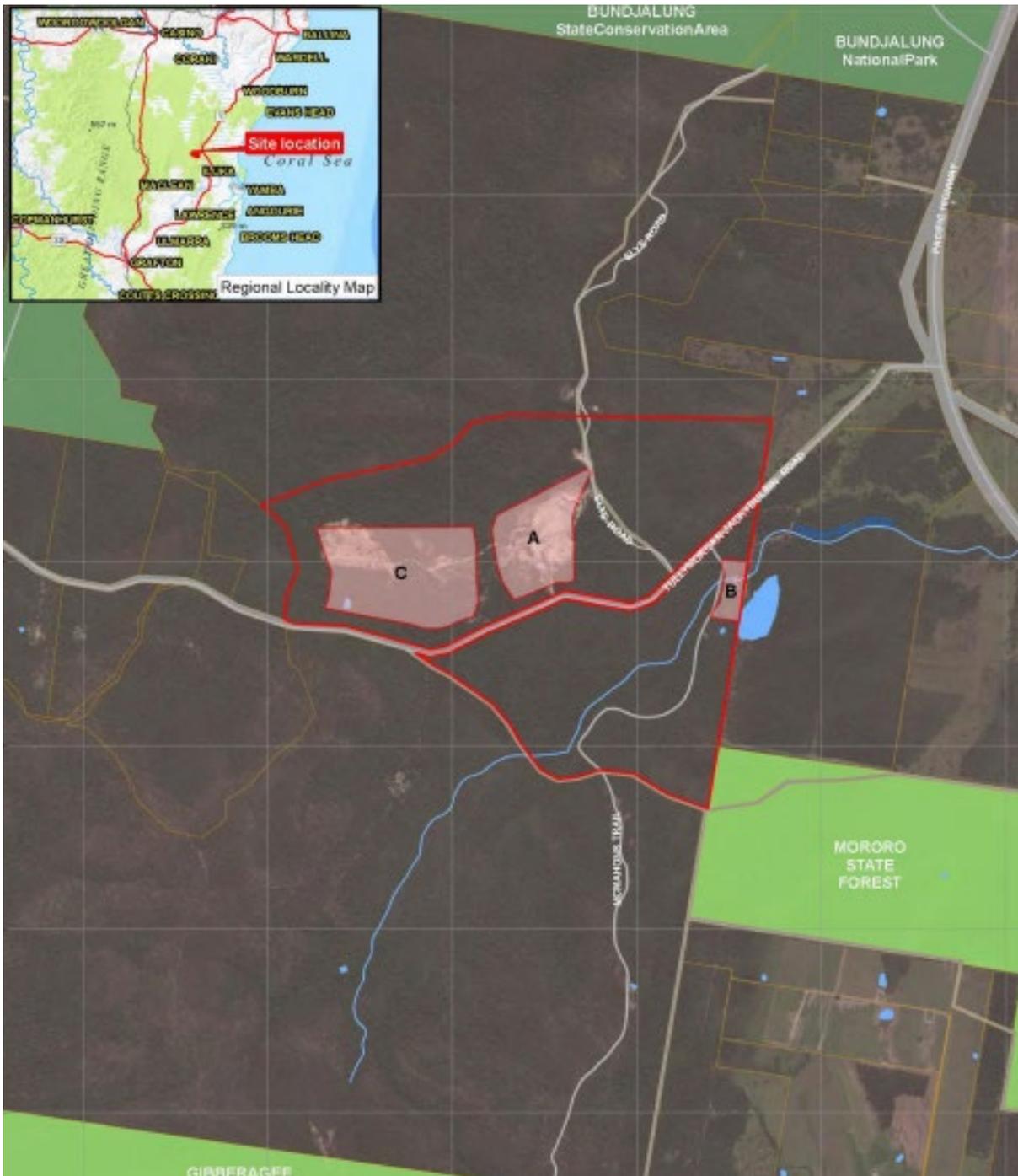


Figure 1-1 Locations of each site (taken from Consolidated Consent 6624)

1.1.1. Expansion project 2016

In 2016 Newman Quarrying prepared a development application (DA) for the Sly's Quarry Expansion Project (the 'Project'). The DA submitted was for the expansion of the existing quarry, and involved the below activities (refer Figure 1-2 overleaf for layout of the Project):

- staged expansion of the existing sandstone quarry pit (site A) extending a further 11.1 ha
- increasing the quarry's maximum rate of extraction from 100,000 to 500,000 tonnes per annum
- increasing the quarry's hours of operation
- increasing the number of quarry product truck movements (i.e. to and from the quarry) up to a maximum of 250 movements (125 laden exiting the quarry) per day under peak operations

- importing mulch and topsoil for rehabilitation and other material (such as clay) to meet product specification blends
- continued rehabilitation of the previous sand quarry sites (sites B and C) and rehabilitation disused portions of the existing sandstone quarry (site A).

Aspect	Existing	Proposed
<i>Rate of Production</i>	100,000 tpa at each of Sites A, B and C (NB Sites B and C now exhausted)	500,000 tpa at Sly's Quarry (ie Site A)
<i>Quarry Life</i>	Unspecified	25 years
<i>Employees</i>	<ul style="list-style-type: none"> • 3 full-time employees • 1 truck driver 	<ul style="list-style-type: none"> • 8 full-time employees • 1 truck driver (otherwise contractors used)
<i>Hours of Operation</i>	<ul style="list-style-type: none"> • Quarry 7:00 am – 5:00 pm Monday to Friday and 7:00 am – 1:00 pm Saturday • Blasting 9:00 am to 3:00 pm Monday to Friday • On-site equipment maintenance allowed on Saturdays, Sundays and public holidays subject to prior notification to Council 	<ul style="list-style-type: none"> • Quarry 6:30 am – 6:00 pm Monday to Friday and 7 am – 4:00 pm Saturday • Crushing of rock and loading/dispatch of trucks from 7:00 am • Blasting: 9:00 am to 3:00 pm Monday to Friday • One truck to return to site outside of hours
<i>Number of Blasts</i>	Up to three per month	Up to two per month
<i>Blasting Hours</i>	9:00 am – 3:00 pm Monday to Friday and no blasting on weekends or public holidays	No change
<i>Quarrying Methods</i>	Excavation, drill and blast, load and haul	No change
<i>Processing Methods</i>	Rock crushing, screening and washing on site	No change
<i>Maximum Daily Vehicle Movements</i> ¹	160-180 truck movements from Site A and 100 truck movements from Sites B and C per day (total truck movement of up to 280 trucks under full production of all three sites)	<ul style="list-style-type: none"> • Maximum of 250 truck movements per day (125 laden from the quarry) from Site A • Returning trucks permitted to deliver imported material
<i>Quarry Development</i>	Quarry floor level 44 m AHD	No change
<i>Sequence of Extraction</i>	Stage 1 (6.9 ha) will extract 2.3 million tonnes	<ul style="list-style-type: none"> • Stage 2 (5.7 ha) would extract 2.8 million tonnes in two sub-stages (Stage 2 north and Stage 2 south) • Stage 3 (5.4 ha) would extract 1.8 million tonnes in two sub-stages (Stage 3 north and Stage 3 south)
<i>Importation of material</i>	Importation of sand and clay to mix with crushed rock and meet customer specifications (eg RMS)	<ul style="list-style-type: none"> • Continue to import sand and clay to meet customer specifications • Import topsoil (10,000 tpa) and mulch (5,000 m³ per annum) for use in rehabilitation
<i>Infrastructure</i>	<ul style="list-style-type: none"> • site office and pump-out toilet • machinery shed • bunded oil shed • weighbridge • 12,000 litre fuel bowser • water tanks • electricity generator 	No change

Figure 1-2 Sly's Quarry Expansion Project (Department of Planning and Environment, 2016)

An Environmental Impact Statement (EIS) was developed as part of the DA submission for the Project and was placed on Public Display from 18th May to 17th June 2015, inviting stakeholders to comment on the Project. A response to submissions (RTS) was prepared between October 2015 and January 2016. Following the RTS, Newman Quarrying updated the Biodiversity Assessment Report in February 2016. The Department of Planning and Environment (DPE) reviewed the updated reports and approved the Project, which was classified as a State Significant Development (SSD) (SSD – 6624) in April 2016, subject to Conditions of Consent (CoC).



Figure 1-3 Expansion Project site layout (taken from Consolidated Consent 6624)

1.1.2. Project modification

A Modification Application (Mod 1) was submitted to DPE in accordance with Section 96(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act) in July 2017. Newman Quarrying sought approval to modify Condition 8(b), Schedule 2 of SSD-6624 relating to vehicular movements at Slys Quarry. It was proposed that heavy vehicles accessing the site was increased from 125 (250 truck movements) to 150 (300 truck movements) per day during construction of the Pacific Highway Upgrade Project (PHUP). It was also proposed to modify the benches of the extraction pit from 10 metres (m) high by 10 m wide to 15 m high by 8 m wide. The modification was approved on 19 October 2017 allowing for:

- increased daily truck numbers to 150 during the Woolgoolga to Ballina Pacific Highway Upgrade
- amending the benching details
- revising the wording of some conditions.

Development consent incorporating the above modification and the existing conditions of consent is referred to hereafter as the Consolidated Consent.

1.1.3. Environmental Protection Licence (EPL)

Newman Quarrying hold an Environment Protection Licence (EPL) 11649, required under the *Protection of the Environment Operations Act 1997* (PoEO Act), Section 55. The EPL was granted to Newman Quarrying in November 2002.

Since 2002, the EPL has been modified three times. The most recent modification (variation 1599815) was issued in September 2020. Table 1-2 below describes each EPL modification in more detail.

Table 1-1 Environmental Protection Licence (11649) modification history

Date/ Variation No.	Variation to EPL 11649 details
2 October 2017/ 1557486	<p>In September 2017 the EPA (Environmental Protection Authority) inspected the premises. Issues requiring follow up action were outlined and the EPA proposed that the follow up actions be formalised in a <u>Pollution Reduction Program (PRP)</u> on the licence.</p> <p>In October 2017 the EPA varied licence No. 11649 to include PRP – Truck wash & Fuel Storage.</p>
14 October 2019/ 1583754	<p>In October 2019 the EPA issued a variation to the licence for the purpose of removing a completed pollution reduction program from the licence. This variation is for internal administrative purposes and was not issued to the licensee.</p>
14 September 2020/ 1599815	<p>In September 2020 the following variations were made to the licence:</p> <ul style="list-style-type: none"> • The fee-based activity was changed from Land-based Extractive to Extractive Activities; • Added conditions L2.9 and L2.10 which set out a process for utilising a turbidity (NTU) correlation for determining sediment basin water quality; • Added condition L2.11 which relates to controlled discharges; • Added conditions O5.10 and O5.11 relating to the process and management of sediment basins; • Added condition O5.12 which requires the licensee to maximise the reuse of captured stormwater on site; • Condition L5.6 relates to the process providing guidance on monitoring air-blast overpressure and ground vibration; • Added condition L5.7 which requires notification if blasting limits are exceeded; • Added a notation under L4.3 to define a noise sensitive location; • New condition R1.9 has been included to require annual reporting of extraction amounts (also communicated via letter to Newman Quarrying Pty Ltd dated 13 March 2020); • L2.9 The licensee must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS. [note: this is only required if the licensee uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with Condition L2.4. Newman Quarrying Pty Ltd currently use TSS]; • L2.10 The licensee must provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by Condition L2.7 before using the revised statistical correlation; • L2.11 Controlled discharges from any sediment basins must not exceed a 100th percentile limit for Total Suspended Solids concentration of 50mg/L. All discharges are to fall within the pH range of between 6.5 and 8.5. There is to be no visible oils and greases in any controlled discharges from sediment basins; • O5.10 Each sedimentation basin must have a marker (the “sedimentation basin marker”) that identifies the upper level of the sediment storage zone; • O5.11 Whenever the level of liquid and other material in any sedimentation basin exceeds the level indicated by the sedimentation basin marker, the licensee must take all practical measures as soon as possible to reduce the level of liquid and other material in the sedimentation basin; • O5.12 The licensee must endeavour to maximise the reuse of captured stormwater on the premises; • L5.6 To determine compliance with condition(s) L5.3 and L5.4: a) The air-blast overpressure level and ground vibration peak particle velocity must be measured at the most affected residence or noise sensitive location that is not subject to a written agreement between the occupier of the residence or noise sensitive location and licensee as to an alternative air-blast overpressure level and/or ground vibration peak particle for all blasts carried out in or on the premises; and b) Instrumentation used to measure the air-blast overpressure level and ground vibration peak particle velocity must meet the requirements of the current Australian Standard AS 2187.2-2006; • L5.7 The licensee must report any exceedance of the licence blasting limits to the EPA within 24 hours of the exceedance becoming known to the licensee or to one of the licensee's employees or agents; • L4.3 Note: Noise sensitive locations means buildings used as a residence, hospital, school, childcare centre, places of public worship and nursing homes. A noise sensitive location includes the land within 30m of the building; • R1.9 The licensee must also include the following information with the Annual Return <ul style="list-style-type: none"> - A statement detailing the total volume of material extracted from the quarry for the reporting period; and - The total volume of extracted material transported from the premises for the reporting period.

1.2. Audit objectives

The objective of this Independent Audit is to assess compliance with the conditions of consent.

1.2.1. Audit scope and period

The scope of the audit will include:

- An assessment of compliance of all the conditions of consent relevant to the works at the time of the audit (as detailed in Appendix B).
- An assessment of the adequacy and implementation of the site environmental management plans including:
 - Schedule 3, Condition 5 - Noise Management Plan (NMP)
 - Schedule 3, Condition 10 - Blast Management Plan (BMP)
 - Schedule 3, Condition 14 - Air Quality Monitoring Program (AQMP)
 - Schedule 3, Condition 20 - Soil and Water Management Plan (SWMP)
 - Schedule 3, Condition 24 - Traffic Management Plan (TMP)
 - Schedule 3, Condition 31 - Biodiversity and Rehabilitation Management Plan (BRMP)
 - Schedule 3, Condition 40 - Bushfire Management Plan (BMP)
 - Schedule 5, Condition 1 - Environmental Management strategy (EMS)
 - EPL 11649, O.4 - Pollution Incident Response Management Plan (PIRMP).
- An assessment of performance of the project in relation to implementation of environmental plans.

The audit scope was developed by reviewing the SSD-6624 Conditions, EPL 11649 and the Independent Audit Post Approval Requirements (2020).

The audit period covered 22 April 2021 to 28 April 2023.

2. Audit methodology

The audit comprised desktop document review; site inspection and onsite document review and post-site inspection analysis and reporting. An audit plan was provided to the auditee prior to the site audit detailing the timing of the audit and requirements regarding accessing the site and documentation (refer Appendix C). These components are further expanded below:

2.1. Selection of the audit team

Newman Quarrying nominated Olivia Merrick as the Independent Auditor for this project and provided her CV and independence declaration to DPE on 28th March 2023. Olivia was approved by DPE as the Independent Auditor on the 31st March 2023 (refer Appendix D).

The audit team comprised these members:

- Olivia Merrick – Lead Auditor
- Whitney Heiniger – Support Auditor
- Natascha Aren – Technical and QA Review

2.2. Independent audit scope development

The audit scope was developed by reviewing the SSD-6624 Conditions, EPL 11649 and the Independent Audit Post Approval Requirements (2020). Although the Project is not expressly required to have the IEA undertaken in accordance with this requirement (as the Independent Audit Post Approval Requirements were

developed after the determination of the Project), they were used generally as a benchmark for conducting independent audits in NSW.

The audit comprised an offsite document review; site inspection, onsite document review; and offsite audit analysis and reporting. An audit plan was provided to the auditee prior to the site audit detailing the timing of the audit and requirements regarding accessing the site and documentation.

2.3. Compliance evaluation

The audit consisted of desktop document review undertake offsite, onsite document review, site inspection and interviews. The offsite document review was undertaken prior to the site component of the audit with further request for information following the site inspection. The site component of the audit included:

- Opening meeting to introduce all parties and discuss the scope and objectives of the audit
- Document and records review to check compliance with conditions
- Interviews with staff including construction site personnel
- Site inspection
- Closing meeting to summarise the findings of the site audit and to discuss additional audit evidence required.

The document review included a review of the Conditions of Approval relevant to the stage of works of the Project and all management plans and sub plans. The audit table was developed and refined and submitted to Newman Quarrying (Appendix B).

An Opening Meeting was held on 28 April 2023 at 08:30am.

Present at the opening meeting were:

- Mark Newman (Quarry Operations Manager)
- Olivia Merrick (Auditor); and
- Whitney Heiniger (Auditor)

Document review occurred throughout the day and offsite until report completion.

2.4. Site interviews

Interviews with staff were undertaken throughout the course of the site audit and to gather evidence during offsite document review including:

- Mark Newman (Quarry Operations Manager).

2.5. Consultation

As part of the audit NGH and Newman Quarrying consulted with the Department of Planning and Environment (DPE), to ascertain if there were any specific environmental issues that should be investigated during the IEA. Relevant regulatory stakeholders were also contacted, those approached were Departments required to be consulted or to review and approve management plans required in the conditions of consent for the site. Specifically:

- Department of Planning and Environment (DPE);
- NSW Environment Protection Agency (EPA);
- Department of Regional New South Wales (DRNSW, formerly Department of Planning Industry and Environment - Fisheries);
- Transport for New South Wales (TfNSW); and
- Clarence Valley Council (CCV).

Email responses from the consultation process are included in Appendix E and summarised in Section 3.7.

2.6. Compliance status descriptors

It should be noted that the Conditions of Consent for the Project do not reference the Independent Audit Post Approval requirements (DPIE 2020). However, the compliance status descriptors from DPIE (2020) have been used to assess compliance.

Table 2-1: Compliance status descriptors

Status	Description
Compliant (C)	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant (NC)	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered (NT)	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

3. Audit findings

The following documents were reviewed to check compliance with conditions or for implementation of plans. The documents relevant to this audit included:

Design plans and Approval documentation

- Consolidated Consent SSD-6624
- Environmental Protection Licence 11649

Correspondence

- DPE response to IEA 2017;
- DPE response to IEA 2021;
- DPE letter approved of TMP (Rev 5), including authroir
- DPE letter approval of SWMP (Rev 5)

Reports and plans

- 2020/2021 Annual Report (GHD)
- 2021/2022 Annual Report (GHD)
- Air Quality Monitoring Program (AQMP)
- Blast Management Plan (BMP)
- Biodiversity and Rehabilitation Management Plan (BRMP)
- Bushfire Management Plan (BMP)
- Environmental Impact Statement (GHD, 2015)
- Environmental Management Strategy (EMS)
- Heritage Management Plan
- Nest Box Management Plan

- Noise Management Plan (NMP)
- Pollution Incident Response Management Plan (PIRMP)
- Soil and Water Management Plan (SWMP)
- Traffic Management Plan (TMP)
- IEA 2017
- IEA 2021

Design certification, record, monitoring and inspections

- Vegetation pre-clearing reports
- Dust monitoring report
- Blasting results chart and records
- Complaints register
- Noise monitoring
- Truck movement table
- Water quality monitoring results
- Nest-box monitoring reports
- Weekly inspection records

3.1. Compliance performance

The audit found three (3) non-compliances from a total of 84 Conditions of Approval. The document review found that Environmental Management Plans and sub plans are relevant to the site and are generally being implemented (refer Table 3-3 below for more detail on management plan implementation).

Table 3-1 Statutory instrument (Conditions of Consent 7098) audit classification status

Condition Part	Compliant	Non-Compliances	Not triggered
Schedule 2	17	1	3
Schedule 3	38	2	1
Schedule 4	2	-	-
Schedule 5	14	-	1
Appendix 4	4	-	-
Appendix 5	1	-	-

Note: In relation to the tally above whole conditions of consent have been used to generate the tally. i.e. where a condition contains part a), b), c) etc this has been counted as one condition.

3.2. Summary of agency notices, orders, penalties or prosecutions

Sly’s Quarry was impacted by the Myall Creek Bushfire, that burnt 20th and 21st November 2019. Remnant vegetation adjoining the quarry burnt in varying degrees of severity. The quarry was evacuated and no significant injuries or damage to property was sustained. Based on this catastrophic natural disaster, an

extension of time was requested by Newman Quarrying and was approved by DPE, for the IEA to be delayed until June 2021. This was granted by DPE subject to the next scheduled IEA being completed by 30 June 2023 (refer to Appendix F for Secretary's nominee's direction).

Outside of that direction from the Secretary, there were no agency notices, orders, penalty notices or prosecutions within the audit period at the time of reporting.

3.3. Non-compliances

Three (3) non-compliances were raised in this audit against the conditions of consent (6624). Refer Table 3-2 below for more detail.

Note: In relation to the tally for Table 3-2, whole conditions of consent have been used to generate the tally. i.e. where a condition contains part a), b), c) etc this has been counted as one condition.

Where the identified non-compliance is relevant to details contained within a specific management plan, this is further described within table 3-3 overleaf. Suggested management actions have also been attributed to each identified non-compliance.

Independent Audit

Slys Quarry Expansion Project



Table 3-2 Conditions of Consent 6624, summary of non-compliances

#	Assessment requirement	Comment	Audit classification	Response/ Action
Schedule 2				
2 (b)	The Applicant shall carry out the development generally in accordance with the conditions of this consent and the Development Layout Plans.	The audit found NC's against Consent Conditions as below, therefore the development has not been carried out in accordance with the full conditions of consent	NC	Complete actions listed below
Schedule 3				
21	The Applicant must implement the approved Soil and Water Management Plan as approved from time to time by the Secretary.	Soil and Water Management Plan (SWMP, Rev 5), was prepared and approved in December 2022 to the satisfaction of the Secretary, however the audit found that site practice does not comply with one mitigation measure within the SWMP: Mitigation measure SW02	NC	Refer Table 3-3 below.
31 (h)	The Applicant must prepare a Biodiversity and Rehabilitation Management Plan for the development to the satisfaction of the Secretary. This plan must include a detailed description of the measures that would be implemented over the next 3 years (to be updated for each 3 year period following initial approval of the plan)...	The Biodiversity and Rehabilitation Management Plan (BRMP, Rev 0) was prepared in 2017 to the satisfaction of the Secretary. Since this date, at the time of audit no further revisions to the BRMP that had been approved by the Secretary, were available. It is noted that while no further BRMP revisions had been approved by the Secretary, revisions had been prepared by GHD in 2018, 2019 and 2022. In May 2023 a revised BRMP document (Rev 6) had been submitted for DPE review, and this was approved (18 th May 2023).	NC	BRMP (Rev 6) approval has been received from the Secretary (May, 2023). Ensure this document is updated every 3 years (on/ before May 2026).

Independent Audit

Slys Quarry Expansion Project



#	Assessment requirement	Comment	Audit classification	Response/ Action
31 (h)	<p>...including the procedures to be implemented for:</p> <ul style="list-style-type: none"> establishing vegetation screening to minimise the visual impacts of the site on surrounding receivers. 	<p>The Biodiversity and Rehabilitation Management Plan (BRMP, Rev 0) was prepared in 2017 to the satisfaction of the Secretary, however the BRMP document reviewed at the time of the audit, lacked this detail.</p> <p>It was noted that at the time of reporting, a revised BRMP document (Rev 6) was prepared and approved (18th May 2023). A revised mitigation measure contained within Table 4-1 Environmental controls and mitigation measures was inserted to address this requirement (newly created B13).</p>		
31 (h)	<ul style="list-style-type: none"> ensuring no obstruction of legal public access along the Crown public road referred to as 'Slys Road' in accordance with public rights of access under the Roads Act 1993. 	<p>The Biodiversity and Rehabilitation Management Plan (BRMP, Rev 0) was prepared in 2017 to the satisfaction of the Secretary, however the BRMP document reviewed at the time of the audit, lacked this detail.</p> <p>It was noted that at the time of reporting, a revised BRMP document (Rev 6) was prepared and approved (18th May 2023). A revised mitigation measure contained within Table 4-1 Environmental controls and mitigation measures was inserted to address this requirement (newly created B14).</p>		
31 (h)	<ul style="list-style-type: none"> controlling access to Slys Road, including managing public safety risks associated with rights of access over Slys Road by installing appropriate fencing and signage. 	<p>The Biodiversity and Rehabilitation Management Plan (BRMP, Rev 0) was prepared in 2017 to the satisfaction of the Secretary. however the BRMP document reviewed at the time of the audit, lacked this detail.</p> <p>It was noted that at the time of reporting, a revised BRMP document (Rev 6) was prepared and approved (18th May 2023). A revised mitigation measure contained within Table 4-1 Environmental controls and mitigation measures was inserted to address this requirement (newly created B15).</p>		
32	The applicant must implement the approved Biodiversity and Rehabilitation Management Plan	The Biodiversity and Rehabilitation Management Plan (BRMP, Rev 0) was prepared in 2017 to the satisfaction of the Secretary, however at the time of the site inspection, the audit found that site practice does not comply with five mitigation measures	NC	Refer Table 3-3 below.

#	Assessment requirement	Comment	Audit classification	Response/ Action
	as approved from time to time by the Secretary.	within the <u>approved BRMP</u> (Rev 0, 2017): Mitigation measure B7 Mitigation measure B8 Mitigation measure B9 Mitigation measure B13 Mitigation measure B14		

Table 3-3 Summary of management plan implementation findings

Assessment requirement	Comment and action / response recommendation
<p>Schedule 3, Condition 21</p> <p>The applicant must implement the approved Biodiversity and Rehabilitation Management Plan</p>	
<p>Soil and Water Management Plan (Rev 5, 2022)</p> <p>Mitigation measure SW02</p> <p>Remove soil and stockpile for use in the rehabilitation works. Place stockpiles in a cleared area at least 20 m from a drainage line. Install a diversion bund immediately upgradient and a sediment fence immediately downgradient. Seed the stockpile with sterile grass cover to stabilise it.</p>	<p>Stockpiles inspected during the site audit have been well managed and are stabilised with establishing vegetation. Diversion bunds and sediment fencing is absent as the risk of soil loss from the stockpiles has been mitigated via vegetation cover.</p> <p>SWMP Rev 5 to include updated measure:</p> <p>Remove soil and stockpile for use in the rehabilitation works. Place stockpiles in a cleared area at least 20 m from a drainage line. Install a diversion bund immediately upgradient and a sediment fence immediately downgradient of stockpiles, until vegetation is established. Seed the stockpile with sterile grass cover to stabilise it.</p>
<p>Schedule 3, Condition 32</p> <p>The applicant must implement the <u>approved</u> Biodiversity and Rehabilitation Management Plan</p>	
<p>Biodiversity and Rehabilitation Management Plan (Rev 0, 2017)</p> <p>Mitigation measure B7</p> <p>The limits of clearing are to be clearly marked by protective fencing (i.e. 'no-go' areas)</p>	<p>At the time of audit inspection, BRMP Rev 0 (2017) was the approved plan used for audit purposes.</p> <p>No protective fencing was installed, however the limits of clearing were clearly marked. During the vegetation clearing, while there was no protective fencing installed, the limits of clearing however, were marked by flagging.</p> <p>No reported overcleaning incidents were reported for the audit period.</p> <p>BRMP to be updated to remove the requirement for "protective fencing" as current site practice is sound to remove the potential for environmental harm.</p>
<p>Biodiversity and Rehabilitation Management Plan (Rev 0, 2017)</p> <p>Mitigation measure B8</p> <p>Prior to clearing, collect seed for use in rehabilitation works, especially <i>Hibbertia marginata</i>.</p>	<p>At the time of audit inspection, BRMP Rev 0 (2017) was the approved plan used for audit purposes.</p> <p>This mitigation measure was noted by Newman Quarrying as a redundant requirement, due to the fact rehabilitation will not occur for approximately 20 years, therefore it is considered highly unlikely any collected seed would be viable in 20 years' time.</p> <p>It is noted that at the time of reporting, BRMP Rev 6, had been updated and approved by DPE (18th May 2023) to includes this measure:</p>

Assessment requirement	Comment and action / response recommendation
	<p>Twelve months prior to rehabilitation, collect seed from the area to use in rehabilitation works, especially <i>Hibbertia marginata</i>.</p>
<p>Biodiversity and Rehabilitation Management Plan (Rev 0, 2017)</p> <p>Mitigation measure B9</p> <p>Six months prior to clearing, engage an experienced ecologist to undertake a pre-clearing survey and prepare a Nest Box Management Plan (NBMP), in consultation with OEH. This is to include:</p> <ul style="list-style-type: none"> Identifying areas of weeds to be controlled prior to clearing. 	<p>Areas of weeds to be controlled prior to clearing are not included in pre-clearing surveys and the NBMP. Areas of weeds within the Expansion Project area (Stages 2 and 3) are not prevalent, therefore control was not deemed necessary. Subsequently, any commentary on this in the preclearing surveys and NBMP was also not captured.</p> <p>BRMP to be updated to revise the requirement to: Identifying areas of weeds to be controlled prior to clearing, <i>where applicable</i> / similar update, to capture weed control where required.</p> <p>Newman Quarrying to also consider a Management of Change Procedure, to capture the sound site-based practices, that are not consistent or reflected within approved management plans.</p>
<p>Biodiversity and Rehabilitation Management Plan (Rev 0, 2017)</p> <p>Mitigation measure B13</p> <p>Clearing is to be supervised by an experienced ecologist and a Clearing Report prepared</p>	<p>'Clearing Reports' were not provided nor were they prepared for the vegetation clearing areas, due to the fact that 'Pre-clearing' and 'Clearing Reports' had been combined into one report.</p> <p>BRMP to be updated to clarify/ rationalise what is required by a "six months prior to clearing, pre-clearing survey" (B9); "pre-clearing survey within 48 hours of clearing survey" (B11); and a "clearing report" (B13) to ensure these mitigation measures can be achieved on ground.</p>
<p>Biodiversity and Rehabilitation Management Plan (Rev 0, 2017)</p> <p>Mitigation measure B14</p> <p>Prior to clearing, contact the local veterinarian to warn them their assistance may be required if any wildlife are injured during clearing.</p>	<p>Anecdotal evidence suggest that this was undertaken prior to clearing in 2021, however was discontinued due to apparent lack of interest by local veterinarians.</p> <p>BRMP to be revised to include updated measure:</p> <p>Prior to clearing, contact the local veterinarian/ WIRES to warn them their assistance may be required if any wildlife are injured during clearing. In the event fauna are injured, fauna rescue and/or relocation can only be carried out by the Project Ecologist who is suitably trained, certified, licenced and experienced to handle and relocate wildlife.</p>

3.4. Previous audit recommendations

The 2021 IEA included a site inspection that was completed 21st April 2021. The subsequent audit report was made available in June 2021. The 2021 audit identified four non-compliances. These NCRs are listed below along with their status below in Table 3-1.

Table 3-4 Independent Environmental Audit (2021) findings

Location	Environmental issue	Comment	Status
Underground waste oil storage container	Soil and Water (chemical and fuel storage)	The underground tank for waste oil requires additional measures to protect the above-ground pipe/funnel from inadvertent damage from vehicles or other machinery.	Closed
Vehicle Washdown bay	Soil and Water (sedimentation)	Non-compliance was found in relation to the need to remove the build-up of sand/sediment in the small basin associated with the vehicle washdown area. A regular program for removal of built-up sand/sediment in this basin should be implemented.	Closed, ongoing
Entrance off Tullymorgan-Jackybulbin Road	Traffic and Transport	The access road requires repair works to address potholing / cracked bitumen seal and slightly rutted underlying pavement at the entrance off Tullymorgan-Jackybulbin Road.	Closed
Onsite Sewage Management System	Waste Management	The Land Application Area was overgrown and therefore difficult to inspect.	Closed, ongoing

3.5. Environmental plans, subplans and post approval documents

A summary of the implementation of key management plans relevant to this stage of works is provided below.

The suite of environmental management plans includes:

- Consolidated Consent 6624:
 - Schedule 3, Condition 5 - Noise Management Plan (NMP)
 - Schedule 3, Condition 10 - Blast Management Plan (BMP)
 - Schedule 3, Condition 14 - Air Quality Monitoring Program (AQMP)
 - Schedule 3, Condition 20 - Soil and Water Management Plan (SWMP)
 - Schedule 3, Condition 24 - Traffic Management Plan (TMP)
 - Schedule 3, Condition 31 - Biodiversity and Rehabilitation Management Plan (BRMP)
 - Schedule 3, Condition 40 - Bushfire Management Plan (BMP)
 - Schedule 5, Condition 1 - Environmental Management strategy (EMS)
- EPL 11649 and associated strategies/ plans:

- EPL O.4 - Pollution Incident Response Management Plan (PIRMP).

3.5.1. Noise Management Plan (Schedule 3, Condition 5)

Operational activities with the potential to generate noise at Sly's Quarry were monitored via weekly and ad hoc environmental inspections carried out by the Operations Manager. The environmental performance of the site has also been reported on annually, within each financial years' Annual Report (GHD, 2021; GHD, 2022).

Historically (i.e. 2018 to 2020), noise monitoring conducted showed consistent trends within the relevant noise criteria. Based on this, Newman Quarrying requested that noise monitoring cease. In the event of a justifiable noise complaint or a change in operating conditions that would be likely to increase noise levels from the site, noise monitoring would recommence. This request was approved by DPE in October 2018. Subsequent to this, the NMP was revised to include this change in monitoring requirements and the revised NMP approved by the Department in September 2020.

3.5.2. Blast Management Plan (Schedule 3, Condition 10)

Blasting was undertaken during the audit period by a Blasting Contractor managed by the Quarry Operations Manager. There were no blasts scheduled on the date of site inspection (28th April 2023) however a review of the Blast Management Plan, blast monitoring results and site interview with the Quarry Operations Manager revealed a sound understanding of the blast criteria and safety requirements to be implemented associated with blasting activities. No exceedances of criteria or complaints were received during the audit period regarding noise or vibration concerns.

3.5.3. Air Quality Management Plan (Schedule 3, Condition 14)

Air quality was managed onsite by a variety of mitigation measures, as detailed within the Air Quality Management Plan. This was verified by the weekly and ad/ hoc environmental inspections undertaken by the Operation Manger. Air quality mitigation measures typically focussed on the reduction of dust and emissions as the primary air quality risk. Mitigation measures to ensure machinery exhaust is not excessive were also undertaken by visual inspections captured in the environmental inspections, in addition to regular maintenance for plant and machinery (regular mobile mechanic). A review of the inspections revealed that dust and air quality mitigation measures for the Project have been effective, with the majority of controls operating soundly. Vehicle/ plant maintenance requirements are undertaken by a mobile mechanic to regularly maintain the operational machinery and equipment.

3.5.4. Soil and Water Management plan, (Schedule 3, Condition 20)

The mitigation measures identified within the Soil and Water Management Plan (SWMP) were observed as generally being upheld across the site during the site inspection component of the audit. This was further verified by the regular environmental inspections undertaken by the Quarry Operations Manager.

There was an absence of topsoil stockpile sediment fencing, owing to stockpiles having been stabilised by vegetation cover (refer Section 3.3 above for more detail).

Surface water sampling for the site would be triggered following a greater than 10 mm rain event in a 24 hour (hr) period. Surface water samples are also required to be taken at least once every quarter, if not already triggered by the greater than 10mm in 24 hr requirement. Water quality results were viewed for the audit period and showed to be a consistently within the required criteria. Surface water within the site is effectively managed via the site drainage channels, that discharge to the main sediment basin on site.

Groundwater has not been historically encountered on the quarry floor, therefore the risk of direct impacts to groundwater quality from operations is considered to be low. Regardless, groundwater levels had been monitored annually at three groundwater wells. Conductivity and pH were recorded with groundwater from all three wells indicating freshwater expressions, tending to slightly acidic (5 to 6.3pH). Groundwater will continue to be monitored each year and any trends in data would be reviewed at the next Annual Report and/or IEA as appropriate.

3.5.5. Traffic Management Plan (Schedule 3, Condition 24)

Quarry traffic management was compliant with the mitigation measures required under Condition 24. With regards to Condition 8 (c) and 8 (d), Newman Quarrying received approval from the DPE to commence trucking at a rate of 150 laden trucks per day 21st September 2022. This has been reflected within an updated TMP (Rev 5). The audit found that there was one queried incidence of 128 truck movements (6th September 2022), occurring after the completion of the PHUP and prior to receiving approval from DPE to increase laden truck movements to 150 per day. On further inspection however, four (4) of these loads were found to be firewood, taking the total laden truck movements of quarry product, down to 124 for that day (Condition 8, Quarry Product Transport).

All traffic related mitigation measures were found to be adhered to, with an updated driver's code of conduct (DCoC) included in the revised TMP with the Quarry Operations Manager having a sound understanding of the DCoC detail.

3.5.6. Biodiversity and Rehabilitation Management plan (Schedule 3, Condition 31)

During the audit period, to advance sandstone resources within the expansion area, vegetation clearing followed a "two-phased" process. Non-hollow bearing vegetation was cleared first, left for at least 48 hours (for resident fauna to relocate), and then hollow bearing trees were removed. Felled timber was stockpiled for future revegetation works. These activities were recorded via "pre-clearance surveys" undertaken by qualified GHD ecologists, reviewed during the audit process.

Vegetation was cleared from:

- Site 2 north (0.7ha of a total 2.7ha area);
- Site 2 south (2.5ha of a total 3.1 area); and
- Site 3 south (2.3 ha of a total 3.2ha area)

Following clearing, extraction commenced in Stage 2 (south). The audit found that Stage 2 north was abandoned for extractive activities, due to the wet nature of the site. The site was too wet to access and only non-hollow bearing vegetation was removed prior to works being called off in that area. Pre-clearance surveys were sighted for the removal of non-hollow-bearing vegetation. Hollow bearing vegetation is still intact in this area and a vegetated understorey has begun to regenerate. Stage 3 had been cleared however extraction had not commenced at the time of site inspection.

Following vegetation removal, topsoil was stripped (where applicable, some areas contained leaf litter and vegetation debris with limited soils) and available topsoil was stockpiled for later use in revegetation works.

The process for rehabilitation was found to follow these steps: once extraction is completed in an area, it is rehabilitated, mainly via respreading topsoil to allow for natural regeneration to occur. The Rehabilitation and Biodiversity Plan outlines revegetation techniques required and these are aligned to the practices observed being undertaken on site.

Rehabilitation is generally managed in accordance with the Consent Conditions, reflected in the Biodiversity and Rehabilitation Plan (GHD, 2017). The audit found on occasions that site practice did not reflect what was detailed within the BRMP (refer Section 3.3 above for more detail). Irrespective of this, Area C was reported

during the 2020-21 Annual Report (GHD, 2021) to be successful, based on visual inspections and aerial photographic analysis.

A total of twenty (20) additional nest boxes were installed in the southern nest box zone (September 2021). These nest boxes are located to the east of the quarry maintenance shed.

The required 6 monthly nest box monitoring events were also viewed and these were undertaken across 2021, 2022 and 2023.

3.5.7. Bushfire Management Plan (Schedule 3, Condition 40)

Bushfire mitigation measures were monitored and maintained as required by the Quarry Operations Manager. Access roads and trails (drainage, surface conditions, vegetation presence) were regularly inspected by the Quarry Operations Manager and maintained as needed. Asset inspections and seasonal bushfire preparedness was completed, with fire drill information viewed also (site induction package).

3.5.8. Environmental Management Strategy (Schedule 5, Condition 1)

The Environmental Management Strategy (EMS) for the Project sets out the framework for the environmental management of site operations. The EMS identifies and documents the key environmental risks and mitigation measures outlined in the Development Consent and the EIS that must be implemented to ensure that the environmental objectives and legal obligations are met.

The audit found that site practice was sound in preventing and/ or minimising environmental harm; generally in accordance with the requirements of the environmental management planning documentation (refer Section 3.3. above for more detail).

The audit found that in accordance with the EMS, regular environmental training and awareness packages were rolled out to employees (threatened species information, bushfire preparedness and pollution incident preparedness/ response as three examples viewed), training records were kept current, the environmental incident process was clear, the complaints process was established and operating (nil complaints for the audit period), and environmental inspections were being undertaken as was required environmental monitoring (water quality, biodiversity, blast vibration).

In summary, the audit found that site practices were in accordance with the framework established under the EMS, to enable sound environmental management, monitoring and record keeping, for the Project.

3.5.9. Pollution Incident Response Management Plan (EPL 11649, O.4)

The Pollution and Incident Response Plan (PIRMP) was sighted in written form at the Quarry Operations site shed, available to all quarry personnel. The PIRMP was also found publicly available on the quarry website.

The PIRMP sets out to identifying foreseeable hazards associated with operations and lists controls necessary to eliminate or reduce identified risks. The audit found that the identified major risks of land and/ or water contamination, unlicensed water discharge and bushfire risks, were managed adequately on site via existing site controls i.e. adequate storage of small-scale volumes of hazardous materials, sufficient drainage, erosion and sediment controls to prevent the uncontrolled offsite discharge of turbid water and effective sewerage/ effluent waste management. The audit also found that the PRIMP was well communicated to personnel with regular training to detail pollution incident preparedness and response drills undertaken as required (refer above Section 3.5.8).

3.5.10. Site inspections incidents and other records

The audit found that weekly inspections were being carried out regularly for the audit period. There was evidence that actions were being tracked through to close out.

Ongoing environmental monitoring was conducted:

- Surface water sampling, daily rain records;
- Blast monitoring; and
- Rehabilitation and nest box monitoring (nest boxes monitored every 6 months for 5 years).

There were no reportable environmental incidents for the audit period.

3.5.11. Stakeholder, community engagement and complaints

The Newman Quarrying website is the key location for the community to access information on the Project with contact details also found on the website. The website is updated approximately bi-annually, with monitoring results uploaded under the 'Files' section.

It is noted that the website although listing details of who to contact within the business, it is not immediately evident how to lodge a complaint when viewing the website. Adding detail on who to contact within the business for information and/ or to lodge a complaint, is recommended.

A review of the complaints register found that there have been no complaints in this audit period.

3.6. Environmental performance

Environmental performance was largely measured by regular environmental inspections. The regular inspections showed a consistent trend of sound environmental management practice with nil reportable environmental incidents or complaints for the audit period. The audit found that environmental inspections were occurring.

3.7. Environment Protection Licence (EPL 11649)

The audit found Newman Quarrying to be operating within the limits and requirements as set out within EPL 11649. Refer Appendix B for more detail.

3.8. Consultation outcome

Newman Quarrying has supported a number of environmental compliance inspections, owing in part to the combined interest in the Project from a number a government departments (DPE, DRNSW, EPA and TfNSW). Additionally, Consolidated Consent conditions stipulate a requirement for annual reports and independent environmental audits every three years. A summary of such inspection is provided below:

- Independent environmental audit was conducted in April 2021 (Tim Fitzroy and Associates). The audit reported four (4) non-compliances, which have since been rectified. Refer Section 3-4 for more detail;
- Annual report - Two (2) annual inspections were completed by GHD on behalf of Newman Quarrying, for financial year 2020/21 and financial year 21/22. These annual inspections produced annual reports; required under Consolidate Consent (Schedule 5, condition 10) with no noted compliance issues;
- Department of Planning and Environment inspection – DPE visited site in the first quarter of 2023, to inspect recent clearing works and gather compliance information. At the time of reporting, no formal

response from the Department had been received by Newman Quarrying regarding the inspection. Refer below for more detail.

- Environmental Protection Authority inspection – The EPA visited site in the first quarter of 2023. At this time the main sediment basin was visited and the process for emptying the main sediment basin following rainfall was discussed. A mechanism for testing for spills/ leaks in the underground waste oil storage container was also raised with Newman Quarrying. At the time of reporting, no formal response from the EPA has been received by Newman Quarrying. Refer below for more detail.

Relevant regulatory stakeholders were contacted, those approached were Departments required to be consulted or to review and approve management plans required in the conditions of consent for the site (refer Appendix E). Specifically:

Consultation was initiated March 2023 during the preparatory phase of the IEA with the DPE, EPA, DRNSW and CVC, prior to the site inspection to obtain feedback and draw attention to any key issues, within the agreed scope of the audit (i.e. Consolidated Consent SSD-6624). In each case either an email and/ or a phone conversation was made to representatives of each agency requesting feedback on those issues considered most relevant by their department at the time of the audit. At the time of reporting, responses had been received from:

- Department of Regional NSW:
 - Concerns in relation to sedimentation and other water quality impacts such as changes in pH and thermal pollution and increased/decreased flow regimes.
IEA response: water quality monitoring results required as part of the Project were within Consolidated Consent and EPL parameters.
- Department of Planning and Environment:
 - Interest surrounding the recent clearing activities, partial extraction and staged clearing sequence were raised.
IEA response: refer Table 3-2, Table 3-3 and Section 3.5.6 above.
- Environmental Protection Authority:
 - The main sediment basin that captures site runoff – any discharge from the sediment basin that occurs as a result of rainfall below the 5-day total of 75mm, is required to meet the limit conditions specified in the EPL conditions (i.e L2.4). Pumping during a significant rainfall event is not required i.e storage capacity for the main sediment basin is required to be achieved within 5 days of the cessation of an “above design” (5-day 75mm) rainfall event.
IEA response: this process was understood, water quality results were within EPL parameters.
 - The below ground waste oil storage tank held concerns for operations to be able to detect leaks. Current practice allows for a test pit down-gradient of the storage container to be sampled to evidence (or otherwise) of hydrocarbon presence.
IEA response: given the unlikely probability (steel container) and low risk (less than 500L per month of waste oil available to leak into subsurface), coupled with the viscous nature of the hydrocarbon product and an acceptable separation distance from groundwater, this practice is considered satisfactory. During decommissioning of the underground waste oil storage container, samples should be taken to inform any potential remediation action planning for the area should hydrocarbon impacted soils be discovered.
- Transport for NSW:
 - Verify that the approved development is operating in accordance with Schedule 2, Condition 8 and 8A.
 - Verify records of laden truck movements and the publication of such records in accordance with Schedule 3, Condition 22.
 - Review procedures relating to the management of vehicles under Schedule 3, Condition 23 to confirm appropriate measures are in place to ensure vehicles comply with requirements.

- Review the Traffic Management Plan (TMP) required under Schedule 3, Condition 24 of the consent to confirm that all required actions have been completed, in particular the upgrade of the site access to Tullymorgan-Jackybulbin Road and the adoption of a Drivers Code of Conduct.
- Review operating procedures to ensure that measures identified under TMP are being implemented as required under Schedule 3, Condition 25

IEA response: refer Section 3.5.5 above.

3.9. Complaints

A review of the complaints registers found that there had been no complaints in this audit period.

3.10. Incidents

There were no reportable environmental incidents for the audit period.

3.11. Actual versus perceived impacts

The Sly's Quarry Expansion Project, Environmental Impact Statement (EIS) provides an assessment of the environmental impacts of the Project covering these main areas:

In general terms, the actual environmental impact from the Project for the audit period is far less than predicted in the EIS, mainly due to the fact the full extent of the expansion area has not been fully cleared nor has extraction commenced across the total disturbance footprint.

Further to this, extraction from the active quarry was less than predicted (less than 500 000tn) per annum for the audit period, meaning noise and vibration impacts would have been less than what had been assessed in the EIS (based on that 500 000 tn extraction rate).

3.12. Site inspection

The site inspection found the site to be well maintained. There was some minor litter at the wash bay (one soft drink can) and empty vehicle maintenance fluid receptacles (empty 10L bottles) which were removed and placed back in the workshop. Outside of this, key environmental controls appeared well maintained:

- Drainage controls in place and operating effectively
- Erosion and sediment controls were in place and maintained
- Waste management including waste separation and appropriate disposal of waste
- Waste oil disposal adequate
- Spill kits adequately stocked and sufficiently placed
- Hazardous material segregation
- Land application area (effluent waste) well maintained
- Dust suppression with a water cart as needed
- Clearly delineated site boundaries, clearing boundaries and environmental protection (No Go) zones.

Representative site photographs are provided in Appendix G.

3.13. Site interviews

Site interviews occurred with the Quarry Operations Manager during the course of the audit. The interviews found that the Operations Manager understood the requirements of the plans.

3.14. Improvements opportunities

The audit found that Newman Quarrying exhibits sound environmental management practices. It was noted, however, that non-compliances with project management plans were evident whereby the mitigation measures themselves in the management planning documentation, required deletion and/ or amendment.

It is therefore recommended that Newman Quarry consider drafting a Management of Change Procedure (MOC), to capture the sound site-based practices that are either not consistent or currently reflected, within approved management plans. The MOC process would also include a requirement to update the Plan(s) in question, to be reviewed and approved by DPE. This MOC process could be a simple one-page flow chart that includes steps to identifying the mitigation measure(s) that require amendment; updating the management plan; and the requirement for the updated management plan to then be approved by the DPE.

It was also noted that there is no clear way to lodge a complaint should anyone within the community wish to do so. Updating the front notice board and/ or the website with the contact details (presently clear and visible), plus how to lodge a complaint, is recommended.

Aside from these two recommendations and closing out the non-compliance raised in this audit, there are no further improvement opportunities identified.

3.15. Key strengths

The key strength of this project is the committed and knowledgeable Operations Manager. The Operations Manager has a good understanding of the conditions and has dedicated sufficient resources to manage the site. Newman Quarrying represents an owner-manager private business, with an economic imperative to operate to the satisfaction of NSW regulatory departments. This imperative was evident as demonstrated by the preparedness for the audit and comprehensive understanding of consent conditions and licencing requirements.

4. Recommendations

4.1. Summary of compliance and non-compliance against conditions

Three (3) non-compliances were raised in this audit.

Note: In relation to the tally, whole conditions of consent have been used to generate the tally. i.e. where a condition contains part a), b), c) etc this has been counted as one condition.

Independent Audit

Slys Quarry Expansion Project



Table 4-1 Conditions of Consent 6624, summary of non-compliances

#	Assessment requirement	Comment	Audit classification	Response/ Action
Schedule 2				
2 (b)	The Applicant shall carry out the development generally in accordance with the conditions of this consent and the Development Layout Plans.	The audit found NC's against Consent Conditions as below, therefore the development has not been carried out in accordance with the full conditions of consent	NC	Complete actions listed below
Schedule 3				
21	The Applicant must implement the approved Soil and Water Management Plan as approved from time to time by the Secretary.	Soil and Water Management Plan (SWMP, Rev 5), was prepared and approved in December 2022 to the satisfaction of the Secretary, however the audit found that site practice does not comply with one mitigation measure within the SWMP: Mitigation measure SW02	NC	Refer Table 3-3 below.
31 (h)	The Applicant must prepare a Biodiversity and Rehabilitation Management Plan for the development to the satisfaction of the Secretary. This plan must include a detailed description of the measures that would be implemented over the next 3 years (to be updated for each 3 year period following initial approval of the plan)...	The Biodiversity and Rehabilitation Management Plan (BRMP, Rev 0) was prepared in 2017 to the satisfaction of the Secretary. Since this date, at the time of audit no further revisions to the BRMP that had been approved by the Secretary, were available. It was noted that at the time of reporting, a revised BRMP document (Rev 6) had been submitted for and approved by DPE (18 th May 2023).	NC	Ensure BRMP document is updated every 3 years (on/ before May 2026).

Independent Audit

Slys Quarry Expansion Project



#	Assessment requirement	Comment	Audit classification	Response/ Action
31 (h)	<p>...including the procedures to be implemented for:</p> <ul style="list-style-type: none"> establishing vegetation screening to minimise the visual impacts of the site on surrounding receivers. 	<p>The Biodiversity and Rehabilitation Management Plan (BRMP, Rev 0) was prepared in 2017 to the satisfaction of the Secretary, however the BRMP document reviewed at the time of the audit, lacked this detail.</p> <p>It was noted that at the time of reporting, a revised BRMP document (Rev 6) was prepared and approved by DPE (18th May 2023). A revised mitigation measure contained within Table 4-1 Environmental controls and mitigation measures was inserted to address this requirement (newly created B13).</p>		
31 (h)	<ul style="list-style-type: none"> ensuring no obstruction of legal public access along the Crown public road referred to as 'Slys Road' in accordance with public rights of access under the Roads Act 1993. 	<p>The Biodiversity and Rehabilitation Management Plan (BRMP, Rev 0) was prepared in 2017 to the satisfaction of the Secretary, however the BRMP document reviewed at the time of the audit, lacked this detail.</p> <p>It was noted that at the time of reporting, a revised BRMP document (Rev 6) was prepared and approved by DPE (18th May 2023). A revised mitigation measure contained within Table 4-1 Environmental controls and mitigation measures was inserted to address this requirement (newly created B14).</p>		
31 (h)	<ul style="list-style-type: none"> controlling access to Slys Road, including managing public safety risks associated with rights of access over Slys Road by installing appropriate fencing and signage. 	<p>The Biodiversity and Rehabilitation Management Plan (BRMP, Rev 0) was prepared in 2017 to the satisfaction of the Secretary. however the BRMP document reviewed at the time of the audit, lacked this detail.</p> <p>It was noted that at the time of reporting, a revised BRMP document (Rev 6) was prepared and approved by DPE (18th May 2023). A revised mitigation measure contained within Table 4-1 Environmental controls and mitigation measures was inserted to address this requirement (newly created B15).</p>		
32	<p>The applicant must implement the approved Biodiversity and Rehabilitation Management Plan as approved from time to time</p>	<p>The Biodiversity and Rehabilitation Management Plan (BRMP, Rev 0) was prepared in 2017 to the satisfaction of the Secretary, however the audit found that site practice does not comply with five mitigation measures within the BRMP:</p> <p>Mitigation measure B7</p>	NC	Refer Table 3-3 above.

#	Assessment requirement	Comment	Audit classification	Response/ Action
	by the Secretary.	Mitigation measure B8 Mitigation measure B9 Mitigation measure B13 Mitigation measure B14		

5. Conclusion

The audit found three (3) non-compliances from a total of 84 Conditions of Approval. The document review found that Environmental Management Plans and sub plans are relevant to the site and are generally being implemented, with updates to the SWMP and BRMP required.

Table 5-1 Statutory instrument (Conditions of Consent 7098) audit classification status

Condition Part	Compliant	Non-Compliances	Not triggered
Schedule 2	17	1	3
Schedule 3	38	2	1
Schedule 4	2	-	-
Schedule 5	15	-	-
Appendix 4	4	-	-
Appendix 5	1	-	-

Appendix A Auditor team approval

Mr Mark Newman
Newman Quarrying Pty Ltd
PO Box 292
Yamba, NSW 2464

Our Ref: SSD-6624-PA-26

31 March 2023

Dear Mr Newman,

**Sly's Quarry Expansion Project (SSD-6624)
Auditors Request for Approval Response**

I refer to your request to the Department of Planning and Environment ('**NSW Planning**') (Ref: SSD-6624-PA-26) seeking the Planning Secretary's approval of suitably qualified, experienced and independent experts for the upcoming Independent Environmental Audit ('**the IEA**') of Newman Quarry (also referred to by NSW Planning as Sly's Quarry), in accordance with Schedule 5, Condition 11 of the MP 06_0159 ('**the Consent**'), as modified.

Having considered the qualifications and experience of the proposed audit team, the Planning Secretary endorses the appointment of the following to undertake the audit and prepare the audit report.

- Olivia Merrick – Lead Auditor.
- Whitney Heiniger – Support Auditor.
- Natascha Arens – Technical and QA Review.

This approval is conditional on the audit team being independent of Newman Quarry. Please ensure this correspondence, including the Independent Audit Declaration Form (Appendix E of the *Post Approval Independent Audit Guidelines* (May, 2020) are appended to the Independent Audit Report.

The IEA is to be conducted in accordance with the requirements of Schedule 5, Condition 11 of the Consent. Auditors may wish to have regard to the Independent Audit Post Approval Requirements (May, 2020). A copy of this guideline can be located at <https://www.planning.nsw.gov.au/Assess-and-Regulate/About-compliance/Inspections-and-enforcements/Independent-audit-post-approval-requirements>.

The audit report is to include the following:

- a) Consultation with the relevant agencies and (if established) the CCC;
- b) An assessment of the environmental performance of the development and whether it is complying with the relevant requirements in the Consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals);
- c) Recommended actions in response to any identified non-compliances;

- d) A review the adequacy of strategies, plans or programs required under the Consent; and
- e) Appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals.

Within 12 weeks of commencing the IEA, Newman Quarry is to submit a copy of the IEA report to the Planning Secretary, Council, the EPA and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations.

Prior to submitting the IEA report to the Planning Secretary, it is recommended that you review the report to ensure it complies with the relevant consent condition.

If you wish to discuss the matter further, please contact me on (02) 6670 8652.

Yours sincerely

Nick Ballard

Nick Ballard
A/Team Leader – Far North Region
Compliance

As nominee of the Planning Secretary

Appendix B Audit table

Development Consent and EPL Compliance Status - April 2023

Reference	Approval or licence requirement	Evidence collected	Audit Finding	Compliance status
Development Consent (SSD 6422)				
Schedule 2 - Administrative Conditions				
Obligation to minimise harm to the environment				
1	In addition to meeting the specific criteria in this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the development.	Visual inspection, documented routine inspections, site records. Site practices appear sound. No reportable environmental incidents for the audit period, indicating nil reported system failures therefore limited potential for environmental incidents to occasion environmental harm.	Environmental management measures in place, in tact and operating sufficiently.	Compliant
Terms of consent				
2	The Applicant shall carry out the development generally in accordance with the a) EIS and SEE (Mod 1); and (b) in accordance with the conditions of this consent and the Development Layout Plans.	Visual inspection of site, clearing records, annual reporting data and interview with Quarry Operation Manager. Total impact less than predicted in EIS based on available disturbance footprint not having been cleared in totality at time of audit. Visual inspection, survey records and interview with quarry operations manager, site boundaries maintained, quarry benching and rehabilitation practices complaint, maximum excavation depth not breached	Operations generally in accordance with the EIS and the MOD The audit found 2 NC's against Consent Conditions.	Not-compliant
3	If there is any inconsistency between the documents in condition 2(a), the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.	Noted		Compliant
4	Applicant must comply with any requirement/s of the Secretary arising from the Department's assessment of: (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent (including any stages of these documents); (b) any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with this consent; and	Noted, Management Plans reviewed as part of the audit had been updated in varying stages throughout the auditable period. Of note, the Traffic Management Plan has been updated following Secretary's direction in consultation with TfNSW. Traffic Management Plan (Rev 5, GHD) updated as per direction of Secretary in relation to TfNSW concerns regarding the maximum trucking rate, the intersection of Tullymorgan-Jackybulbin Road and Pacific Highway and whether this could operate at a control delay level of no less than Level of Service C. TfNSW also requested the Drivers Code of Conduct (DCC) to include contingencies for managing traffic impacts at the intersection during school holidays and seasonal peak times. These items were addressed adequately in TMP Rev 5, that was approved by Secretary in September 2022. Soil and Water Management Plan Rev 5: The Soil and Water Management Plan (SWMP) was updated as per 2021 Audit findings, within 3 months of those findings, to include: <ul style="list-style-type: none"> the new storage / sediment basin that has been constructed since 2017 and any other modifications to drainage lines or sediment and erosion control measures; revised frequency of monitoring of baseline water quality of drainage lines at locations WQ1 and WQ2. Noted that the frequency of this monitoring was reduced to "at least once every quarter" as per letter from DPIE dated 04/02/2021; revised frequency of monitoring of groundwater monitoring bores (GW1, GW2 and GW3). The frequency of this monitoring was reduced from quarterly to "annually, where adequate water is available for sampling" as per letter from DPIE dated 04/02/2021. It has been noted by GHD that DPIE has agreed that monitoring of groundwater can be reduced to annually and via dipping, rather than loggers (email B. Luffman, GHD 21/04/21). 	Soil and Water Management Plan updated to Rev 3 in 2021 as per previous audit finding . SWMP is now at Rev 5 (GHD, 2022).	Not-compliant

	c) the implementation of any actions or measures contained in these documents.	Mitigation measures specific to the two above mentioned updated management plans (TMP and SWMP) were not complied with at the time of audit. TMP>125 laden trucks outside the approved increase period (see Condition 8 below) stockpile management non-compliant with in SWMP (see condition 21 below).	Compliant	
Limits on consent				
Quarrying operations				
5	The Applicant may carry out quarrying operations on the site until 31 May 2041. Note: Under this consent, the Applicant is required to rehabilitate the site and carry out additional undertakings to the satisfaction of the Secretary. Consequently, this consent will continue to apply in all other respects other than the right to conduct quarrying operations until the rehabilitation of the site and those undertakings have been carried out to a satisfactory standard.	Noted	Noted	Compliant
6	The Applicant must not undertake quarrying operations below a level of 44 m AHD.	Survey plans were cited and RL depth confirmed. Maximum depth of 44m AHD is the existing quarry floor and no excavations deeper have occurred during the auditable period.		Compliant
7	The Applicant must not extract more than 500,000 tonnes of quarry products from the site in any financial year.	Sales and blasting records viewed (blast report annual tonnages m3 to tonnes). Extraction rates were also reported on for the previous financial year in Annual Report and found to be compliant.	Extraction rates were also reported on for the previous financial years in Annual Report (GHD, 2022) and found to be compliant.	Compliant
Quarry Product Transport				
8	The Applicant: (a) must not transport more than 500,000 tonnes of quarry products from the site during any financial year; (b) must not receive more than 10,000 tonnes of topsoil and 5,000 m3 of mulch during any financial year; (c) must not receive or dispatch more than 125 laden trucks from the site on any day, except as specified in condition 8(d) below; and (d) may receive or dispatch up to 150 laden truck from the site on any day until the completion of the PHUP, unless otherwise agreed by the Secretary. Note: Dispatch of laden trucks is also controlled under condition 1 of Schedule 3.	extraction values, transport dockets and weight records viewed. Extraction volumes are calculated in m3; the Annual Reports prepared for the financial years that fell within the audit period (20/21; and 21/22 FY) converted this value to tonnes. Operations is compliant what this condition for the audit period. Noted, no topsoil or mulch had been received for the audit period Truck movement chart available on Newman Quarrying website. PHUP was active in December 2021, completed that month. On letter dated 21st September 2022, Secretary conditionally approved 150 laden trucks/ day. Trucking records show: 128 laden trucks 6th September 2022 (PHUP complete) , however inspecting the load dockets, four loads were for firewood. The total daily laden truck movements from the quarry with sandstone products was 124. Transport for NSW confirm PHUP was active until December 2021 (email verification received by Newman Quarrying from TfNSW taskforce). On letter dated 21st September 2022, Secretary conditionally approved 150 laden trucks/ day. Trucking records show: 128 trucks 6th September 2022. Four of these loads were fire wood, being the tally per day of quarry laden trucks to 124.	Sales/ Transported values were also reported on for the previous financial years in Annual Report (GHD, 2022) and found to be compliant. Compliant Compliant Compliant	Compliant
8A	Following the completion of the PHUP, should the Applicant wish to continue trucking rates in accordance with condition 8(d) of this Schedule, the Applicant must prepare a Traffic Impact Assessment to the satisfaction of the Secretary. This must: (a) be prepared in consultation with RMS and Council; (b) include a detailed assessment of the potential impacts of project-related traffic on the capacity, safety and efficiency of the intersection of Tullymorgan-Jackbulbin Road and Pacific Highway; (c) demonstrate that this intersection could operate at a control delay level of no less than Level of Service C in accordance with Traffic Modelling Guidelines (RMS, 2013), or most recent version; and (d) include a program to review and report on the control delay level of the intersection, to ensure that a level of no less than Level of Service C is achieved. If a control delay level of Level of Service C cannot be achieved, the Applicant must reduce trucking rates to the rates specified in condition 8(c) of this Schedule.	TMP updated September 2022 (GHD) and included this detail	Updated TMP (Rev 5) that included this detail was approved DPE (December 2022, GHD)	Compliant
9	The delivery of topsoil and mulch permitted by condition 8 (c) above must be transported by backfilled quarry product trucks only.	This is understood by Quarry Operations Manager, however no such material was purchase or imported during the audit period		Compliant
Surrender of existing development consents				

10	<p>Within 12 months of the date of this consent, or as otherwise agreed by the Secretary, the Applicant must surrender all existing development consents for extractive industry for the site in accordance with the EP&A Regulation.</p> <p><i>Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 4A of the EP&A Act. Surrendering of consent should not be understood as implying that works legally constructed under a valid consent can no longer be legally maintained or used.</i></p>	Interview with Operations Manger: this was understood		Compliant
11	<p>Prior to the surrender of existing development consents, the conditions of this consent shall prevail to the extent of any inconsistency with the conditions of these consents.</p>	Interview with Operations Manger: this was understood		Compliant
Structural Adequacy				
12	<p>The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> • Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works; and • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development or project. 	Not applicable		Not triggered
Demolition				
13	<p>The Applicant must ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.</p>	Not applicable		Not triggered
Protection of public infrastructure				
14	<p>The Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.</p> <p><i>Note: This condition does not apply to damage to roads caused as a result of general road usage or otherwise addressed by contributions required by condition 19 of this consent.</i></p>	<p>Not applicable</p> <p>Not applicable</p>		Not triggered
Operation of plant and equipment				
15	<p>The Applicant must ensure that all the plant and equipment used at the site is:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	<p>maintenance logs (contractor; Dan White Grafton onsite mobile mechanic). Phone app for pre-starts. Site audit included visual inspection and fleet's appearance appeared to be in sound condition</p> <p>visibly evident from site inspection, speed limits adhered to and no excessive black smoke or other emissions observed. Pre-starts viewed also.</p>	<p>Plant and equipment at Newman Quarrying maintained in proper and efficient condition.</p> <p>Plant and equipment at Newman Quarrying is operated in proper and efficient condition.</p>	Compliant
Production data				
16	<p>The Applicant must:</p> <p>(a) provide annual quarry production data to DRG using the standard form for that purpose; and</p> <p>(b) include a copy of this data in the Annual Review (see condition 9 of Schedule 5).</p>	<p>Extractive Material Return data is available in the Annual Reports, forms viewed during the on-site audit</p> <p>Annual Reports for FY 20/21 and 21/ 22 contain this data. (GHD, 2021; GHD 2022)</p>	<p>Annual quarry production data provided.</p> <p>Annual quarry production data included in Annual Reports relevant to the audit period (i.e. 2020/21 financial year and 2021/22 financial year)</p>	Compliant
Identification of approved extraction limits				
17	<p>By 30 November 2016, unless otherwise agreed with the Secretary, the Applicant must:</p> <p>(a) engage a registered surveyor to mark out the boundaries of the approved limits of extraction within the development area; and</p> <p>(b) submit a survey plan of these boundaries with applicable GPS coordinates to the Secretary.</p>	<p>visual inspection of limits of extraction, pegged by survey markers.</p> <p>Survey Plan submitted to Secretary 2016.</p>	<p>Boundaries of the approved extraction limits are pegged out by registered surveyor.</p>	Compliant

18	While quarrying operations are being carried out, the Applicant must ensure that these boundaries are clearly marked at all times in a manner that allows operating staff to clearly identify the approved limits of extraction.	Survey pegs in place,GPS coordinate points are on Quarry Operations mobile phone and limits monitored via this GPS interface as well as on ground survey pegs.	Limits of extraction boundaries are clearly marked in the filed with survey pegs and high visibility flagging on the pegs.	Compliant
----	--	--	--	-----------

Contributions to Council

19	The Applicant must pay to Council an annual financial contribution toward the maintenance of Tullymorgan-Jackybulbin Road. The contribution must be determined in accordance with the Maclean Shire Council 5.94 Contribution Plan for Maintenance of Quarry Roads, November 1994, or any subsequent relevant contributions plan adopted by Council. The annual contribution must be paid to Council prior to 31 July each year and reported in the Annual Review required in condition 9 of Schedule 5.	Financial contribution receipt lodged with CVC and replicated in Annual Report for audit period	The annual contribution has been paid to Council prior to 31 July each year for the audit period and reported in the 2021 and 2022 Annual Reports.	Compliant
----	--	---	--	-----------

20	The Applicant must ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.	Site induction and specific Toolbox Training Sessions e.g. as Pollution Incidence Response (PIRMP), Vegetation Clearing and requirements.	Employees, contractors and sub-contractors are made aware of, and comply with, the conditions of this consent relevant to their respective activities and this has been achieved through awareness and training; actively visible mitigation measures installed and maintained on site; and no recorded environmental incidents.	Compliant
----	--	---	--	-----------

Schedule 3 - Environmental Performance Conditions

NOISE

Hours of Operation

1	<p><i>Table 1: Operating Hours</i></p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Permissible Hours</th> </tr> </thead> <tbody> <tr> <td>Employee arrival</td> <td> <ul style="list-style-type: none"> From 6:30 am Monday to Saturday inclusive From 7:30 am Sundays or public holidays if engaged in maintenance, site security or other similar activities </td> </tr> <tr> <td>Quarrying operations including loading and dispatch of laden trucks</td> <td> <ul style="list-style-type: none"> 7 am to 6 pm Monday to Friday 7 am to 1 pm Saturday 7 am to 4 pm Saturday if fulfilling a contract for the supply of quarry products to the Pacific Highway update project (SSD 4963)* At no time on Sundays or public holidays </td> </tr> <tr> <td>Blasting</td> <td> <ul style="list-style-type: none"> 9 am to 3 pm Monday to Friday (except public holidays) </td> </tr> <tr> <td>Maintenance</td> <td> <ul style="list-style-type: none"> May be conducted at any time, provided that these activities are not audible at any privately-owned residence </td> </tr> </tbody> </table> <p><small>*Note: Evidence of contracts that cover those periods during which extended Saturday afternoon operating hours are undertaken must be reported in the Annual Review required by condition 9 of Schedule 5.</small></p>	Activity	Permissible Hours	Employee arrival	<ul style="list-style-type: none"> From 6:30 am Monday to Saturday inclusive From 7:30 am Sundays or public holidays if engaged in maintenance, site security or other similar activities 	Quarrying operations including loading and dispatch of laden trucks	<ul style="list-style-type: none"> 7 am to 6 pm Monday to Friday 7 am to 1 pm Saturday 7 am to 4 pm Saturday if fulfilling a contract for the supply of quarry products to the Pacific Highway update project (SSD 4963)* At no time on Sundays or public holidays 	Blasting	<ul style="list-style-type: none"> 9 am to 3 pm Monday to Friday (except public holidays) 	Maintenance	<ul style="list-style-type: none"> May be conducted at any time, provided that these activities are not audible at any privately-owned residence 	Site inspection, records and interview with Quarry Operations Manager. Sign on sheet and time sheets viewed, no Saturdays were worked. Truck dockets also viewed to confirm Hours of Operation 7am - 4:30pm. Front signage also lists Hours of Operation	Newman Quarrying complies with the operating hours set out in Table 1.	Compliant
Activity	Permissible Hours													
Employee arrival	<ul style="list-style-type: none"> From 6:30 am Monday to Saturday inclusive From 7:30 am Sundays or public holidays if engaged in maintenance, site security or other similar activities 													
Quarrying operations including loading and dispatch of laden trucks	<ul style="list-style-type: none"> 7 am to 6 pm Monday to Friday 7 am to 1 pm Saturday 7 am to 4 pm Saturday if fulfilling a contract for the supply of quarry products to the Pacific Highway update project (SSD 4963)* At no time on Sundays or public holidays 													
Blasting	<ul style="list-style-type: none"> 9 am to 3 pm Monday to Friday (except public holidays) 													
Maintenance	<ul style="list-style-type: none"> May be conducted at any time, provided that these activities are not audible at any privately-owned residence 													

2	The following activities may be carried out on the site outside the hours specified in condition 1: (a) delivery or dispatch of materials as requested by Police or other authorities; and (b) emergency work to avoid the loss of lives, property and/or to prevent environmental harm. In such circumstances, the Applicant must notify the Secretary and affected residents prior to undertaking the activities, or as soon as is practical thereafter.	Interview with Quarry Operations Manager and no such requests nor out of hours works were required for the audit period Interview with Quarry Operations Manager and no such requests nor out of hours works were required for the audit period	Not Triggered Not Triggered	Not triggered
---	--	--	------------------------------------	---------------

Noise Impact Assessment criteria

3	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. Noise generated by the development is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. Appendix 4 sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria. However, the noise criteria in Table 2 do not apply if the Applicant has an agreement with the relevant landowner to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	In 2018, Newman Quarrying requested that noise monitoring cease based on consistent results within the required criteria listed in Table 2: Noise Criteria dB(A). This request was approved by DPE in October 2018. Subsequent to this, the NMP was revised to include this change in monitoring requirements and the revised NMP approved by the Department in September 2020.		Compliant
---	---	---	--	-----------

Table 2: Noise criteria dB(A)

Receiver	Day L _{day} (15 minute)	Evening L _{even} (15 minute)	Night L _{night} (15 minute)
All privately-owned residences	35	35	35

Operating conditions

4	<p>The Applicant must:</p> <p>(a) implement best practice management to minimise the operational and road transportation noise of the development;</p> <p>(b) minimise the noise impacts of the development during meteorological conditions when the noise criteria in this consent do not apply (see Appendix 4);</p> <p>(c) carry out noise monitoring (at least every 3 months or as otherwise agreed with the Secretary) to determine whether the development is complying with the relevant conditions of this consent; and</p> <p>(d) regularly assess noise monitoring data and modify and/or stop operations on site to ensure compliance with the relevant conditions of this consent, to the satisfaction of the Secretary.</p> <p><i>Note: Required frequency of noise monitoring may be reduced if approved by the Secretary.</i></p>	<p>Site inspection (satisfactory operating practices) complaints register (nil complaints), truck movement s/ traffic management measures and interview with Quarry Operations Manager confirm operational and road transportation noise for the project are minimised such that no sensitive receivers have been affected.</p> <p>Interview with Quarry Operations Manager, such conditions (conditions specified in Appendix 4) haven't occurred however in the event they did, site operations would be scaled back, shut down</p> <p>Noise monitoring ceased as agreed by Secretary in letter dated October 2018, historical records of constituted compliance with relevant conditions of consent relating to noise levels</p> <p>Noted and note required, Newman Quarrying requested that noise monitoring cease based on consistent results within the required criteria listed in Table 2: Noise Criteria dB(A). This request was approved by DPE in October 2018. Subsequent to this, the NMP was revised to include this change in monitoring requirements and the revised NMP approved by the Department in September 2020.</p>	<p>Site operations employ mitigation measures to minimise noise and transport related road noise</p> <p>Conditions as per Appendix 4 were not encountered within the audit period.</p>	Compliant
---	--	--	--	-----------

Noise Management Plan

5	<p>The Applicant must prepare a Noise Management Plan (NMP) for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with the EPA;</p> <p>(b) be submitted to the Secretary within 6 months of the date of this consent, unless otherwise agreed by the Secretary;</p> <p>(c) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> compliance with the noise criteria in this consent; best practice management is being employed; and the noise impacts of the development are minimised during meteorological conditions under which the noise criteria in this consent do not apply (see Appendix 4); <p>(d) describe the proposed noise management system; and</p> <p>(e) include a monitoring program to be implemented to measure noise from the development against the noise criteria in Table 2 and the road noise criteria in the EIS, and which evaluates and reports on the effectiveness of the noise management system on site.</p>	<p>The NMP prepared was approved by the Secretary and was found to be compliant by the previous audit. A review of the Plan was undertaken for this audit and no items of concern raised.</p>		Compliant
6	<p>The Applicant must implement the approved Noise Management Plan as approved from time to time by the Secretary.</p>			Compliant

BLASTING

Blasting Impact Assessment Criteria

7	<p>The Applicant must ensure that blasting on site does not cause any exceedance of the criteria in Table 3.</p> <p>However, these criteria do not apply if the Applicant has a written agreement with the relevant owner to exceed the limits in Table 3, and the Applicant has advised the Department in writing of the terms of this agreement.</p> <table border="1" data-bbox="228 1198 750 1297"> <caption>Table 3: Blasting criteria</caption> <thead> <tr> <th>Receiver</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td></td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>Any residence on privately-owned land</td> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> </tbody> </table>	Receiver	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance		120	10	0%	Any residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months	<p>Blast reports/ result viewed and all blasts were within required criteria.</p>	<p>Blasting on site has not caused any exceedances of the blast criteria</p>	Compliant
Receiver	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance													
	120	10	0%													
Any residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months													

Blasting Frequency

8	<p>The Applicant may carry out a maximum of 2 blasts per calendar month, unless an additional blast is required following a blast misfire. This condition does not apply to blasts required to ensure the safety of the quarry or workers on site.</p> <p><i>Note: For the purposes of this condition a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the quarry.</i></p>	Blast reports/ results viewed and number of blasts average approx. 6 blast year	Maximum of two blasts per calendar month was not exceeded. On average 6 blasts were performed per calendar year for the audit period (April 2021 through o April 2023).	Compliant
---	---	---	---	-----------

Operating conditions

9	<p>During blasting operations, the Applicant shall:</p> <p>(a) implement best practice management to:</p> <ul style="list-style-type: none"> • protect the safety of people and livestock in the areas surrounding blasting operations; • protect public or private infrastructure/property in the surrounding area from damage from blasting operations; • minimise the dust and fume emissions of blasting; <p>(b) operate a suitable system to enable the local community to get up-to-date information on the proposed blasting schedule on site; and</p> <p>(c) carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent, to the satisfaction of the Secretary.</p>	<p>Interview with Quarry Operations Manager, daily diary of road blocks - blasting contractor's Exclusion Zone Plan . Local residents sent a text message to ensure residents are informed with up-to-date information and so any livestock in the vicinity are protected. Newman Quarrying also would close local roads to protect safety of people and road users.</p> <p>Text messages sent to local residents; front entry signage message board lists blast dates/ upcoming blasts; listed on website also</p> <p>blast monitoring results within required criteria</p>	During blasting operations, the required conditions of consent were found to be compliant.	Compliant
---	--	--	--	-----------

Blast Management Plan

10	<p>The Applicant must prepare a Blast Management Plan (BMP) for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be submitted to the Secretary for approval within 6 months of the date of this consent, unless otherwise agreed by the Secretary;</p> <p>(b) describe the measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this consent;</p> <p>(c) include measures to manage fly rock</p> <p>(d) include a monitoring program for evaluating and reporting on compliance with the blasting criteria in this consent;</p> <p>(e) include community notification procedures for the blasting schedule, in particular to nearby residences; and</p> <p>(f) include a protocol for investigating and responding to complaints.</p>	The BMP prepared was approved by the Secretary and was found to be compliant by the previous audit. A review of the Plan was undertaken for this audit and no items of concern raised.	BMP compliant with the conditions of this consent	Compliant
----	--	--	---	-----------

AIR QUALITY

Air Quality Impact Assessment Criteria

11	<p>The Applicant must implement the approved Blast Management Plan as approved from time to time by the Secretary.</p>	Current Ballast Management Plan evident on site and available on company's website.		Compliant														
	<p>The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 4 at any residence on privately-owned land.</p> <table border="1" style="margin-top: 10px;"> <caption>Table 4: Air quality criteria</caption> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>a,d 30 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>b 50 µg/m³</td> </tr> <tr> <td>Total suspended particulates (TSP)</td> <td>Annual</td> <td>a,d 90 µg/m³</td> </tr> <tr> <td>^c Deposited dust</td> <td>Annual</td> <td>b 2 g/m²/month a,d 4 g/m²/month</td> </tr> </tbody> </table>	Pollutant	Averaging Period	Criterion	Particulate matter < 10 µm (PM ₁₀)	Annual	a,d 30 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	24 hour	b 50 µg/m ³	Total suspended particulates (TSP)	Annual	a,d 90 µg/m ³	^c Deposited dust	Annual	b 2 g/m ² /month a,d 4 g/m ² /month		
Pollutant	Averaging Period	Criterion																
Particulate matter < 10 µm (PM ₁₀)	Annual	a,d 30 µg/m ³																
Particulate matter < 10 µm (PM ₁₀)	24 hour	b 50 µg/m ³																
Total suspended particulates (TSP)	Annual	a,d 90 µg/m ³																
^c Deposited dust	Annual	b 2 g/m ² /month a,d 4 g/m ² /month																

12	<p>Notes to Table 4:</p> <p>a Cumulative impact (i.e. increase in concentrations due to the development plus background concentrations due to all other sources).</p> <p>b Incremental impact (i.e. increase in concentrations due to the development alone, with zero allowable exceedances of the criteria over the life of the development).</p> <p>c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.</p> <p>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.</p> <p>e "Reasonable and feasible avoidance measures" includes, but is not limited to, the operational requirements in conditions 13, 14 and 15 to develop and implement an air quality management system that ensures operational responses to the risks of exceedance of the criteria.</p>	Criteria met, air blast pressure records viewed.	No exceedances in audit period	Compliant
Operating Conditions				
13	<p>The Applicant must:</p> <p>(a) implement best practice management to minimise the dust emissions of the development;</p> <p>(b) regularly assess meteorological and air quality monitoring data and relocate, modify and/or stop operations on site to ensure compliance with the air quality criteria in this consent;</p> <p>(c) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note d under Table 4);</p> <p>(d) monitor and report on compliance with the relevant air quality conditions in this consent; and</p> <p>(e) minimise the area of surface disturbance and undertake progressive rehabilitation of the site, to the satisfaction of the Secretary.</p>	<p>water carts in operation, water balance for the site healthy. The active quarry is quite sandy with limited operational dust risks.</p> <p>Interview with Operation Manager: this we misunderstood and there is the capacity to stop works should that be required. Dust particulate monitoring also undertaken from an airborne silica perspective - below OHS requirements for silica</p> <p>interview with Operations Manager: this was understood</p> <p>noted, site monitoring had ceased however daily visual monitoring was evident.</p> <p>Interview with Operations Manager: approximate 3 year look ahead whereby areas for extraction would be cleared approaching the estimated extraction period. Verified by interview that this condition is understood adequately and that site practice generally adheres to minimising the area of disturbed ground for as long as is reasonable (some areas were inspected during the audit that were cleared and extraction had not started. this was due to ground conditions and safety reasons)</p>	Site practice generally adheres to minimising the area of disturbed ground for as long as is reasonable	Compliant
a				
14	<p>The Applicant must prepare an Air Quality Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be submitted to the Secretary for approval within 6 months of the date of this consent, unless otherwise agreed by the Secretary;</p> <p>(b) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> • compliance with the relevant conditions of this consent; • best practice management is being employed; and • the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events; <p>(c) describe the proposed air quality management system;</p> <p>(d) include an air quality monitoring program that:</p> <ul style="list-style-type: none"> • is capable of evaluating the performance of the development; • includes a protocol for determining any exceedances of the relevant conditions of consent; • effectively supports the air quality management system; and • evaluates and reports on the adequacy of the air quality management system. 	<p>AQMP GHD - reviewed and approved by DPE, letter of acceptance viewed. A review of this Plan for the audit found it to comply with these consent conditions</p> <p>AQMP GHD - reviewed and approved by DPE, letter of acceptance viewed. A review of this Plan for the audit found it to comply with these consent conditions</p> <p>AQMP GHD - reviewed and approved by DPE, letter of acceptance viewed. A review of this Plan for the audit found it to comply with these consent conditions</p> <p>AQMP GHD - reviewed and approved by DPE, letter of acceptance viewed. A review of this Plan for the audit found it to comply with these consent conditions</p>		Compliant
15	The Applicant must implement the approved Air Quality Management Plan as approved from time to time by the Secretary.	AQMP GHD - reviewed and approved by DPE, letter of acceptance viewed. A review of this Plan for the audit found it to comply with these consent conditions		Compliant
Meteorological Monitoring				
16	For the life of the development, the Applicant must ensure that there is a suitable meteorological station operating in the vicinity of the site that complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline.	meteorological station in situ		Compliant

Greenhouse Gas Emissions				
17	The Applicant must implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site.	new equipment; non-Smokey Euro 4/5 . Add Blue additives waste segregation. Biobanking site established		Compliant
SOIL and WATER				
Water				
18	The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of operations under the consent to match its available water supply, to the satisfaction of the Secretary.	series of dams an ponds and pump around system. construction water re-used on site, released under EPL guidance. Further water sources on the property. Purchase water/ scale back to stop washing sand to sell only rock products (not was sand and therefore not produce sand)		Compliant
Water discharges				
19	The Applicant must comply with the discharge limits in any EPL, or with section 120 of the POEO Act.	refer EPL		Compliant
Soil and Water Management Plan				
20	<p>The Applicant must prepare a Soil and Water Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by suitably qualified and experienced person/s approved by the Secretary; (b) be prepared in consultation with the EPA and DPI Water; (c) be submitted to the Secretary for approval within 6 months of the date of this consent, unless otherwise agreed by the Secretary; and (d) include the EPA's requirements as set out in Appendix 5; <p>(i) Site Water Balance that includes:</p> <ul style="list-style-type: none"> • details of: <ul style="list-style-type: none"> o sources and security of water supply; o water use and management on site; o any off-site water transfers; and o reporting procedures; and • measures that would be implemented to minimise clean water use on site; <p>(ii) Surface Water Management Plan, that includes:</p> <ul style="list-style-type: none"> • a program for obtaining detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development; • a detailed description of the surface water management system on site including the: <ul style="list-style-type: none"> o clean water diversion system; o erosion and sediment controls; o dirty water management system; o water storages; and o mitigation measures outlined in the EIS; and • a program to monitor and report on: <ul style="list-style-type: none"> o any surface water discharges; o the effectiveness of the water management system, o the quality of water discharged from the site to the environment; o surface water flows and quality in local watercourses; <p>(iii) Groundwater Management Plan that includes: a provision that requires the Applicant to obtain appropriate water licence(s) to cover the volume of any unforeseen groundwater inflows into the quarry from the quarry face or floor; and</p> <ul style="list-style-type: none"> • a monitoring program to manage potential impacts, if any, on the alluvium and associated surface water source near the proposed extraction area that includes: <ul style="list-style-type: none"> o a minimum of three monitoring bores with automatic water level recording instrumentation or other method agreed with DPI-Water; o identification of a methodology for determining threshold water level criteria; o contingency measures in the event of a breach of thresholds; and o a program to regularly report on monitoring. 	SWMP GHD - reviewed and approved by DPE, letter of acceptance viewed. A review of this Plan for the audit found it to comply with these consent conditions	Compliant	Compliant
21	The Applicant must implement the approved Soil and Water Management Plan as approved from time to time by the Secretary.	site practise was not strictly in a accordance with mitigation measures identified within the SWMP.	SWMP, #SW02 not complied with (sediment fence around stockpile absent, stockpile had been stabilised with vegetation cover)	Not-compliant
TRANSPORT				
Monitoring of Product Transport				

22	The Applicant must keep accurate records of all laden truck movements to and from the site (including time of arrival and dispatch) and publish a summary of records on its website every 6 months.	Published on website January/ July		Compliant
Operating Conditions				
23	The Applicant must: (a) ensure that all laden trucks entering or exiting the site have their loads covered, with the exception of loads consisting solely of boulders greater than one tonne in weight; b) ensure that all laden trucks exiting the site are cleaned of material that may fall on the road, before leaving the site; (c) use its best endeavours to ensure that appropriate signage is displayed on all trucks used to transport product from the development so they can be easily identified by road users; and (d) if necessary, allow for the parking of early-arriving trucks (i.e.. between 6:30 am and 7 am) within the site to avoid queuing on Tullymorgan-Jackybulbin Road.	Interview with Operations Manager, loads are covered and checked on weigh bridge. In the event they aren't covered, customers would be asked to tip off to get a over; or borrow cover. Quarry can not control the state of customers trucks however they do regularly clean the road, which has the same effect. signage appropriate Interview with Operations Manage, quarry front gates open early to remove potential for any queuing trucks		Compliant
Traffic Management Plan				
24	The Applicant must prepare a Traffic Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with the RMS and Council; (b) be submitted to the Secretary for approval within 6 months of the date of this consent, unless otherwise agreed by the Secretary; (c) describe the processes in place for the control of truck movements entering and exiting the site; (d) include a review of the existing intersection at the entrance to the quarry on Tullymorgan-Jackybulbin Road, which involves: (i) undertaking a survey of the dimensions of the existing intersection to assess whether it meets the minimum road design dimensions for a BAR/BAL treatment in accordance with the relevant road design guideline and/or standard; and (ii) if found to not meet these dimensions, propose a works program for the upgrade of the intersection to meet the relevant road design guideline and/or standard and a timeframe for completion of the works; (e) include a Drivers' Code of Conduct that details the safe and quiet driving practices that must be used by drivers transporting products to and from the quarry, with a particular focus on: (i) ensuring truck drivers are aware of the school bus stop and turning area adjacent to the intersection of Tullymorgan-Jackybulbin Road and the Pacific Highway, its likely hours of use and take appropriate measures to avoid interacting with school buses and school pupils; and (ii) minimising the potential for fauna strike on Tullymorgan-Jackybulbin Road; and (f) describe the measures that would be put in place to ensure compliance with the Drivers' Code of Conduct; (g) propose measures to minimise the transmission of dust and tracking of material onto the surface of the public road from vehicles leaving the quarry; and (h) propose measures to accommodate the parking of early-arriving trucks within the site, rather than on the public road network.	TMP, GHD - reviewed and approved by DPE, letter of acceptance viewed. A review of this Plan for the audit found it to comply with these consent conditions		Compliant
25	The Applicant must implement the approved Traffic Management Plan as approved from time to time by the Secretary.	site inspection and review of the DCoC. Interview with Operations Manager and TMP measures understood		Compliant
ABORIGINAL HERITAGE				
26	If any item or object of Aboriginal heritage significance is identified on site, the Applicant must ensure that: (a) all work in the immediate vicinity of the suspected Aboriginal item or object ceases immediately; (b) a 10 m buffer area around the suspected item or object is cordoned off; and (c) the OEH is contacted immediately. <i>Work in the vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the National Parks and Wildlife Act 1974.</i>	this process was evident in site induction and via awareness training. No artefacts found or suspected during the audit period		Compliant
BIODIVERSITY AND REHABILITATION				
MP				

27	<p>The Applicant must assess in detail the biodiversity values of its proposed Biodiversity Offset Strategy (described in the EIS and shown conceptually in Appendix 6) using the BioBanking Assessment Methodology (OEH, 2014) and must retire ecosystem and species credits as set out in Table 5, to the satisfaction of the Secretary.</p>	Biodiversity MP details these requirements		Compliant																				
	<p><i>Table 5: Biodiversity credits to be retired</i></p> <table border="1"> <thead> <tr> <th>Credit type</th> <th>Number of Credits</th> </tr> </thead> <tbody> <tr> <td colspan="2">Ecosystem Credits</td> </tr> <tr> <td>NR 115 Blackbutt-bloodwood dry heathy open forest</td> <td>567</td> </tr> <tr> <td>NR123 Blackbutt-Turpentine dry heathy open forest</td> <td>327</td> </tr> <tr> <td colspan="2">Species Credits</td> </tr> <tr> <td>Bordered Guinea Flower (<i>Hibbertia marginata</i>)</td> <td>15,820</td> </tr> <tr> <td>Koala (<i>Phascolarctos cinerus</i>)</td> <td>317</td> </tr> <tr> <td>Common planigale (<i>Planigale maculata</i>)</td> <td>317</td> </tr> <tr> <td>Squirrel glider (<i>Petaurus norfolcensis</i>)</td> <td>268</td> </tr> <tr> <td>Brush-tailed phascogale (<i>Phascogale tapoatafa</i>)</td> <td>244</td> </tr> </tbody> </table>				Credit type	Number of Credits	Ecosystem Credits		NR 115 Blackbutt-bloodwood dry heathy open forest	567	NR123 Blackbutt-Turpentine dry heathy open forest	327	Species Credits		Bordered Guinea Flower (<i>Hibbertia marginata</i>)	15,820	Koala (<i>Phascolarctos cinerus</i>)	317	Common planigale (<i>Planigale maculata</i>)	317	Squirrel glider (<i>Petaurus norfolcensis</i>)	268	Brush-tailed phascogale (<i>Phascogale tapoatafa</i>)	244
	Credit type				Number of Credits																			
	Ecosystem Credits																							
	NR 115 Blackbutt-bloodwood dry heathy open forest				567																			
	NR123 Blackbutt-Turpentine dry heathy open forest				327																			
	Species Credits																							
	Bordered Guinea Flower (<i>Hibbertia marginata</i>)				15,820																			
	Koala (<i>Phascolarctos cinerus</i>)				317																			
	Common planigale (<i>Planigale maculata</i>)				317																			
Squirrel glider (<i>Petaurus norfolcensis</i>)	268																							
Brush-tailed phascogale (<i>Phascogale tapoatafa</i>)	244																							

Security of Offsets

28	<p>Within 18 months of this consent, unless otherwise agreed with the Secretary, the Applicant must make suitable arrangements to provide appropriate long-term security for the Biodiversity Offset Strategy, to the satisfaction of the Secretary. <i>Note</i> : Mechanisms to provide appropriate long-term security to the land within the Biodiversity Offset Strategy in accordance with the NSW Biodiversity Offset Policy for Major Projects 2014, include a Biobanking Agreement, Voluntary Conservation Agreement or an alternative mechanism that provides for a similar conservation outcome. Any mechanism must remain in force in perpetuity.</p>	2017/ 2018 - Biobanking stewardship site established		Compliant
----	--	--	--	-----------

Rehabilitation Objectives

29	<p>The Applicant must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must be generally consistent with the rehabilitation strategy in the EIS and the conceptual rehabilitation plan in Appendix 3 and must comply with the objectives in Table 6.</p>	Interview with Operations Manager: Area B and Area C rehabilitating; site inspection older portions of Area A rehabilitation established	Rehabilitation practices underway that the detail listed in the BRMP, rehabilitation activities appear on track	Compliant								
<p><i>Table 6: Rehabilitation Objectives</i></p> <table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Site (as a whole)</td> <td> <ul style="list-style-type: none"> Safe, stable and non-polluting Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land </td> </tr> <tr> <td>Surface Infrastructure</td> <td> <ul style="list-style-type: none"> Decommissioned and removed, unless otherwise agreed by the Secretary </td> </tr> <tr> <td>Quarry benches and pit floor (Site A)</td> <td> <ul style="list-style-type: none"> Landscaped and vegetated using native tree and understorey species </td> </tr> <tr> <td>Fast sand mining sites (Sites B and C)</td> <td> <ul style="list-style-type: none"> Returned to the pre-development ground level Landscaped and revegetated using native tree and understorey species </td> </tr> <tr> <td>Final Void</td> <td> <ul style="list-style-type: none"> Minimise the size, depth and slope of the batters of the final void Minimise the drainage catchment of the final void </td> </tr> </tbody> </table>	Feature				Objective	Site (as a whole)	<ul style="list-style-type: none"> Safe, stable and non-polluting Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land 	Surface Infrastructure	<ul style="list-style-type: none"> Decommissioned and removed, unless otherwise agreed by the Secretary 	Quarry benches and pit floor (Site A)	<ul style="list-style-type: none"> Landscaped and vegetated using native tree and understorey species 	Fast sand mining sites (Sites B and C)
Feature	Objective											
Site (as a whole)	<ul style="list-style-type: none"> Safe, stable and non-polluting Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land 											
Surface Infrastructure	<ul style="list-style-type: none"> Decommissioned and removed, unless otherwise agreed by the Secretary 											
Quarry benches and pit floor (Site A)	<ul style="list-style-type: none"> Landscaped and vegetated using native tree and understorey species 											
Fast sand mining sites (Sites B and C)	<ul style="list-style-type: none"> Returned to the pre-development ground level Landscaped and revegetated using native tree and understorey species 											
Final Void	<ul style="list-style-type: none"> Minimise the size, depth and slope of the batters of the final void Minimise the drainage catchment of the final void 											

Progressive Rehabilitation

30	<p>The Applicant must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim stabilisation measures must be implemented where reasonable and feasible to control dust emissions in disturbed areas that are not active and which are not ready for final rehabilitation. <i>Note: It is accepted that parts of the site that are progressively rehabilitated may be subject to further disturbance in future.</i></p>	Interview with Operations Manager: Area B and Area C rehabilitating; site inspection older portions of Area A rehabilitation established. It is noted that areas of disturbance are evident in Stage 2 north and Stage 2 south; vegetation has been cleared however extraction had not commenced yet due to wet site conditions. Understorey vegetation acting as ground cover was regenerating, lessening the potential for erosion to result from the disturbed area		Compliant
----	---	--	--	-----------

Biodiversity and Rehabilitation Management Plan

	<p>The Applicant must prepare a Biodiversity and Rehabilitation Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with OEH and Council;</p> <p>(b) be submitted to the Secretary for approval within 6 months of the date of this consent, unless the Secretary agrees otherwise;</p> <p>(c) be approved by the Secretary, prior to commencing quarrying operations in Stages 2 or 3 (refer Appendix 2), unless the Secretary agrees otherwise</p>			
--	---	--	--	--

31	<p>(d) provide details of the conceptual final landform and associated land uses for the site;</p> <p>(e) describe how the implementation of the Biodiversity Offset Strategy would be integrated with the overall rehabilitation of the site;</p> <p>(f) include detailed performance and completion criteria for evaluating the performance of the Biodiversity Offset Strategy and rehabilitation of the site, including triggers for any necessary remedial action;</p> <p>(g) describe the short, medium and long term measures that would be implemented to:</p> <ul style="list-style-type: none"> • manage remnant vegetation and habitat on site, including within the Biodiversity Offset Strategy area; and • ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent; <p>(h) include a detailed description of the measures that would be implemented over the next 3 years (to be updated for each 3 year period following initial approval of the plan) including the procedures to be implemented for:</p> <ul style="list-style-type: none"> • maximising the salvage of environmental resources within the approved disturbance area, including tree hollows, vegetative and soil resources, for beneficial reuse in the enhancement of the offset area or site rehabilitation; • restoring and enhancing the quality of native vegetation and fauna habitat in the biodiversity offset and rehabilitation areas through assisted natural regeneration, targeted vegetation establishment and the introduction of fauna habitat features; • protecting and conserving habitat for the Bordered Guinea Flower (<i>Hibbertia marginata</i>); • protecting vegetation and fauna habitat outside the approved disturbance area on-site; • minimising the impacts on native fauna, including undertaking pre-clearance surveys; • establishing vegetation screening to minimise the visual impacts of the site on surrounding receivers; • ensuring minimal environmental consequences for threatened species, populations and habitats; • avoiding and minimising the spread of Exotic Rust Fungi of the order Uredinales pathogenic on plants of the family Myrtaceae (Myrtle Rust), <i>Phytophthora cinnamomi</i> (<i>Phytophthora</i>) and Chytrid fungus; • collecting and propagating seed; • controlling weeds and feral pests; • controlling erosion; • ensuring no obstruction of legal public access along the Crown public road referred to as 'Slys Road' in accordance with public rights of access under the Roads Act 1993; and • controlling access to Slys Road, including managing public safety risks associated with rights of access over Slys Road by installing appropriate fencing and signage; and • managing bushfire risk; <p>(i) include a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria;</p> <p>(j) identify the potential risks to the successful implementation of the Biodiversity Offset Strategy, and include a description of the contingency measures that would be implemented to mitigate these risks; and</p> <p>(k) include details of who would be responsible for monitoring, reviewing, and implementing the plan.</p>	BRMP, GHD - reviewed and approved by DPE. A review of this Plan for the audit found it did not comply with some subpoints of this consent conditions	The audit found non-compliances with the highlighted red text.	Not-compliant
32	The Applicant must implement the approved Biodiversity and Rehabilitation Management Plan as approved from time to time by the Secretary.	The BRMP has not been implemented in its entirety as per detail above		Not-compliant
Conservation and Rehabilitation Bond				
	<p>Within 6 months of the approval of the Biodiversity and Rehabilitation Management Plan, the Applicant must lodge a Biodiversity and Rehabilitation Bond with the Department to ensure that the Biodiversity Offset Strategy and rehabilitation of the site are implemented in accordance with the performance and completion criteria set out in the plan and relevant conditions of this consent. The sum of the bond must be determined by:</p> <p>(a) calculating the cost of implementing the Biodiversity Offset Strategy over the next 3 years;</p> <p>(b) calculating the cost of rehabilitating the site, taking into account the likely surface disturbance over the next 3 years of quarrying operations; and</p>			

33	(c) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs, to the satisfaction of the Secretary. <i>Notes:</i> <ul style="list-style-type: none"> • <i>Alternative funding arrangements for long term management of the Biodiversity Offset Strategy, such as provision of capital and management funding as agreed by OEH as part of a Biobanking Agreement, or transfer to conservation reserve estate can be used to reduce the liability of the Conservation and Rehabilitation Bond.</i> • <i>If capital and other expenditure required by the Biodiversity and Rehabilitation Management Plan is largely complete, the Secretary may waive the requirement for lodgement of a bond in respect of the remaining expenditure.</i> • <i>If the Biodiversity Offset Strategy and/or rehabilitation of the site area are completed (or partially completed) to the satisfaction of the Secretary, then the Secretary will release the bond (or relevant part of the bond). If the Biodiversity Offset Strategy and rehabilitation of the site are not completed to the satisfaction of the Secretary, then the Secretary will call in all or part of the bond, and arrange for the completion of the relevant works.</i> 	Letter from DPE (ref # DOC22/756198) confirming site actions and release of bond for BSA 402 Tabbimobile site (stewardship/ biobank site). September 2022	Compliant	Compliant
34	Within 3 months of each Independent Environmental Audit (see condition 10 of Schedule 5), the Applicant must review, and if necessary revise, the sum of the Conservation and Rehabilitation Bond to the satisfaction of the Secretary. This review must consider the: (a) effects of inflation; (b) likely cost of implementing the Biodiversity Offset Strategy and rehabilitating the site (taking into account the likely surface disturbance over the next 3 years of the development); and (c) performance of the implementation of the Biodiversity Offset Strategy and rehabilitation of the site to date.	Letter form DPE (Biodiversity Conservation Trust) confirming BCT completed annual(August) audit of the active management actions and advises that the required actions had been satisfactorily completed. <i>The BCT will be releasing your annual management payment which will be deposited into your nominated bank account within 20 working days. Please note that payment has been adjusted for the Consumer Price Index as per your agreement.</i>	Within three months of each IEA (last IEA June 2021, annual letter dated August therefore within three months).	Compliant
VISUAL				
35	The Applicant must implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development to the satisfaction of the Secretary, including those mitigation measures listed in the EIS.	Interview with Operation Manager: early morning floodlights around the shed are only "dark" time lighting used.		Compliant
WASTE				
36	The Applicant must: (a) manage on-site sewage treatment and disposal in accordance with the requirements of its EPL, and to the satisfaction of the 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 (d) report on waste management and minimisation in the Annual Review, to the satisfaction of the Secretary.	Certificate from Council viewed waste segregated; onsite drinking water for bottle fill ups. segregated; annual reviews for audit period sighted		Compliant
37	Except as expressly permitted in an EPL, the Applicant must not receive waste at the site for storage, treatment, processing, reprocessing or disposal.	noted and wasn't applicable for the audit period		Compliant
LIQUID STORAGE				
38	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.	above ground fuel contained in cement bund		Compliant
DANGEROUS GOODS				
39	The Applicant must ensure that the storage, handling, and transport of dangerous goods is done in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the Dangerous Goods Code.	bunded and SMS		Compliant
BUSHFIRE				
40	The Applicant must: (a) prepare a Bushfire Management Plan to the satisfaction of the RFS; (b) ensure that the development is suitably equipped to respond to any fires on site; and (c) assist the Rural Fire Service and emergency services as much as possible if there is a fire in the vicinity of the site.	Bushfire Management Plan viewed and RFS input noted water, fire extinguishers noted and not applicable for audit period		Compliant
41	The Applicant must implement the Bushfire Management Plan.	mitigation measure sin Bushfire Management Plan inspected regular by Operations Manager.		Compliant
Schedule 4 - Additional Procedures				

NOTIFICATION OF LANDOWNERS				
1	<p>As soon as practicable after obtaining monitoring results showing:</p> <p>(a) an exceedance of any relevant criteria in Schedule 3, the Applicant must notify the affected landowners in writing of the exceedance, and provide regular monitoring results to each affected landowner until the development is again complying with the relevant criteria; and</p> <p>(b) an exceedance of any relevant air quality criteria in Schedule 3, the Applicant must send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and current tenants of the land (including the tenants of land which is not privately-owned).</p>	noted and not applicable for audit period		Compliant
INDEPENDENT REVIEW				
2	<p>If an owner of privately-owned land considers the development to be exceeding the relevant criteria in Schedule 3, then he/she may ask the Secretary in writing for an independent review of the impacts of the development on his/her land.</p> <p>If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision, the Applicant must:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:</p> <ul style="list-style-type: none"> • consult with the landowner to determine his/her concerns; • conduct monitoring to determine whether the development is complying with the relevant criteria in Schedule 3; and • if the development is not complying with these criteria, then identify measures that could be implemented to ensure compliance with the relevant criteria; and <p>(b) give the Secretary and landowner a copy of the independent review.</p>	noted and not applicable for audit period		Compliant
Schedule 5 - Environmental Management, Reporting and Auditing				
ENVIRONMENTAL MANAGEMENT				
Environmental Management Strategy				
1	<p>1. If the Secretary requires, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:</p> <p>(a) be submitted to the Secretary for approval within 6 months of the Secretary requiring preparation of the strategy by notice to the Applicant;</p> <p>(b) be prepared in consultation with Council;</p> <p>(c) provide the strategic framework for environmental management of the development;</p> <p>(d) identify the statutory approvals that apply to the development;</p> <p>(e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</p> <p>(f) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> • keep the local community and relevant agencies informed about the operation and environmental performance of the development; • receive, record, handle and respond to complaints; • resolve any disputes that may arise during the course of the development; • respond to any non-compliance; • respond to emergencies; and <p>(g) include:</p> <ul style="list-style-type: none"> • copies of any strategies, plans and programs approved under the conditions of this consent; and • a clear plan depicting all the monitoring to be carried out under the conditions of this consent. 	EMS Rev 5 reviewed and contains required detail as per this condition		Compliant
1A	<p>Where consultation with any public authority is required by the conditions of this consent, the Applicant must:</p> <p>(a) consult with the relevant public authority prior to submitting the required document to the Secretary for approval;</p> <p>(b) submit evidence of this consultation as part of the relevant document;</p> <p>(c) describe how matters raised by the authority have been addressed and any matters not resolved; and</p> <p>(d) include details of any outstanding issues raised by the authority and an explanation of disagreement between any public authority and the Applicant.</p>	Noted and not applicable for audit period	Noted and not applicable for audit period	Compliant

2	The Applicant must implement any Environmental Management Strategy as approved from time to time by the Secretary.	Requirements of the EMS found to be implanted on site for the audit period	Compliant
Management Plan Requirements			
3	<p>The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> • the relevant statutory requirements (including any relevant approval, licence or lease conditions); • any relevant limits or performance measures/criteria; and • 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; <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> • impacts and environmental performance of the development; and • effectiveness of any management measures (see (c) above); <p>(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;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> • incidents; • complaints; • non-compliances with statutory requirements; and • exceedances of the impact assessment criteria and/or performance criteria; and <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>	Management Plans required under consent conditions (SSD-6624) were prepared by GHD and reviewed and approved to the satisfaction of the Secretary.	Compliant
Revision of Strategies, Plans & Programs			
4	<p>Within 3 months of the submission of an:</p> <p>(a) Annual Review under condition 9 below;</p> <p>(b) incident report under condition 7 below;</p> <p>(c) audit report under condition 10 below; and</p> <p>(d) any modifications to this consent,</p> <p>the Applicant must review the strategies, plans and programs required under this consent, to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted for the approval of the Secretary.</p> <p><i>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve environmental performance of the development.</i></p>	Each Annual Report notes "reviewing management plans" as activities proposed for the next reporting period. There is no specific evidence that such reviews have been undertaken to the satisfaction of the Secretary. Owing to Annual Reports being submitted however, to the Secretary (DPE), with no feedback to suggest otherwise, it is therefore assumed that the statement to "review management plans" is satisfactory, to DPE.	Compliant
Updating and Staging of Strategies, Plans or Programs			

5	<p>To ensure that strategies, plans or programs required under this consent are updated on a regular basis, and that they incorporate any appropriate additional measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis.</p> <p>The Secretary may approve a revised strategy, plan or program required under this consent, or the staged submission of any of these documents, at any time. With the agreement of the Secretary, the Applicant may prepare a revision of or a stage of a strategy, plan or program without undertaking consultation with all parties nominated under the applicable condition in this consent.</p> <p>While any strategy, plan or program may be submitted on a staged basis, the Applicant will need to ensure that the operations associated with the development are covered by suitable strategies, plans or programs at all times.</p> <p>If the submission of any strategy, plan or program is to be staged; then the relevant strategy, plan or program must clearly describe the specific stage/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program.</p> <p>Notes:</p> <ul style="list-style-type: none"> • While any strategy, plan or program may be submitted on a staged basis, the Applicant will need to ensure that the operations associated with the development are covered by suitable strategies, plans or programs at all times. • If the submission of any strategy, plan or program is to be staged; then the relevant strategy, plan or program must clearly describe the specific stage/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program. 	noted and not applicable for audit period		Compliant
Adaptive Management				
6	<p>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</p> <p>Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity:</p> <p>(a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not reoccur;</p> <p>(b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action;</p> <p>(c) within 14 days of the exceedance occurring, submit a report to the Secretary describing these remediation options and any preferred remediation measures or other course of action; and</p> <p>(d) implement remediation measures as directed by the Secretary; to the satisfaction of the Secretary.</p>			Compliant
Community Consultative Committee				
7	<p>If directed by the Secretary, the Applicant must establish and operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Secretary. Any such CCC must be operated in general accordance with the Department's Community Consultative Committee Guidelines, November 2016 (or its latest version).</p> <p>Notes:</p> <ul style="list-style-type: none"> • The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent. • In accordance with the guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, Council and the local community. 	CCC not established		Not triggered
REPORTING				
Incident Reporting				
8	<p>The Applicant must immediately notify the Secretary (using the contact name, email address and phone number provided by the Department from time to time) and any other relevant agencies of any incident.</p>	notifiable incidents following the Myal Creek bushfires of the burnt septic; burnt nest boxes.		Compliant

8A	<p>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. This report must include the time and date of the incident, details of the incident, measures implemented to prevent re-occurrence and must identify and non-compliance with this consent.</p>	The information for these incidents following the bushfire were uploaded on the NSW Portal		Compliant
Regular Reporting				
9	<p>The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.</p>	Website contains all reports and monitoring events		Compliant
Annual Review				
10	<p>By the end of September each year, or other timing as may be agreed by the Secretary, the Applicant must review the environmental performance of the development to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the development (including any rehabilitation) that was carried out in the previous financial year, and the development that is proposed to be carried out over the current financial year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous financial year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • relevant statutory requirements, limits or performance measures/criteria; • requirements of any plan or program required under this consent; • monitoring results of previous years; and • relevant predictions in the documents listed in condition 2(a) of Schedule 2; <p>(c) identify any non-compliance over the past financial year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the development;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the current financial year to improve the environmental performance of the development.</p>	annual reviews completed by GHD each September		Compliant
11	<p>Within a year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission, commence and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies and (if established) the CCC;</p> <p>(c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals);</p> <p>(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals;</p> <p>(e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and</p> <p>(f) be conducted and reported to the satisfaction of the Secretary.</p> <p><i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</i></p>	This audit, in consideration of the Direction from DPE that the 2020 IEA could be skipped (Myal Creek bushfires) and undertaken in n2021, with the next scheduled audit being required in 2023.		Compliant
INDEPENDENT ENVIRONMENTAL AUDIT				
12	<p>Within 12 weeks of commencing this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, Council, the EPA and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report.</p> <p>The Applicant must implement these recommendations, to the satisfaction of the Secretary.</p>	noted and the IEA will be made available		Compliant
ACCESS TO INFORMATION				

13	<p>Within 6 months of the date of this consent, the Applicant must:</p> <p>(a) make the following information publicly available on its website:</p> <ul style="list-style-type: none"> • the documents listed in condition 2(a) of Schedule 2; • current statutory approvals for the development; • all approved strategies, plans and programs required under the conditions of this consent; • 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; • a complaints register, updated monthly; • the annual reviews of the development; • any independent environmental audit, and the Applicant's response to the recommendations in any audit; and • any other matter required by the Secretary; and <p>(b) keep this information up-to-date, to the satisfaction of the Secretary.</p>	Newman Quarry website contains this required information		Compliant
----	--	--	--	-----------

Appendix 4 - Noise Compliance Assessment

Applicable Meteorological Conditions

1	<p>The noise criteria in Table 2 are to apply under all meteorological conditions except the following:</p> <p>a) wind speeds greater than 3 m/s at 10 m above ground level; or</p> <p>b) temperature inversion conditions between 1.5°C and 3°C/100 m and wind speed greater than 2 m/s at 10 m above ground level; or</p> <p>c) temperature inversion conditions greater than 3°C/100 m.</p>	noted - meteorological station installed don top of the weigh bridge office		Compliant
---	--	---	--	-----------

Determination of Meteorological Conditions

2	<p>Except for wind speed at microphone height, the data to be used for determining meteorological conditions must be that recorded by the meteorological station required under condition 16 of Schedule 3.</p>	noted		Compliant
---	---	-------	--	-----------

Compliance Monitoring

3	<p>A noise compliance assessment must be undertaken within two months of commencement of the proposed increased extraction rate. The assessment must be conducted by a suitably qualified and experienced acoustical practitioner and must assess compliance with noise criteria presented above. A report must be provided to the EPA within 1 month of the assessment.</p>	Noise Compliance Assessment undertaken report and issued to EPA on 24/11/2016		Compliant
4	<p>Unless the Secretary agrees otherwise, this monitoring is to be carried out in accordance with the relevant requirements for reviewing performance set out in the NSW Industrial Noise Policy (as amended from time to time), in particular the requirements relating to:</p> <p>a) monitoring locations for the collection of representative noise data;</p> <p>b) equipment used to collect noise data, and conformity with Australian Standards relevant to such equipment;</p> <p>c) modifications to noise data collected, including for the exclusion of extraneous noise and/or penalties for modifying factors apart from adjustments for duration; and</p> <p>d) the use of an appropriate modifying factor for low frequency noise to be applied during compliance testing at any individual residence if low frequency noise is present (in accordance with the INP) and before comparison with the specified noise levels in the consent.</p>	Noise Compliance Assessment undertaken report and issued to EPA on 24/11/2016		Compliant

Appendix 5 - EPA's requirements for the soil and water management plan

	<p>The Soil and Water Management Plan required under condition 20 of Schedule 3 must:</p> <p>a) describe stormwater management measures to control pollutants at the source and contain them within the site;</p> <p>b) describe erosion and sediment control measures to minimise disturbance of land, minimise water flow through the site and filter, trap or detain sediment;</p>			
--	---	--	--	--

<p>1</p>	<p>c) describe measures to maintain and monitor any stormwater controls; d) describe methods of storage of topsoil and associated erosion and sediment control measures; e) describe waste water treatment measures, including systems for the reuse and/or recycling of waste water and measures for treating the unavoidable discharges from the site to meet specific water quality requirements; f) describe the size and location of sediment basins for each stage of the quarry development in accordance with the sizing requirements of the Managing Urban Stormwater Soils and Construction: Volume 1 and 2E guidelines based on a minimum standard of 90th percentile five-day rainfall event (75 mm); and g) include a water balance to ensure the design of the volume of sediment basins required for stormwater capture and treatment is not compromised by water storage required for re-use purposes. Such dual purpose basins must be designed and managed to accommodate both stormwater management and water re-use objectives.</p>	<p>SWMP (Rev 5) reviewed and approved by DPE</p>	<p>Compliant</p>
----------	---	--	------------------

Appendix C Audit plan



NGH



Audit Plan

Sly's Quarry Independent Environmental Audit (SDD – 6624)

April 2023

Project Number: 230086



Document verification

Project Title: Sly's Quarry Independent Environmental Audit (SDD – 6624)

Project Number: 230086

Project File Name: Audit Plan 20230403

Revision	Date	Prepared by	Reviewed by	Approved by
Final	3/04/2023	O. Merrick	N. Arens	N.Arens

NGH Pty Ltd is committed to environmentally sustainable practices, including fostering a digital culture and minimising printing. Where printing is unavoidable, NGH prints on 100% recycled paper.



NSW • ACT • QLD • VIC

ABN 31124 444 622 ACN 124 444 622

W. www.nghconsulting.com.au

E. ngh@nghconsulting.com.au

BEGA - ACT & SOUTH EAST NSW

Suite 11, 89-91 Auckland Street
 (PO Box 470) Bega NSW 2550
 T. (02) 6492 8333

BRISBANE

T3, Level 7, 348 Edward Street
 Brisbane QLD 4000
 T. (07) 3129 7633

CANBERRA - NSW SE & ACT

Unit 8, 27 Yallourn Street
 (PO Box 62) Fyshwick ACT 2609
 T. (02) 6280 5053

GOLD COAST

2B 34 Tallebudgera Creek Road
 Burleigh Heads QLD 4220
 (PO Box 424 West Burleigh QLD 4219)
 T. (07) 3129 7633

MELBOURNE

Level 14, 10-16 Queen Street
 Melbourne VIC 3000

NEWCASTLE - HUNTER & NORTH COAST

Level 1, 31-33 Beaumont Street
 Hamilton NSW 2303
 T. (02) 4929 2301

SYDNEY REGION

Unit 17, 21 Mary Street
 Surry Hills NSW 2010
 T. (02) 8202 8333

TOWNSVILLE

Level 4, 67-75 Denham Street
 Townsville QLD 4810
 T. (07) 4410 9000

WAGGA WAGGA - RIVERINA & WESTERN NSW

35 Kincaid Street (PO Box 5464)
 Wagga Wagga NSW 2650
 T. (02) 6971 9696

WODONGA

Unit 2, 83 Hume Street
 (PO Box 506) Wodonga VIC 3690
 T. (02) 6067 2533

Sly's Quarry Expansion Audit Plan (Agenda) 2023

AUDITED ORGANISATION	PROJECT
Newman's Quarrying Pty Ltd	Sly's Quarry Expansion
LOCATION OF AUDIT	PROPOSED DATE OF SITE AUDIT
Sly's Quarry Lot 2 Jackybulbin Road, Mororo, NSW	Thursday 21 st April 2023
DEPTH OF AUDIT	SCOPE OF AUDIT
Environmental Approval	Compliance with: <ul style="list-style-type: none"> State Significant Development Conditions of Consent (SDD- 6624)
AUDIT CRITERIA	PROPOSED AUDIT DETAILS
<ul style="list-style-type: none"> SDD - 6624 	<p>Opening Meeting – 21st April 2023, 08:30</p> <p>Closing Meeting – 21st April 2023, 15:30</p>
PROJECT REPRESENTATIVES PRESENT	AUDIT TEAM
To be advised	<p>Olivia Merrick, NGH – Lead Auditor</p> <p>Whitney Heiniger, NGH – Auditor</p>
AUDIT REPORT	
A final Audit Report is provided to Newman's Quarrying at the completion of the audit process.	
PREVIOUS AUDIT DATE	PREVIOUS AUDIT REFERENCE
April 2021	Audit Report – Independent Environmental Audit - Sly's Quarry Expansion, Tim Fitzroy and Associates (2021)

Appendix D Independence Declarations and Auditors CVs

6. Appendices

Appendix A – Declaration of Independence Form Template

Declaration of Independence - Auditor

Project Name Sly's Quarry
Consent Number SSND - 6624
Description of Project sandstone + sand quarry expansion project
Project Address Lot 2 Jacey bulbin Road, Mororo
Proponent Neuman Quarrying Pty Ltd
Date 29-03-2023

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an

approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor

Olivia Merrick (nee Davies)

Signature



Qualification

RAB QSA-TL: Leading Management System Audits.
NQM

Company



NGH

KEY PROJECTS

Environmental Management

- Stewardship Maintenance Contract, Sydney West Zone (NSW). Environmental approvals for development, post-approval documentation (CEMP and subplans)
- Woolgoolga to Ballina (W2B) Pacific Highway upgrade New South Wales (WSP/ Transport for NSW). Environmental management for compliant site-based construction activities, post-approval documentation (CEMP and subplans)
- Wheatstone Liquefied Natural Gas construction (W.A). Environmental project management, contractor CEMP and subplan approval, contractor Audits and inspections.
- Harcourt Modernisation water pipeline project (Vic). CEMP drafting and implementation, audits and inspections.
- Gladstone LNG Upstream - Roma Coal Seam Gas Compressor station construction (QInd). Lead environmental project management and compliance assurance for all construction activities, post-approval documentation (CEMP and subplans)
- Macedon Gas Plant - Onshore Domestic Gas Plant development (W.A.). Lead compliance assurance for all construction activities, post-approval documentation (CEMP and subplans)

Certifications

- Rail Industry Safety Induction (RSN00162392 100 –N.S.W.)
- National OHS General Induction Training – White Card
- Advanced (Level 3) First Aid certification (HLTFA402B)

Olivia Merrick

B. Env Sci (Honours)

Law Masters (Construction)

Principal Consultant – Environmental Management

Olivia is environmental management professional, experienced in leading teams to deliver environmental compliance excellence. She has over 20 years consulting, industry and public sector experience. She has delivered complex multidisciplinary projects for major infrastructure construction (rail, highway, pipeline, power transmission); and large-scale resources development (exploration; underground mining; upstream and downstream oil & gas) from a technical base that spans ecology, rehabilitation, acid sulfate soils, contaminated sites, erosion and sediment control and noise management. Olivia has supported clients across Australia.

Her breadth of experience covers heavily scrutinised construction projects. She has been responsible for environmental project management, leading project-scale Management of Change processes (project modifications/ amendments and cascading those to compliance initiatives), developing and implementing compliance tracking programs and establishing environmental management systems. Olivia has also worked extensively on site, developing practical solutions to achieve a best for project result.

Olivia has led audit teams for independent environmental audits in NSW and Western Australia, along with internal environmental due diligence reviews in Victoria and Queensland. She has vast experience in preparing pre-approval environmental assessment documentation; and post-approval Construction and Environmental Management Plans and sub-plans. She has held independent environmental representative roles, overseeing and reviewing the delivery of infrastructure projects against environmental management requirements. Olivia has managed and mentored large and diverse teams of environmental professionals. In her role as Principal Consultant (Compliance) at NGH, Olivia uses her expertise to assist the Environmental Management team to deliver environmental compliance excellence for our clients.

Tertiary Qualification

Murdoch University

Bachelor of Science (Environmental Science), Honours

Melbourne Law School

Law Masters (Construction), graduation expected 2024

Professional Experience

Environmental Impact Assessment and Planning

- Review of Environmental Factors (REF) for Transport for NSW – Environmental Manager for Galston Gorge slope remediation and culvert upgrade works. Extensive traffic management planning and community consultation (road closure and associated detour assessment); significant European heritage considerations (circa 1821 sandstone culverts); and biodiversity values (threatened flora species and fauna habitat)
- Review of Environmental Factors (REF) for Transport for NSW – Environmental Manager for Canoelands road upgrade. Extensive government and community consultation (crown lands).
- State Significant Infrastructure (SSI) – Transport for NSW, Pacific Highway Upgrade - Consistency Assessments for Portion D – Environmental Lead
- State Significant Infrastructure (SSI) – Transport for NSW, Ballina Bypass – Environmental Impact Assessment – Environmental Lead
- Petroleum Pipeline Lease (PPL) – Chevron, Wheatstone field – Environmental Impact Assessment – Environmental Lead
- Project Modifications (4) - Gladstone LNG (Qld) – Roma Field – Environmental Lead
- Environmental Impact Assessment (EIS) – Horizontal Directional Drilling and Onshore Pad - Macedon Gas Project – Environmental Lead
- Transmission Line Route Selection Studies and Options Analysis (W.A) – Environmental Manager
- Environmental Impact Assessment (EIS) - Highland Source Project (NSW) – Water pipeline route selection
- Review of Environmental Factors (REF) - Australian Nuclear Science Technology Organisation (NSW), Expansion Project – Environmental Manager

Environmental Representative

- Environmental Representative (ER) for the Coliban Water Harcourt Modernisation Project, Supply and installation of 45km of HDPE pipeline, transfer pump station construction, Vic.
- Support Environmental Management Representative (EMR) for Pacific Highway – Woolgoolga to Ballina, NSW
- Support Environmental Management Representative (EMR) for Pacific Highway – Ballina Bypass, NSW

Key Auditing Roles

- Environmental Audit of Portion C construction, Woolgoolga to Ballina Pacific Hwy Upgrade, NSW
- Environmental Audit of the Ballina Bypass construction, NSW
- Environmental Compliance Audit, Macedon Gas Plant construction, W.A.
- Environmental Compliance Audit, Wheatstone Gas Plant construction, W.A

Key Due Diligence reviews

- Environmental Due Diligence, Fairview Coal Seam Gas Hub, Qld
- Environmental Due Diligence, Roma Coal Seam Gas Hub, Qld
- Environmental Due Diligence, Coliban Water Pipeline, Vic.



NGH

Key Projects

- Snowy 2.0 Transmission Connection CEMP and Management Plans
- Visy Pulp and Paper Mill Independent Environmental Audit
- Visy Paper Mill Albury Independent Environmental Audit
- Jandra Quarry Independent Environmental Audit
- Teven Quarry Independent Environmental Audit
- Catherine McAuley College Medowie Independent Environmental Audit
- Donnybrook Quarry EPBC Audit
- Clarke Creek Wind Farm cBoP Environmental Management plans and procedures
- Clarke Creek Wind Farm eBoP Environmental Management plans and procedures
- Snowy 2.0 Ravine Road ESC Action Plan
- AIMS Townsville Earthworks Management Plan and Erosion and Sediment Control Plan
- Bango Wind Farm Stockpile Management Plan
- Schmidt Road Realignment ESCP and Site Auditing
- Walla Walla Solar Farm CEMP and Management Plans
- Snowy 2.0 Transmission Connection Operational Vegetation Management Plan
- Cliff Drive Leura CEMP and ESCP
- Kosciuszko Road Rehabilitation ESCP
- Marshalls Creek Bridge Replacement CEMP and subplans
- Mt Isa Increased Structural Gauge Project PEPA and EDR

Whitney Heiniger

Bachelor of Science (Marine Biology), Bachelor of Environmental Science (Honours), Graduate Certificate in Environmental Management
CPESC (Associate)

Senior Environmental Consultant – Environmental Management

Whitney is an environmental professional with nearly five years' experience specialising in environmental management.

Whitney's career to date has focused on providing independent environmental advice on complex civil infrastructure projects. She is a Certified Professional in Erosion and Sediment Control – In Training (CPESC-IT) and has completed Lead Auditor in Environmental Management Systems (ISO 14001:2015 and 19001:2018) training through SAIGlobal.

Whitney is experienced in the development and implementation of environmental management plans, troubleshooting environmental issues that arise on site, auditing and compliance. Her clients have included a wide range of public and private sector organisations on a variety of projects in road and rail infrastructure, water infrastructure, the renewable energy sector, extractive industries and manufacturing. Her auditing experience includes various State Significant Development (SSD) Projects, EPBC-referred Projects and contractually required audits across NSW and Qld.

Tertiary Qualification

RMIT University (Online)

Graduate Certificate in Geospatial Science (2022 - Present)

University of Queensland (St Lucia)

Graduate Certificate in Environmental Management (2018)

University of Technology (Sydney)

Bachelor of Science (Honours) in Environmental Science (2016)

University of Technology (Sydney)

Bachelor of Science in Marine Biology (2013 - 2015)

Professional Experience

Environmental Coordinator, Fulton Hogan Construction – 2018 – 2021

- Advising on a comprehensive range of environmental aspects throughout civil construction projects across Queensland and New South Wales as both a sole project Environmental Advisor and as part of small project environmental teams.
- Serviced a range of clients on projects ranging from \$6million to \$850million in value including the Department of Transport and Main

Roads, Transport for NSW, Department of Defence, Seqwater, Brisbane City Council, Queensland Rail and Brisbane Airport Corporation.

- Advising on over four regional projects at a time, managing them concurrently.
- Development and implementation of Environmental Management Plans, written in accordance with relevant state and federal legislation as well as client specifications and contractual requirements.
- Environmental aspects managed include legislative permits and approvals; erosion and sediment control; flora, fauna and biosecurity; heritage (Indigenous and European); air quality; water quality; waste and resources; acid sulfate soils (AASS and PASS); contamination; noise and vibration; and chemical management.

Additional Qualifications, Training and Skills

- Certified Professional in Erosion and Sediment Control (CPESC) Associate – IECA, 2021
- International Erosion Control Association (IECA) Member
- Infrastructure Sustainability Accredited Professional (ISAP) – ISCA, 2021
- Lead Auditor in Environmental Management Systems ISO 14001:2015 & ISO 19011:2018 – SAIGlobal, 2019
- ICAM Lead Investigator – 2021
- Current Senior First Aider incl. CPR – 2021
- Current Mental Health First Aider – 2021
- Current Queensland Construction White Card, 2018
- Environmental Awareness and Spill Kit Induction with Practical Spill Response – Absorb Environmental, 2020
- National Red Imported Fire Ant Eradication Program Awareness Training – DAF, 2019
- Mates in Construction Mental Health Connector – 2020
- Full C-Class and R-Class QLD Driver's Licence (Manual)



NGH

KEY PROJECTS

Key Road Infrastructure

- Albion Park Rail Bypass
- Heathcote Road
- Empire Bay Road Upgrade
- M7 Motorway & M2 Motorway
- Bringelly Road Upgrade
- Camden Valley Way Upgrade
- Schofields Road Upgrade
- Bega Bypass
- Conjola Mountain – Princes Highway
- Karuah to Bulahdelah Bypass
- Bonville Bypass
- Nabiac Bypass
- Nepean River Green Bridge
- Karuah Bypass
- Liverpool to Parramatta Transitway
- Princes Highway Nowra
- Bangor Bypass
- Northern Hum Alliance
- Woomargama Bypass
- Albury Bypass

Marina's and Wharves

- Elizabeth Bay Marina
- Manly Ferry Wharf
- HMAS Platypus
- National Maritime Museum Wharf
- Balls Head Coal Loader Wharf – historic site
- Church Point Cargo and Ferry wharves
- Stockton Boat Harbour and Swing Mooring

Department of Planning approved independent auditor for:

- St Marys Intermodal
- Sutherland, Griffith Base, New Maitland & Bowral Hospitals
- Campbelltown Hospital redevelopment
- Albury Bypass Post approval
- Bangor Bypass Post approval

Natascha Arens

BAppSc, MB&EnvMgt

CEnvP, MEIANZ

GM – Operations

Natascha launched the Sydney Branch of NGH in 2006. She has around 30 years of professional experience in environmental management and impact assessment and began her career as an ecologist in South Eastern NSW.

She has worked in both the public and private sector in a number of senior management and policy roles. Natascha has a wealth of experience in environmental impact assessment for large infrastructure projects. She is an Exemplar Global Principal Environmental Auditor and has extensive auditing experience across a range of industries, with a focus on infrastructure. She has worked across a diverse range of environments from dry arid areas to alpine environments and subtropical areas.

The diversity of her planning experience coupled with her onsite and project management experience has equipped her with an excellent understanding of environmental issues, legislation and planning in regional and urban environments. Natascha gives clients assurance that NGH will use innovation and breadth of company history to drive sustainable outcomes for projects.

Natascha has a leading role in the operational performance of the company. Instigating improved environmental performance is something Natascha pursues with enthusiasm.

Tertiary Qualification

Southern Cross University, Lismore

Bachelor of Applied Science (Conservation Technology and Management) (1991)

University of Newcastle

Master of Business and Environmental Management (2006)

Professional Experience

GM Operations – NGH Pty Ltd

- Maintenance and compliance with the company Quality & OHS&R System
- Review and monitor major projects, including large Pacific Highway Upgrades, Princes Highway Upgrades, Water and energy infrastructure, M2 and M7 upgrades and maintenance, recreation spaces and masterplans, renewable energy projects and Biodiversity Strategies

Manager Environmental Technology Branch – RTA

- Management of the three sections within the branch (up to 18 full time staff)

- Facilitate improvement of environmental management within the RTA
- Reviewing and overseeing major projects, including major freeway and Highway upgrades. Eg: M7 Motorway, Bulahdelah Bypass

Biodiversity and Sustainability Policy Officer – RTA

- Respond to ministerial enquiries.
- Comment on state and federal legislation changes
- Prepare policy on biodiversity and sustainability
- Prepare and implement RTAs Sustainability Action Plan
- Manage funding for Roadside Environment Committee
- Manage biodiversity related research projects

Environmental Officer, Environmental Projects Section – RTA

- Environmental Management Systems (EMS) auditing
- Preparation of Environmental Management Plans (EMP)
- Review of RTA environmental G specifications and procedures. Update the RMS EMS

Manager Environmental Projects Section (secondment) – RTA

- Maintain registers of projects, financial performance and provide reporting to the branch manager
- Marketing and promotions of services
- Expert Advisor for environmental assessments, management and planning including Pacific Highway Upgrades, and M7 Motorway

Environmental Officer, Environmental Assessments – RTA

- Management and Preparation of Environmental Impact Assessments including Review of Environmental Factors and EIS, including Robinvale Murray River Bridge replacement REF
- Preparation of Representation Reports, proposals and briefing documents, major projects included Liverpool to Parramatta Transitway and Karuah – Bulahdelah EIS and representations report

Environmental Consultant – NGH Pty Ltd

- Species impact statements, design and implementation of fauna and flora survey; Preparation of environmental assessment documents in areas where development may impact on the natural environment

Eden District Technical Officer, Threatened Species Unit – NSW NPWS

- Update Eden District Incident Action Plan; Implement and maintain fauna databases, TSU GIS management; Process data from field surveys, targeting endangered and locally significant fauna; Liaison and negotiation with NSW State Forest regarding data collection and exchange; Provide technical and professional advice to 33 landholders in preparing a Plan of Management for a Voluntary Conservation Agreement (VCA). Flora and fauna surveys

Additional Qualifications and Skills

- Exemplar Global Certified Environmental Management Systems Auditor (ISO 14001)
- Soil and water and erosion and sediment control training
- Certified Environmental Practitioner
- EIANZ Member
- Certificate II in Bush Regeneration
- Senior First Aid Certificate
- Certificate IV in Assessment and Workplace Training

Appendix E Agency consultation

Olivia Merrick

From: Development North <[REDACTED]>
Sent: Friday, 28 April 2023 1:19 PM
To: Olivia Merrick
Subject: NTH13/00051/11 - Upcoming Sly's Quarry expansion project (SSD 6624) scheduled independent env audit
Attachments: NTH13/00051/10 - Pre-DA Advice - Sly's Quarry Traffic Assessment

Hi Olivia

Thank you for contacting Transport for NSW.

It is understood that an Independent Environmental Audit (IEA) of quarry operations under SSD_6624 is being undertaken in accordance with Condition 11 of Schedule 5 of the development consent.

Our key interests are the safety and efficiency of the transport network, the needs of our customers and the integration of land use and transport in accordance with *Future Transport Strategy 2056*.

It is requested the audit consider the following;

- Verify that the approved development is operating in accordance with Schedule 2, Condition 8 and 8A.
- Verify records of laden truck movements and the publication of such records in accordance with Schedule 3, Condition 22.
- Review procedures relating to the management of vehicles under Schedule 3, Condition 23 to confirm appropriate measures are in place to ensure vehicles comply with requirements.
- Review the Traffic Management Plan (TMP) required under Schedule 3, Condition 24 of the consent to confirm that all required actions have been completed, in particular the upgrade of the site access to Tullymorgan-Jackybulbin Road and the adoption of a Drivers Code of Conduct.
- Review operating procedures to ensure that measures identified under TMP are being implemented as required under Schedule 3, Condition 25.

TfNSW was recently asked to provide Pre-DA modification advice on a proposed daily increase in laden trucks. This Pre-DA advice identified safety concerns with the U-turn facilities and is considered relevant to the IEA (email of 30 August 2022 attached).

If you would like to further discuss this advice, please contact myself on the number below or Development Services Team on 1300 207 783.

Kind regards

Leisa Sedger

Development Services Case Officer
Community and Place | Region North
Regional and Outer Metropolitan

Transport for NSW

[REDACTED]
[W transport.nsw.gov.au](http://transport.nsw.gov.au)

76 Victoria Street
Grafton NSW 2460

I work flexibly. Unless it suits you, I don't expect you to read or respond to my emails outside of your normal work hours.



I recognise and acknowledge that modern New South Wales is an overlay on Aboriginal land and that many of the transport routes of today follow songlines Aboriginal people have followed for tens of thousands of years. I pay my respects to the Aboriginal people of NSW and Elders past and present.

From: Olivia Merrick <olivia.m@nghconsulting.com.au>
Sent: Wednesday, 12 April 2023 1:47 PM
To: Development North <Development.North@transport.nsw.gov.au>
Subject: Upcoming Sly's Quarry expansion project (SSD 6624) scheduled independent env audit

You don't often get email from olivia.m@nghconsulting.com.au. [Learn why this is important](#)

CAUTION: This email is sent from an external source. Do not click any links or open attachments unless you recognise the sender and know the content is safe.

Assign to Leisa

Hi Zac,

Thanks for returning my call, I wanted to make contact with TfNSW as we have the next IEA for this project as per consent conditions 6624 (Schedule 5, condition 10) due this month.

We plan to undertake the site audit component 28th April 2023 and are looking to consult with Transport generally, as to any issues or compliance matters you would like us to pay particular attention to.

I've attached the previous audit report undertaken by Tim Fitzroy for reference.

If you have any queries please feel free to give me a call/ email.

Thanks again and chat soon,

Cheers

R dyl# huulfn#
Subf lsd# hqylrqp hqwd# rp sddqfh

p #8734#85#97#
h1 [rdydlp C qikfrqvxbj lfrp dx](#)
z 1 [qikfrqvxbj lfrp dx](#)

Olivia Merrick

From: Olivia Merrick
Sent: Wednesday, 26 April 2023 12:49 PM
To: Phil Rose
Subject: RE: Sly Quarry - DPE Contact

Hi Phil,

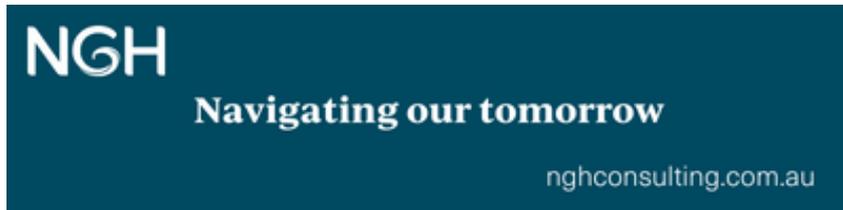
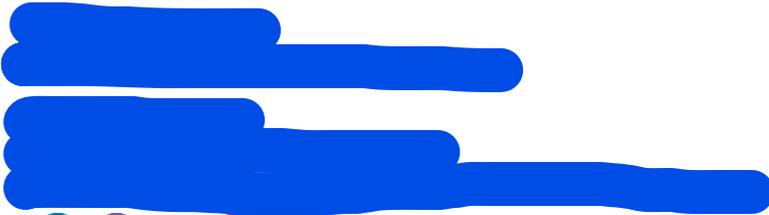
Thanks again for the email follow up, from the desktop components of the audit we've been working through – the quarry appears to be operating as predicted/ assessed; in accordance with development consent and the EPL requirements.

We will visit site this week to undertake the site audit component; is there any items/ issues the Department would like us to specifically address?

If no concerns I will note as such.

Thanks again Phil, have a lovely week,

Cheers



From: Phil Rose <Phillip.Rose@planning.nsw.gov.au>
Sent: Monday, April 17, 2023 11:30 AM
To: Olivia Merrick <olivia.m@nghconsulting.com.au>
Subject: Sly Quarry - DPE Contact

Hi Olivia,

I tried calling you today but was unable to get through. So I am providing you with this email with all my contact details if you wish to make contact and discuss any concerns.

Kind Regards

Phillip Rose
A/Senior Compliance Officer
Planning & Assessment | Department of Planning and Environment



The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via compliance@planning.nsw.gov.au.

The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).

Olivia Merrick

From: Olivia Merrick
Sent: Thursday, 20 April 2023 12:59 PM
To: Jonathan Yantsch
Cc: Whitney Heiniger
Subject: RE: Sly's Quarry expansion project, Mororo - Independent Env. Audit

Hi Jonathan,

Thank you for the follow up, much appreciated.

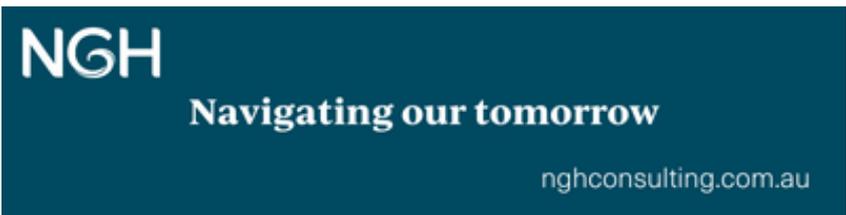
The scheduled audit incorporates a review of the management plan documents; inclusive of the Soil and Water Management Plan.

Any deviations noted on site to the requirements of the above mentioned Plan (which was approved by DPE and established to protect surface water quality and therefore the impacts of runoff/ sedimentation to such sensitive receivers) shall be noted. Should any NCRs be found relating to surface water/ sedimentation; recommendations would be put forward for the Quarry management team for action.

Thanks again for the feedback and if there is anything else of concern you would like us to note, by all means feel free to email or phone.

Cheers,

[Redacted signature block]



From: Jonathan Yantsch [Redacted]
Sent: Tuesday, April 18, 2023 2:23 PM
To: Olivia Merrick [Redacted]
Subject: RE: Sly's Quarry expansion project, Mororo - Independent Env. Audit

Hi Olivia

Thank you for providing Dpi Fisheries with the opportunity to comment.

For the current audit, DPI Fisheries would reiterate our comments made on the previous audit undertaken by Tim Fitzroy and Associates – refer to Pg. 19.

Please contact me if you have any questions.

Regards

Jonathan

Jonathan Yantsch

Senior Fisheries Manager, Coastal Systems (North Coast)
Marine Estate Management
Department of Regional NSW

P [Redacted]

regional.nsw.gov.au

Wollongbar Agricultural Institute



Department of Regional NSW

We stand on Country that always was and always will be Aboriginal land. We acknowledge the Traditional Custodians of the land and waters, and we show our respect for Elders past, present and emerging. We are committed to providing places in which Aboriginal people are included socially, culturally and economically through thoughtful and collaborative approaches to our work.

From: Olivia Merrick [Redacted]
Sent: Thursday, 13 April 2023 9:04 AM
To: Jonathan Yantsch [Redacted]
Subject: Sly's Quarry expansion project, Mororo - Independent Env. Audit

Hi Jonathan,

We have been commissioned by Newman Quarrying to undertake their next scheduled IEA; we plan to attend site 28th April.

I wanted to consult with the Department generally on any issues or concerns wrt to the project.

I've included a link to the previous audit, undertaken by Tim Fitzroy; for reference.

[Report Template \(newmanquarrying.com.au\)](http://newmanquarrying.com.au)

Thanks Jonathon and look forward to hearing back soon,

Cheers

[Redacted signature block]



Appendix F Audit frequency direction (DPE)



Mr. Mark Newman
2 Wentworth Street
PALMERS ISLAND NSW 2463

13/08/2021

Dear Mr Newman

**Sly's Quarry Expansion (SSD-6624)
Independent Environmental Audit**

Reference is made to the Independent Environmental Audit (IEA) report and Response to Audit Recommendations (RAR) for the Sly's Quarry Expansion, prepared as required by Schedule 5, Condition 11 of SSD-6624 (the **approval**) and submitted to the Department of Planning, Industry and Environment (the **Department**) on 30 June 2021.

The Department considers that the IEA report generally satisfies the reporting requirements of the approval. Please note that acceptance of this report is not endorsement of the compliance status of the project.

As a result of the review, the Department notes the following concerns and/or improvements:

- a) Schedule 5, Condition 13 of SSD-6624 requires a complaint register to be updated monthly. After a review of the project website it appears that the complaint register has not been updated since January 2020. This is a contravention of Schedule 5, Condition 13. Please ensure the information on the project website is updated by **10 September 2021**.
- b) Section 5.6.10 of the audit report highlights a concern for the build-up of sediment in the basin that services the wash-down bay for trucks and other site vehicles. The RAR provides a solution by increasing the frequency of maintenance of the basin from six monthly to quarterly. Please provide an update on this matter in the next Annual Review.

The Department highlights that the submission of the IEA was not in accordance with the timing prescribed in Schedule 5, Condition 11. While an extension of time was requested and approved by the Department to June 2021, please be mindful that the next IEA is due by 30 June 2023 in accordance with Schedule 5, Condition 11.

Non-compliances identified in the IEA have been assessed in accordance with the Department's Compliance Policy with the Department on this occasion, determining to record the breaches with no further enforcement action. However, please note that recording the breach does not preclude the Department from taking alternative enforcement action, should it become apparent that an alternative response is more appropriate.

Please include a status update for all actions provided in the RAR in the next Annual Review, until all actions are completed.

If you wish to discuss the matter further, please call Phillip Rose on (02) 6670 8657.

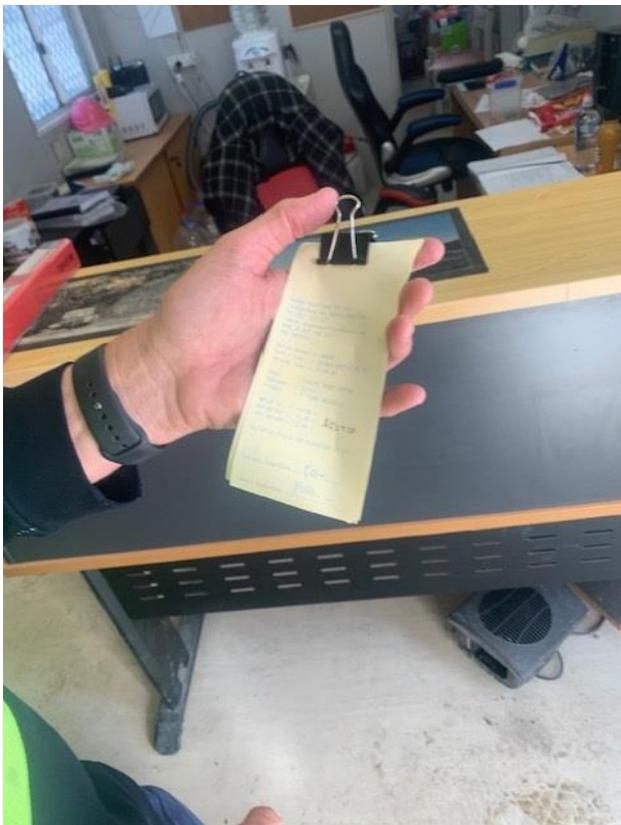
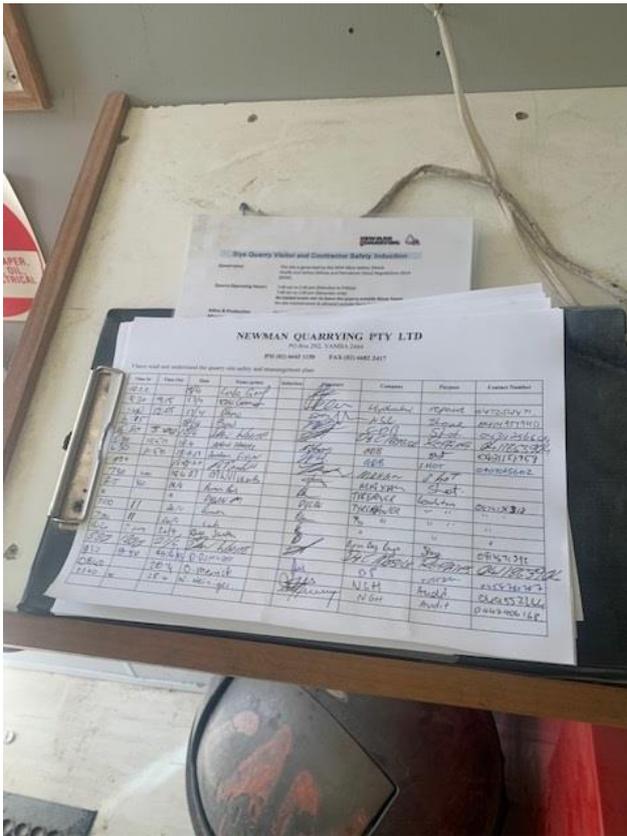
Yours sincerely

A handwritten signature in black ink, appearing to read 'Shelley McPhee'. The signature is fluid and cursive, with the first letter 'S' being particularly large and stylized.

Shelley McPhee
Compliance Team Leader
Compliance
As nominee of the Planning Secretary

Appendix G Site photographs

Site inspection photos





















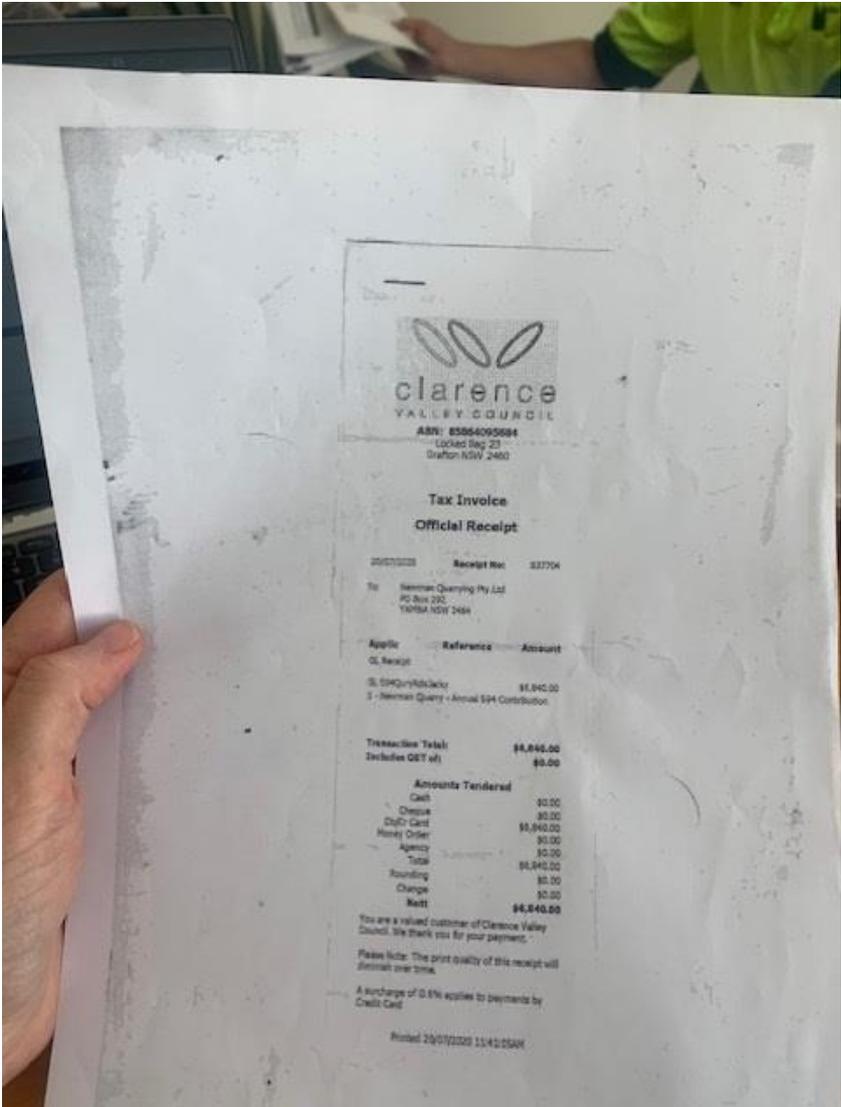














Slys Quarry Environmental Controls

The following controls are a summary of the most applicable with the entire environmental controls found in the GHD Environmental Impact Statement.

Biodiversity and Rehabilitation

- The limits of clearing are to be clearly marked by protective fencing (i.e. 'no-go' areas)
- Mulch stockpiles contaminated by weeds or pathogens will be managed in accordance with The pasteurised garden organics exemption 2016
- A qualified and experienced ecologist is to undertake pre-clearing surveys of flora and fauna habitat within 48 hours of clearing
- Clearing is to be supervised by an experienced ecologist
- Clearing of hollow-bearing/habitat trees will follow the clearance protocol and be supervised by an ecologist
- If an unexpected threatened species (i.e. not considered in the EIS) or unexpected impact on a threatened species (i.e. not considered in the EIS) is identified within the site:
 - Stop work
 - Contact an ecologist to undertake an assessment
 - Gain appropriate approval, if required

- Implement hygiene measures prior to entering and when leaving non-operational areas of the site (i.e. outside of access tracks, work area and quarry pit) to control weeds, Myrtaceae (Myrtle Rust), Phytophthora cinnamomi (Phytophthora) and Chytrid fungus.



Threatened species - Brush-tailed Phascogale

Soil and Water

- If rain is forecast, sediment and erosion controls will be checked and maintained
- If dry weather and winds are forecast, dust controls will be implemented.
- Where available, and of appropriate quality, the quarry operation will use recycled runoff for quarry activities.

- All chemicals, fuels and oils stored at the premises must be contained within appropriately designed bunded areas
- Regular checks of vehicles working at the quarry will be conducted to ensure that no oils or fuels are leaking

Waste

- Mulch cleared vegetation and use on site
- Reuse excess material on-site wherever possible, if not reused, recycle

Noise

- The operating hours must be complied with

Table-1 Hours of operation

Activity	Permissible Hours
Employee arrival	<ul style="list-style-type: none"> From 6:30 am Monday to Saturday inclusive From 7:30 am Sundays or public holidays if engaged in maintenance, site security or other similar activities
Quarrying operations including loading and dispatch of laden trucks	<ul style="list-style-type: none"> 7 am to 6 pm Monday to Friday 7 am to 1 pm Saturday 7 am to 4 pm if fulfilling a contract for the supply of quarry products to the Pacific Highway upgrade project At no time on Sundays or Public holidays
Blasting	<ul style="list-style-type: none"> 9 am to 3 pm Monday to Friday (except public holidays)
Maintenance	<ul style="list-style-type: none"> May be conducted at any time, provided that these activities are not audible at any privately-owned residence

- Best practice management must be implemented to minimise the operational and road transportation noise of the development.
- Where practical, machines would be operated at low speed or power and switched off when not being used rather than left idling for prolonged periods.
- Avoid dropping materials from height and avoid metal to metal contact on material.
- All engine covers would be kept closed while equipment is operating.

Air quality

- The area of surface disturbance is to be minimised and progressive rehabilitation must be undertaken at the site.
- Water sprays are required on crushing and screening plant, when dust is visible
- Haul truck routes will be watered as required, particularly during peak periods of high use.
- Loaded trucks leaving the construction site will be covered to minimise the transport of dust off site
- Turn off engines when not in use

Heritage

- Stop work if it is suspected that Aboriginal material has been uncovered



Aboriginal Heritage - Shell Midden

Traffic

- Vehicles should conform to a code of conduct.
- Plant and equipment are to be operated and maintained in a proper and efficient manner



Threatened species - Bordered guinea flower (Hibbertia marginata)

NGH Pty Ltd

NSW • ACT • QLD • VIC

ABN 31 124 444 622 ACN 124 444 622

E: ngh@nghconsulting.com.au

GOLD COAST

2B 34 Tallebudgera Creek Road
Burleigh Heads QLD 4220
(PO Box 424 West Burleigh QLD 4219)

T. (07) 3129 7633

SYDNEY REGION

Unit 17, 21 Mary Street
Surry Hills NSW 2010

T. (02) 8202 8333

BEGA

Suite 11, 89-91 Auckland Street
(PO Box 470)
Bega NSW 2550

T. (02) 6492 8333

MELBOURNE

Level 14, 10-16 Queen Street
Melbourne VIC 3000

T: (03) 7031 9123

TOWNSVILLE

Level 4, 67-75 Denham Street
Townsville QLD 4810

T. (07) 4410 9000

BRISBANE

T3, Level 7, 348 Edward Street
Brisbane QLD 4000

T. (07) 3129 7633

NEWCASTLE - HUNTER & NORTH COAST

Level 1, 31-33 Beaumont Street
Hamilton NSW 2303

T. (02) 4929 2301

WAGGA WAGGA - RIVERINA & WESTERN NSW

35 Kincaid Street (PO Box 5464)
Wagga Wagga NSW 2650

T. (02) 6971 9696

CANBERRA

Unit 8, 27 Yallourn Street
(PO Box 62)
Fyshwick ACT 2609

T. (02) 6280 5053

SUNSHINE COAST

Suite 101, Level 2/30 Main Drive
Birtinya QLD 4575

(07) 4410 9000

WODONGA

Unit 2, 83 Hume Street
(PO Box 506)

Wodonga VIC 3690

T. (02) 6067 2533