



Independent Environmental Audit:
Possum Brush Quarry
Consolidated Development Consent 283/97 MOD 4



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Audit Organisation:	Pacific Blue Metals Pty Ltd
Auditors:	James Hart, AQUAS
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This report has been prepared and reviewed in accordance with our quality control system. The report is a preliminary draft unless it is signed below.

This report has been prepared by: James Hart

Date 31/03/2020

This report has been distributed to:

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Independent Audit Certification Form

Development Name	Possum Brush Quarry
Development Consent No.	Consolidated Development Consent 283/97 MOD 4
Description of Development	Hard Rock Quarry
Development Address	113/115 Possum Brush Road Possum Brush NSW 2430
Operator	Pacific Blue Metal Pty Ltd
Operator Address	113/115 Possum Brush Road Possum Brush NSW 2430

Independent Audit

Title of Audit	Independent Environmental Audit: Possum Brush Quarry Consolidated Development Consent 283/97 MOD 4
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I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report and to the best of my knowledge:

- The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2014 and Post Approval Guidelines – Independent Audits;
- The findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit;
- I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);
- Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Note.

a) The Independent Audit is an 'environmental audit' for the purposes of section 122B (2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.

b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).

Signature



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Auditor Certification	Exemplar Global Lead Environmental Auditor No 12107
Date	31 March 2020

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Abbreviations

AQMP	Air Quality Management Plan
AS	Australian Standard
BMP	Blast Management Plan
CCC	Community Consultative Committee
DA	Development Approval
DDG	Deposition Dust Gauge
DPI&E	Department of Planning, Industry and Environment
DPI	Department of Primary Industry
DRE	Department of Resources and Energy
EIS	Environmental Impact Assessment
EMS	Environmental Management Strategy
EPA	Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act 1979
EPL	Environment Protection Licence
HVAS	High Volume Air Sampler
LRMP	Landscape and Rehabilitation Management Plan
MCC	MidCoast Council (Formerly Greater Taree City Council and Great Lakes City Council)
NMP	Noise Management Plan
NOW	NSW Office of Water
OEH	Office of Environment and Heritage
PBM	Pacific Blue Metals Pty Ltd
POEO Act	Protection of the Environment Operations Act 1997
TMP	Transport Management Plan and Driver Code of Conduct
TSP	Total Suspended Particulates
TSS	Total Suspended Solids
WMP	Water Management Plan

1 INTRODUCTION

1.1 Overview

Pacific Blue Metals Pty Ltd (PBM) operate the Possum Brush Quarry, an existing hard rock quarry located on Possum Brush Road, Possum Brush, NSW located approximately 5 km north-east of Nabadar and 20 km south of Taree in the MidCoast Council Local Government Area.

Possum Brush Quarry provides products from the greywacke within the Quarry Site for both road base and aggregate products for the construction industry and the upgrading of roads (including the Pacific Highway).

The 'Possum Brush' Quarry Site is surrounded by landholdings owned by Pacific Blue Metal with heavily vegetated steep hills reducing the potential for the quarry operations to be visible from surrounding properties or residences (refer to Figure 2.1). The 'Possum Brush Quarry Site straddles part of a broad east-southeast trending ridge system that forms a watershed for a number of local creeks.

The conditions of approval require PBM to appoint an independent auditor to assess compliance with the Minister's Conditions of Approval obtained for the quarry operations.

Schedule 5, condition 10 of the approval requires an Independent Environmental Audit to be conducted by 30 September 2016, and every 3 years thereafter, unless the Secretary directs otherwise. The condition requires the proponent to commission and pay the full cost of the audit. The audit must:

- a) Be conducted by a suitably qualified, experienced, and independent team of experts whose appointment has been approved by the Secretary;
- b) Include consultation with relevant agencies;
- c) Assess the environmental performance of the project, 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);
- d) Review the adequacy of any strategy/plan/program required under this approval; and, if necessary
- e) Recommend appropriate measures or actions to improve the environmental performance of the development, or any assessment, strategy, plan or program required under the abovementioned approvals.

1.2 Audit Objectives

The objective of this Independent Environmental Audit was to assess the operations at the Possum Brush Quarry and provide a report in accordance with the requirements of Schedule 5, condition 10 of the development approval.

1.3 Audit Scope and Criteria

The scope of this audit was limited to the site, being the quarry located at 113/115 Possum Brush Road, Possum Brush, and processes carried out by PBM in operating the quarry. The audit is the second for the project under the current project approval and covered the period since the previous audit and the date of the site inspection, i.e. 11 October 2016 to August 2019.

The audit scope included:

- the conditions of all relevant approvals;
- management plan requirements;
- the requirements of relevant regulatory agencies;
- the status of the operation;
- the performance of the operation;
- results from previous audits;
- any incidents or community complaints;
- feedback received from other regulatory agencies on the performance of the operation; and
- feedback received from the community / community consultative committee on the performance of the operation.

The audit criteria were developed by the Lead Auditor, and are included as a checklist at the end of this report.

2 Methodology

The audit methodology included a review of approval conditions and key management plans prepared for the quarry operations, interviews with project personnel, and a site inspection to assess the level of compliance with and implementation of those requirements.

2.1 Audit Team

The audit was conducted by the following:

Auditor	Role	Qualifications and Experience
James Hart	Lead Environmental Auditor Exemplar Global No 12105	See attached CV

James Hart, was endorsed by the Secretary of the Department of Planning and Environment on 3 July 2019.

2.2 Approvals and Documents Audited

The following documents and approvals were reviewed and included within the audit:

- Consolidated Development Consent – DA283/97 MOD 4.
- Air Quality Management Plan – Possum Brush Quarry, Report No 484/29 V3.01 December 2018;
- Noise Management Plan – Possum Brush Quarry Project, Report No. 484/27 V3.02 - December 2018.
- Blast Management Plan – Possum Brush Quarry Project, Report No. 484/28 V2.00 January 2018;
- Water Management Plan – Possum Brush Quarry, Report No. 484/30 V2.00 – January 2018.
- Landscape and Rehabilitation Management Plan – Possum Brush Quarry, Report No. 484/33, V1.02 June 2016.
- Environmental Management Strategy – Possum Brush Quarry, Report No. 484/32 V2.01 January 2018;

- Environmental Protection Licence No 3393, NSW EPA, 17 August;
- Transport Management Plan – Possum Brush Quarry, Report No. 484/31 V2.01 – January 2018;
- Possum Brush Quarry Complaints Registers 2016-2019;
- Independent Environmental Audit Possum Brush Quarry, Trevor Brown and Associates, PBM/Nov2016/Rev1, November 2016;
- Possum Brush Quarry – Independent Audit Response, 10/04/2017.
- Possum Brush Quarry Annual Review 2017-2018, Report No 484/35, August 2018;
- Possum Brush Quarry Annual Review 2016-2017, Report No 484/35, September 2017;
- Truck Driver Induction Records February 2018 to August 2019.
- Transport monitoring Data, 2016-2019;
- Possum Brush Quarry Air Quality Monitoring Results, 2016-2019.
- Possum Brush Quarry Water Quality Monitoring Results, 2016-2019.
- Plant Maintenance Records – Volvo L250H Loader
- Blast Report – Possum Brush Quarry 11/04/2018.
- Drill and Blast Checklist 19/04/2019.
- Blast Monitoring Results 19/04/19.
- Possum Brush Quarry –Noise Monitoring Report, December 2018.
- Possum Brush Quarry –Noise Monitoring Report, April 2019.
- PBM Environmental Induction and Drivers Code of Conduct, 24/05/17.
- Internal Audit Report, July 2018-June 2019.
- Possum Brush Quarry Rejected Loads Register.
- Possum Brush Quarry Regeneration Report 2019.

2.3 Agency and Community Consultation

The following people were consulted with prior to the audit to obtain feedback and to focus the audit criteria towards key issues.

Refer to **Appendix C** for consultation records provided.

Contact	Agency	Comments
Steven Cox Senior Team Leader Planning Hunter Central Coast Branch	Biodiversity and Conservation Division Department of Planning, Industry and Environment	No specific area of focus.
David West – Mayor and Community Consultative Chair	MidCoast Council	No specific concerns.
David West - Mayor	Community Consultative	No issues or concerns.
Sophia Stanley – Policy and Project Officer	NSW Department of Primary Industries	No issues or concerns.
Jennifer Sage - Property Management Project Officer	Crown Lands Department of Planning, Industry and Environment	No response for Possum Brush Quarry received.
Rebecca Akhurst - Regional Operations Officer - Hunter	NSW Environment Protection Authority	The EPA does not provide specific input to independent audits

Colin Phillips Team Leader - Energy and Resources Assessments	Department of Planning, Industry and Environment	Concerns raised regarding the long term water management and operation of the void created by the quarry and inconsistencies in relation to water management in the L&RMP.
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2.4 Name and Position of Persons Interviewed

The following site personnel were interviewed during the conduct of the audit:

Name	Position/Role	Organisation	Date of Interview
Charlie Kennett	Quarry Manager	Pacific Blue Metals Pty Ltd	27-28/08/19
Stacey Tyack	QHSE Manager	Pacific Blue Metals Pty Ltd	27-28/08/19
Steve Shearman	Supervisor	Pacific Blue Metals Pty Ltd	27/08/19

2.5 Audit Process

The audit commenced with an Opening Meeting to confirm the scope, purpose, and timeline of the audit. The Opening Meeting was held at 08.30am, 27 August 2019, in the Possum Brush Quarry site office.

Key operational documents were reviewed, and evidence of compliance was sought through the interview process. Key documents were the various management plans required under the approval. Documentation included a combination of hard copy records and electronic records maintained by Possum Brush Quarry, with records generally available during the audit. Additional records were provided subsequent to the onsite audit.

A site inspection was then conducted, which included inspection of roads and drainage structures, inspection of access control measures implemented, and inspection of quarrying operations. At the time of audit, activities being undertaken included extraction, crushing and loading operations.

A closing meeting was held at 2.30pm on 28 August 2019 where the preliminary audit findings were presented. Where aspects of the audit remained unresolved, PBM was requested to provide additional information. This information was provided on 23 September 2019.

2.6 Audit Compliance Definitions

Audit compliance status descriptors were in accordance with the Independent Audit – Post Approval Requirements.

Compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit
Non-compliance	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent of one or more specific elements of the regulatory approval have not been complied with within the scope of the audit.
Not triggered	A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, therefore a determination of compliance could not be made.

Opportunity for Improvement	Opportunities for Improvement are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance. Further Opportunities for Improvement are considered to be areas where performance may be improved.
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2.7 Issues to be considered in reviewing this report

This audit was based on a review of compliance with the approval conditions for the operation of Possum Brush Quarry.

In particular, the audit focused on the implementation of measures described in the various Environmental Management Plans to manage the impacts of the activities on the surrounding environment. The checklist appended to this report identifies those compliance issues that could be assessed given the stage of the project.

By its very nature an audit does not guarantee full compliance of all aspects of the project with the undertakings of the Management Plans and associated documentation. However; in the opinion of the auditor, the extent and scope of the field inspection together with the records maintained by PBM were sufficient evidence to verify general compliance of the activities with the requirements of the conditions of approval.

3 AUDIT FINDINGS

3.1 Overview

Specific activities being undertaken at the time of audit were:

- Loading and haulage of material from the extraction area to the processing plant;
- Crushing and screening of material;
- Stockpiling of materials;
- Loading of trucks for dispatch;
- Dust control using on-site water cart;
- Operation of excavator, quarry trucks and front end loader; and
- Asphalt Plant operations.

The attached checklists record the outcomes of the audit process. Eight non-compliances where compliance with the conditions of consent, EPL, or management plans could not be verified. The following sections summarise key findings for review and action by PBM as appropriate.

3.2 Previous Audit Findings

Previous audit findings were reviewed as part of the current audit to assess implementation of actions identified to address issues. Information available showed previous findings had generally been addressed. A summary of previous findings and status is provided in Appendix A.

3.3 Consolidated Development Consent 283/97 MOD 4

Schedule 2 – Administrative Controls

The site had implemented processes to generally manage compliance with the administrative control requirements of the conditions of consent.

No non-compliances were identified in relation to administrative controls.

Schedule 3 – Environmental Performance Conditions

All of the required management plans had been developed and provided to DP&E for review and approval.

Three non-compliances was raised in relation to noise management, blast management and landscape management where compliance with environmental performance conditions was not demonstrated.

The following requirements of the Noise Management Plan had not been implemented:

- The site induction did not include communication of all noise management strategies identified in the Noise Management Plan;
- Noise monitoring records did not include all information required by the Noise Management Plan; and
- Noise reports had not always been provided within 14 days of each monitoring event.

A blast notification board had not been provided on the PBM website as required by the Blast Management Plan.

The Landscape and Rehabilitation Management Plan did not provide details of the conceptual final landform and associated land uses for the site. In particular, the Landscape Management Plan clearly describe management requirements for the final void.

Schedule 4 – Additional Procedures

No non-compliances were identified with the Conditions of Approval under Schedule 4.

Schedule 5 – Environmental Management, Reporting and Auditing

Processes had been implemented to comply with environmental management requirements. An Environmental Management Strategy had been documented and implemented, management plans prepared, and an annual review process implemented.

Three non-compliances were raised in relation to Schedule 5 requirements.

- The community consultative committee had not operated in accordance with the requirements of the Community Consultative Committee Guidelines January 2016.
- While facility had been provided on the Quarry website for the complaints register, the complaints register had not been uploaded (uploaded prior to the completion of audit).
- The previous independent environmental audit report had not been provided to the Secretary within 6 weeks of commissioning of the audit.

3.4 Environmental Protection Licence (EPL 3393)

An EPL had been issued for the operations, which places requirements on the site for the management of air, noise, water, and complaints. The site had complied with requirements for monitoring of noise, blasting, and surface water, and complaints management and reporting processes have been implemented and met.

Three non-compliances was identified in relation to EPL requirements.

- The site had exceeded the authorised amount of waste permitted on the premises.

- Noise monitoring at 55 Possum Brush Road did not comply with licence requirements. The monitoring location was not 30m or less from the property boundary that is closest to the premises.
- Noise monitoring did not include the name of the person undertaking the sampling (This issue is included in NC-01 raised in relation to consent Condition 3(3)).

3.5 Air Quality Management Plan

An Air Quality Management Plan (AQMP) had been prepared for the project and approved by DP&E on 21 July 2017. The AQMP had been further updated to January 2018, December 2018 and May 2019. The AQMP included measures to minimise air quality impacts of the sites operations and requirements for air quality monitoring. Dust deposition monitoring results show that dust deposition levels have been consistently below site criteria. It is noted that air quality monitoring (dust deposition) is required to be conducted on receipt of a complaint.

3.6 Water Management Plan

A Water Management Plan (WMP) has been prepared for the Quarry (v2.0, January 2018), which had been submitted to and approved by DP&E (V1.0, approved 4/07/17).

Records were available to demonstrate that water monitoring had been conducted in compliance with the requirements of the consent conditions and EPL. No exceedances of water quality criteria had been recorded.

Quarterly inspections of the quarry, including infrastructure and water management measures were conducted. Daily inspections of the site had by the supervisor had also been implemented.

3.7 Landscape and Rehabilitation Management Plan

The Quarry has been operating under a LRMP which had been submitted to DP&E and approved in 4/07/2017. The LRMP included requirements for of clearing, threatened species, weeds and feral pests, erosion and sediment controls, and monitoring requirements.

No additional areas had been cleared since the previous audit, and no rehabilitation had occurred. Rehabilitation activities were associated with management of existing rehabilitated areas.

Two non-compliances had been identified in relation to the landscape and rehabilitation management.

- The LRMP requires inspections of all rehabilitation areas after substantial rainfall. No records of inspections following rainfall were available.
- The Landscape and Rehabilitation Management Plan did not provide details of the conceptual final landform and associated land uses for the site. In particular, the Landscape Management Plan clearly describe management requirements for the final void.

3.8 Noise Management Plan

A Noise Management Plan (NMP) had been prepared for the project was prepared and approved by DP&E on 21 July 2017. The site had implemented measures to comply with site working hours, and noise monitoring had been conducted during operational periods of the quarry in accordance with the requirements of the noise management plan and the EPL. Noise monitoring results indicated the site was complying with noise limits.

The following requirements of the Noise Management Plan had not been implemented:

- The site induction did not include communication of all noise management strategies identified in the Noise Management Plan. In particular, the following were not included:
 - Use of noise enclosures around any generators and any other stationary noise sources (permanent and/or temporary).
 - Awareness of prevailing wind directions and their potential to increase noise emissions downwind (i.e. when < 3m/s).
 - Awareness of the noise enhancing effects of temperature inversions and the times of day and meteorological conditions under when they may occur.
- Noise monitoring records did not include all information required by the Noise Management Plan (name of the person conducting the monitoring, instrument model, serial number, calibration records); and
- Noise reports had not always been provided within 14 days of each monitoring event.

3.9 Blast Management Plan

A Blast Management Plan (V2.00) had been developed, which had been submitted to DP&E and approved on 4/07/17. One non-compliance was raised in relation to blast management. No exceedances of blast criteria had been measured.

One non-compliance was raised in relation to implementation of the Blast Management Plan.

- A blast notification board, nominating the blast time, location and contact information, has not been provided for the community on the PBM website.

3.10 Transport Management Plan and Driver Code of Conduct

A Transport Management Plan and Driver Code of Conduct (TMP) had been developed and approved on 21/07/17.

The audit identified general compliance with the TMP. Records of truck movements were maintained from weighbridge information. No non-compliances were identified.

3.11 Environmental Management Strategy

An Environmental Management Strategy (EMS) had been developed and implemented for the site. The EMS had been prepared in 2016 and approved by DP&E on 21/07/17.

No no-compliances were identified in regard to implantation of the EMS. It was noted that, while a community consultative committee had been established, the committee had not met since November 2017. The Quarry had made attempts to convene a meeting.

3.12 Areas of Non-compliance

Issue No.	Condition	Requirement	Issue sighted
N-01	Schedule 3– Environmental Performance Conditions 3 Noise Management Plan 8, 11.4.3 EPL Monitoring Condition M1.3	<p>The Applicant shall prepare a Noise Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:</p> <ol style="list-style-type: none"> be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary; describe the measures that would be implemented to ensure: <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 3); describe the proposed noise management system; and include a monitoring program that will be put in place to measure noise from the development against the noise criteria in Table 2, and which evaluates and reports on the effectiveness of the noise management system on site; and <p>The Applicant shall implement the management plan as approved from time to time by the Secretary.</p>	<p>While the noise management plan requires the induction to include noise management strategies, all strategies identified had not been included. Noise monitoring reports did not include all information required by the Noise Management Plan.</p> <p>Recommendation: Update the Site induction to include all required information on noise mitigation measures. Ensure noise reports include all information required by the noise management plan.</p>
N-02	Schedule 3– Specific Environmental Conditions 6 Blast Management Blast Management Plan 10.1.1	<p>During blasting operations, the Applicant shall:</p> <ol style="list-style-type: none"> implement best management practice to: <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; and minimise the dust and fume emissions of blasting; operate a suitable system to enable the local community to get up-to-date information on the proposed blasting schedule on site; and carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent, <p>to the satisfaction of the Secretary.</p>	<p>A blast notification board had not been developed and included on the Quarry website.</p> <p>Recommendation: Provide a blast notification board on the Quarry website.</p>
N-03	Schedule 3– Specific Environmental Conditions 21	<p>The Applicant shall prepare a Landscape and Rehabilitation Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:</p> <ol style="list-style-type: none"> be prepared in consultation with OEH and Council; be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary; provide details of the conceptual final landform and associated land uses for the site; describe the short, medium and long-term measures that would be implemented to ensure compliance with 	<p>The Landscape and Rehabilitation Management Plan does not clearly indicated the rehabilitation requirements for the final void.</p> <p>Recommendation: Update the Landscape and Rehabilitation Management Plan to clearly describe how rehabilitation of the final void will be conducted.</p> <p>Records were not available to show that inspections of all</p>

		<p>the rehabilitation objectives and progressive rehabilitation obligations in this consent;</p> <p>e) include a program to progressively improve the structure and floristic composition of the established wildlife corridor which includes:</p> <ul style="list-style-type: none"> maintaining a fence around the wildlife corridor to exclude grazing stock; maintaining wildlife warning signs and speed limits on internal roads; and making suitable arrangements to protect in perpetuity the wildlife corridor; and <p>f) include a program to monitor Rudder's Box within the Applicant's property;</p> <p>g) include a detailed description of the measures that would be implemented to:</p> <ul style="list-style-type: none"> maximise the salvage of environmental resources within the approved disturbance area for beneficial reuse; protect vegetation and fauna habitat outside the approved extraction area; minimise tree or native vegetation removal or destruction; use pre-existing or local plant species for revegetation; minimise the impacts on native fauna and flora, including Brush-tailed Phascogale and Rudder's Box; landscape the site to minimise visual and lighting impacts; control weeds and feral pests; control erosion; control access; and bushfire management; and <p>h) include a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria;</p> <p>i) identify the potential risks to the successful rehabilitation of the site, and include a description of the contingency measures that would be implemented to mitigate these risks; and</p> <p>j) include details of who would be responsible for monitoring, reviewing, and implementing the plan.</p> <p>The Applicant shall implement the management plan as approved from time to time by the Secretary.</p> <p><i>Note: For the purposes of this consent, suitable arrangements to protect the wildlife corridor in perpetuity may include the use of Public Positive Covenants in combination with Restrictions on Use of Land on the land title/s of the wildlife corridor. Other arrangements such as the use of Biobanking Agreements or transfer of lands to the national parks estate would also be considered for their suitability.</i></p>	<p>rehabilitation areas had been conducted after substantial rainfall events to identify any areas where remedial earthworks are required.</p> <p>Recommendation: Undertake inspections in accordance with the requirements of the Landscape and Rehabilitation Management Plan.</p>
N-04	<p>Schedule 5 Environmental Management, Reporting and Auditing</p> <p>Condition 8</p>	<p>The Applicant shall 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>	<p>While facility for the complaints register was provided on the website, the complaints register had not been uploaded. Monitoring data had been inadvertently uploaded instead of the complaints register.</p>

	Condition 12		Recommendation: Upload the complaints register to the Quarry website.
N-05	Schedule 5 Environmental Community Consultative Committee Condition 6	<p>The Applicant shall operate a Community Consultative Committee (CCC) for the development, to the satisfaction of the Secretary. This CCC must be operated in general accordance with the <i>Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects</i> (Department of Planning, 2007, or its latest versions)</p> <p>Notes:</p> <ul style="list-style-type: none"> <i>The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent.</i> <p><i>In accordance with the guideline, the committee should be comprised of an independent chair and appropriate representation from the Applicant, Council, and the local community.</i></p>	<p>Meeting minutes were not available for the meeting reported to be conducted in November 2017.</p> <p>Evidence that committee members had signed the conflict of Interest and pecuniary and non-pecuniary interest declarations was not available.</p> <p>Evidence that the CCC chairperson had submitted an annual report to DPI&E was not available.</p> <p>Possum Brush Quarry has not ensured that a Community Consultative Committee has operated in accordance with the requirements of the Community Consultative Committee Guidelines January 2016.</p> <p>Recommendation: Possum Brush Quarry should ensure that the CCC operates in accordance with the requirements of the Community Consultative Committee Guidelines 2019. Consideration should be given to the appointment of an independent chairperson from the pool of independent chairpersons established by the DPI&E.</p>
N-06	Schedule 5 Environmental Management, Reporting and Auditing Condition 11	Within 6 weeks of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	<p>The previous audit report had not been submitted to the Secretary within 6 weeks of commissioning of the audit.</p> <p>Recommendation: Audit reports should be provided to the Secretary within 6 weeks of commissioning of the audit.</p>
N-07	EPL Limit Conditions L3.2	The authorised amount of waste permitted on the premises must not exceed 10,000 tonnes at any time.	<p>The Quarry had exceeded the maximum amount of waste permitted on the premises in October 2018 by 376Tonnes. (Self-reported to EPA).</p> <p>Recommendation: Quarry should implement system to ensure that waste quantities are tracked and loads are not accepted which will result in exceedance of the maximum allowable quantity of waste on site.</p>

N-08	EPL Limit Conditions L4.6	<p>To determine compliance:</p> <p>a) with the Leq(15 minute) noise limits in the table above, the noise monitoring equipment must be located:</p> <ul style="list-style-type: none"> (i) within 30 metres of a dwelling façade where any dwelling on the property is situated more than 30 metres from the property boundary that is closest to the premises; (ii) approximately on the boundary where any dwelling is situated 30 metres or less from the property boundary that is closest to the premises; (iii) within approximately 50 metres of the boundary of a National Park or a Nature Reserve. <p>b) the noise monitoring equipment must be located in a position that is:</p> <ul style="list-style-type: none"> (i) at the most affected point at a location where there is no dwelling at the location; or (ii) at the most affected point within an area at a location prescribed by item (a) of this condition 	<p>The monitoring at 55 Possum Brush Road was not situated 30 metres or less from the property boundary that is closest to the premises.</p> <p>Recommendation: Ensure noise monitoring equipment is located in accordance with the requirements of the EPL.</p>
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3.13 Areas of compliance

All other relevant conditions audited were found to be either compliant or not applicable. Refer to the audit checklist provided as an attachment for full details of compliance.

4 CONCLUSIONS

PBM had developed management plans and associated documentation to address the requirements of the conditions of consent. Management plans had been submitted to DP&E and relevant agencies for review and approval, although at the time of audit approval had not been provided for all management plans.

While compliance with aspects of the conditions of the project approval and management plans was found, eight non-compliances were raised where compliance with requirements of the EPL, management plans prepared for the site or conditions of consent was not demonstrated. PBM should ensure that actions are identified and implemented to address the findings contained within this audit to enable compliance with all obligations and ensure environmental impacts of the developments are appropriately managed.

ATTACHMENTS

- ✓ **Substantive Changes**
- ✓ **Auditor CV**
- ✓ **Audit Checklists**

CIRCULATION

- ✓ **Pacific Blue Metals Pty Ltd**
- ✓ **AQUAS Pty Ltd**

5 Substantive Changes.

Two non-conformances were removed from the report following the provision of additional documentation/ clarification of information provided as detailed following.

Report updated 6/01/2020 to address comments received from the DPI&E in relation to community consultative committee meetings (Schedule 5, Condition 6) and update Section 2.3 to include details of consultation with the Department (including focus areas for the IEA), as noted in correspondence to PBM on 3 July 2019.

Report updated 31/03/2020 to address further comments from the DPI&E in relation to community consultative committee meetings (Schedule 5, Condition 6).

<p>Schedule 3– Specific Environmental Conditions 18</p>	<p>The Applicant shall prepare a Water Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:</p> <ul style="list-style-type: none"> a) be prepared in consultation with the EPA and DPI Water; b) be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary; c) include a Site Water Balance that includes details of: <ul style="list-style-type: none"> • sources and security of water supply; • water uses, losses and management on site; • any off-site water transfers; and • reporting procedures; and d) include a Surface Water Management Plan that includes: <ul style="list-style-type: none"> • 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"> ○ clean water diversion system; ○ erosion and sediment controls; ○ stormwater runoff controls; ○ dirty water management system; and ○ water storages; and • a program to monitor and report on: <ul style="list-style-type: none"> ○ any surface water discharges; ○ the effectiveness of the water management system; and ○ surface water flows and quality in local watercourses; and • measures that would be implemented to minimise water use on site; • identification of all reasonable and feasible measures to improve the quality of surface water within and around the site; <p>The Applicant shall implement the management plan as approved from time to time by the Secretary.</p> 	<p>Quarterly inspections had not been conducted of all water supply infrastructure to minimise undetected leaks.</p> <p>Recommendation: Implement process to ensure that water supply infrastructure is inspected in accordance with the requirements of the Water Management Plan.</p> <p>Updated information Records of quarterly environmental inspections provided. Inspections completed by the QSE Manager.</p>
<p>EPL Limit Conditions L6.2 (f)</p>	<p>f) Trucks containing returned loads of product and trucks owned or operated by the licensee, for licensed activities, and normally garaged at the premises, may enter the premises after the hours of 6pm Monday to Friday and after 3pm Saturdays only in the following circumstances:</p> <ul style="list-style-type: none"> i. The truck left the premises loaded with product prior to 6pm Monday to Friday or prior to 3pm Saturday. ii. The truck travelled directly to the delivery site by the most direct route. iii. The truck travelled directly back to the premises from the delivery site by the most direct route. iv. Records must be kept for all trucks returning to the premises after the hours of 6pm Monday to Friday and 3pm Saturdays which records the time the truck left the premises, the load carried, the delivery site, the customer details, and the time the truck returned to the premises. <p>Note: These records may take the form of weighbridge records and security camera date stamps.</p>	<p>No records were available of loaded trucks which had to the premises after the hours of 6pm Monday to Friday and after 3pm Saturdays.</p> <p>Recommendation: Implement a procedure to ensure that records are maintained of loaded trucks which had returned to the premises after the hours of 6pm Monday to Friday and after 3pm Saturdays.</p> <p>Updated Information Form to record this information already in place Form 025 Truck Daily Runsheet. Records of completed runsheets verified.</p>



CURRENT POSITION

Senior Project Manager

QUALIFICATIONS

Newcastle University, Graduate Diploma in Occupational Health and Safety, 2003

Newcastle University, Graduate Diploma in Environmental Science, 1997

Newcastle University, Bachelor of Science (Chemistry), 1981

Exemplar Global - Lead Quality, OHS, Environmental Auditor No. 12105



Major Projects

- ✓ Lead Environmental Auditor - Hanson Construction Materials – Independent Environmental Audits Calga Sand Quarry, Central Coast Sand Quarry and Bass Point Sand Quarry
- ✓ Lead Environmental Auditor - Hanson Construction Materials – Independent Environmental Audit Austen Quarry
- ✓ Lead Environmental Auditor – Hy-Tec Industries Pty Ltd – Independent Environmental Audit Tinda Creek Sand Quarry
- ✓ Lead Environmental Auditor –Oberon Quarries Pty Ltd– Independent Environmental Audit Oberon Quarry
- ✓ Lead Environmental Auditor – Gladstone Ports Corporation - Western Basin Dredging and Disposal Project, WICET project, Tug Berths Dredging project.
- ✓ Lead Quality, Safety, Environmental and Risk Auditor – Sydney Trains SEQR Audit Panel
- ✓ Lead WHS Auditor - TfNSW Lead Auditor Support Resource Panel
- ✓ Lead Quality, Safety, Environmental Auditor – Transgrid Audit Panel
- ✓ Lead Quality, WHS and Environmental Auditor – Roads and Maritime Services Audit Panel
- ✓ Lead Quality, WHS and Environmental Auditor – SAI Global Assurance Services
- ✓ Independent Certifier's Safety Manager – North West Rail Link - Tunnels & Station Civil Works
- ✓ Independent Verifier's audit and compliance consultant – Hexham Relief Roads Project
- ✓ Independent Certifier's Safety Manager – Westconnex project.

Relevant Experience

James Hart spent a decade as an industrial chemist before gaining postgraduate qualifications in environmental science and occupational health and safety. Prior to joining AQUAS in 2010, he worked for 15 years in a range of consulting positions as an environment, safety, and quality auditor. His career highlights include two years in the UK and Europe, conducting manufacturing site audits for multi-national commercial organisations, where he enjoyed the challenges of working with different languages, cultures, and regulatory frameworks. James' work with AQUAS takes him all over Australia, conducting audits across a broad range of sectors including commercial, infrastructure and government facilities.

James has extensive technical experience in his three areas of specialisation: quality, safety, and environmental compliance. The scope of his work varies according to the specific requirements of each engagement and may include an audit of contractors' plans and documentation during the approvals stage, and/or site audits to verify compliance with existing documentation. James has a cooperative, open and positive attitude and strong relationship-building skills. He is valued by both clients and contractors for his 'firm but fair' approach, his willingness to explain the rationale and benefits of each requirement, and to share his knowledge to help contractors resolve issues and achieve compliance.

- More than 20 years' international experience in quality, safety, and environmental auditing
- Experience across a broad range of sectors including commercial, government, and infrastructure
- Detailed technical knowledge and postgraduate qualifications with a commitment to ongoing learning
- Valued for being open, transparent and 'firm but fair'
- Strong relationship-building skills across all levels
- Cooperative and positive in his approach, committed to sharing knowledge and facilitating compliance.

Project Experience

- ✓ Lead Environmental auditor – Independent environmental audit of the Calga Sand Quarry, Central Coast Sand Quarry and Possum Bass Point Quarry on behalf of Hanson Construction Materials Pty Ltd.
- ✓ Lead Environmental auditor – Independent environmental audit of the Austen Quarry on behalf of Hy-Tec Industries Pty Ltd.
- ✓ Lead Environmental auditor – 3rd Party Environmental audits on behalf of Gladstone Ports Corporation for the Western Basin Dredging and Disposal project.
- ✓ Lead Environmental auditor – 3rd Party Environmental audits on behalf of Gladstone Ports Corporation for the WICET dredging project.
- ✓ Environmental auditor – Independent audit of the Oberon Quarries Pty Ltd on behalf of Oberon Quarries Pty Ltd.
- ✓ Environmental auditor - Independent Environmental Audit of the Tinda Creek Sand Quarry project on behalf of Hy-Tec Industries Pty Ltd.
- ✓ Environmental auditor – M1 Pacific Motorway Tuggerah to Doylson Widening Project on behalf of RMS.
- ✓ Environmental auditor – M1 Pacific Motorway Kariong to Somersby Widening Project on behalf of RMS.
- ✓ Environmental auditor – Pacific Complete - Pimlico to Teven project on behalf of RMS.
- ✓ Environmental auditor – Independent audit of the Mackas Sands Sand Extraction, Lot 218 and Lot 220, Salt Ash.
- ✓ Environmental Auditor - Pacific Complete - Woodburn to Broadwater project on behalf of RMS.
- ✓ Environmental auditor – New Bridge over Sportmans Creek at Lawrence, on behalf of RMS.
- ✓ Lead WHS and Environmental audit, NSW TrainLink internal audit program 2014-2015.
- ✓ Quality, safety and environmental auditor – Mayfield Intermodal Remediation project.
- ✓ Quality, safety and environmental auditor – Kooragang Island Waste Emplacement Facility remediation project.

James had also undertaken WHS and environmental inspections on behalf of clients to monitor implementation of WHS and environmental controls on worksites. Project where inspection services have been provided include:

- ✓ Gerringong Upgrade – Mt Pleasant to Toolijooa Road Project, NSW RMS;
- ✓ Nabitac Upgrade project, NSW RMS;
- ✓ Hunter Expressway project, NSW RMS;
- ✓ Five Islands project, NSW RMS;
- ✓ NIER building construction project, University of Newcastle.

This wide range of experience has provided James with a broad skill range of auditing skills in the quality, OHS and environmental management sectors.

Experience History

2011 – Present: AUSTRALIAN QUALITY ASSURANCE & SUPERINTENDENCE (AQUAS)

Senior Consultant / SEQR Auditor

- ✓ Environmental auditor – Independent audit of the Austen Quarry to assess compliance with the Department of Planning and Environment's conditions of approval.
- ✓ Environmental auditor – Independent audit of the Tinda Creek Sand Quarry to assess compliance with the Department of Planning and Environment's conditions of approval.
- ✓ Environmental auditor – Independent audit of the Oberon Quarry to assess compliance with the Department of Planning and Environment's conditions of approval.
- ✓ Certified independent environmental audit for the Western Basin Dredging and Disposal project, and the WICET Coal Berth Dredging project in Gladstone Queensland.
- ✓ Independent audits of the Mackas Sands development to assess compliance with the Department of Planning and Environment's conditions of approval
- ✓ Lead Quality, Safety, Environmental and Risk Auditor – Sydney Trains SEQR Audit Panel
- ✓ Independent audit of Mackas Sands Sand Extraction, Lot 218 and Lot 220, Salt Ash on behalf of the NSW Department of Planning and Infrastructure.
- ✓ HSE audits of various construction projects on behalf of Transgrid.
- ✓ QHSE audits on behalf of the South Australian Department of Transport, Environment and Infrastructure.
- ✓ Environmental and Health and safety audits of road construction projects on behalf of NSW Roads and Marine Services;
- ✓ Health Safety and Environmental audits on behalf of the project verifier for the Hunter Express and Kempsey bypass projects.

- ✓ Development of OHS management system for Williams River Steel to enable certification to AS4801:2001 and Federal Safety commissioner accreditation.
- ✓ QHSE audits of projects associated with the rehabilitation of lands associated with the former BHP site in Newcastle, NSW.
- ✓ QHSE Audits of rail bridge replacement projects on behalf of Transfield Services Limited.
- ✓ Environmental audit of the Curragh North Coal Mine to assess compliance with the requirements of the EPBC conditions of approval.

2008-2010: JAMES HART CONSULTING

- ✓ Provided Quality, Environmental, and OHS auditing services to UK certification authorities.
- ✓ Conducted preliminary document review (gap analysis), certification, surveillance and recertification audits were undertaken both within the UK and Europe, and were conducted against the requirements of ISO 9001:2008, ISO 14001:2004, ISO 14001:2004RC, and OHSAS 18001:2007.
- ✓ Provided auditor verification services, verifying auditors on behalf of SAI Global throughout Europe.

2000-2004; May 2007 - Nov 2008: GHD PTY LTD

Senior Environmental Chemist

- ✓ RTA Audit Panel for conducting OH&S and environmental audits of RTA projects.
- ✓ Department of Planning approved Environmental Auditor for the Sandgate Rail Separation project.
- ✓ Co-ordination of environmental projects, and occupational hygiene and hazardous materials surveys.
- ✓ OHS, Quality and EMS coordinator for the office, with responsibility for ensuring that quality and environmental management procedures and practices were implemented and maintained.
- ✓ Management of a range of environmental monitoring projects including site contamination assessments, and quarterly monitoring programs for landfill sites.

Sep 2007 – May 2008: SAI GLOBAL

Management Systems Auditor

- ✓ Conducted Quality, OHS and Environmental management systems audits for companies certified by SAI Global against the requirements of ISO 9001:2000, ISO 14001:2004, AS/NZS 4801:2001, and OHSAS 18001. Audits conducted included preliminary document review (gap analysis), certification, surveillance and recertification audits.

Mar 2004 – Sep 2006: URS Australia

Senior Environmental Chemist

- ✓ Conducted occupational health and safety and environmental due diligence and compliance audits and inspections for clients.
- ✓ NSW Roads and Traffic Authority (RTA) panel for conducting OH&S and environmental audits.
- ✓ Audit panel as a Lead Health Safety and Environmental Auditor to conduct HSE audits of gas and electrical projects for AGL Energy Ltd.
- ✓ Department of Planning approved auditor responsible for conducting annual environmental compliance audits of Port Waratah Coal Services – Kooragang Stage Three Expansion for compliance with the department of Planning's conditions of consent.
- ✓ Co-ordination of environmental noise monitoring projects for URS in NSW
- ✓ Verifiers Environmental and OHS representative for the Nabiac Upgrade project, a major road construction project on the mid north coast of NSW.
- ✓ OHS Advisor and representative for the Newcastle Office, with responsibility for the implementation of the OHS program and coordination of OHS initiatives in the Office.

1994 – 2000: METFORD LABORATORIES

Senior Environmental Chemist

- ✓ Co-ordination of sampling programs for environmental and occupational hygiene purposes.
- ✓ Management of dust monitoring programs for various mines in the Hunter Valley.

- ✓ Management of water (surface and groundwater) monitoring programs for various mines and industry in the Hunter Valley.
- ✓ Sampling and analysis of soils, waters, and airborne contaminants.
- ✓ Management of environmental noise monitoring programs and workplace surveys for occupational noise.

GENKEM PTY LTD (1989- 2004)

Plant Chemist

- ✓ Management of the laboratory operations for the site.
- ✓ Investigations into the use of metal coagulants and polyacrylamide flocculants for the clarification of process and waste waters from the mining and food processing.
- ✓ Responsible for ensuring EPA licence requirements for the site were met.

CSR WOOD PANELS (2004 – 1989)

Plant Chemist

- ✓ Responsible for supervising a group of seven concerned with materials testing, press plate preparation, process material additions, effluent treatment and waste board recovery.
- ✓ Led and assisted in several investigations aimed at improving product quality, and technical investigations relating to new product development.

BHP LABORATORIES (1977- 1982)

Chemistry Degree Trainee

- ✓ Employed as a Chemistry Degree Trainee and later as a chemist in the Newcastle Steelworks laboratory.
- ✓ Analysis of raw materials and products associated with the steel making process.

Appendix A. - Previous Audit Findings

Recommendation	PBM Response	Status
<p>It is recommended that Spectrum Acoustics report the location noise monitoring equipment during the monitoring period in future reports, in accordance with the requirements in EPL condition L4.6 and provide comment on the requirements in Development Consent 283/97 Appendix 3 Noise Compliance Assessment.</p>	<p>All noise reports from Spectrum Acoustics now include:</p> <ul style="list-style-type: none"> • Details of the location of the noise monitoring • Photographic evidence of the noise monitoring • Comment on the requirements listed in Appendix 3 Development Consent 283/97 DA 283/97, including but not limited to detailing the Appendix 3 Noise Compliance noise equipment used and its conformity to Australian Standards. 	<p>Noise reports include location and photograph of monitoring location.</p>

Appendix B. – Audit Checklists

AUDIT CHECKLIST: Consolidated Development Consent 283/97 MOD 4			
Project: AQ1252	Company: Pacific Blue Metals Pty Ltd	Date: 27-28 August 2019	

6 Audit Checklist – Consolidated Development Consent 283/97 MOD 4

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
SCHEDULE 2 – ADMINISTRATIVE CONDITIONS					
Obligation to Minimise Harm to the Environment					
1.	1	In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the development.	No material harm to the environment resulting from the operation of the Quarry has been identified.	C	
Terms of Consent					
2.	2	The Applicant shall carry out the development generally in accordance with the EIS, EA (Mod 1), EA (Mod 2), EA (Mod 3) and EA (Mod 4).	The Possum Brush Quarry has been developed and operated generally in accordance with the environmental assessments prepared for the project.	C	
3.	3	The Applicant shall carry out the development in accordance with the Development Layout Plans and the conditions of this consent. <i>Note: The Development Layout Plan for the development is shown in Appendix 1.</i>	Audit results show that the operations have generally been conducted in accordance with the conditions of consent. Where compliance was not demonstrated, non-compliances have been raised.	C	
4.	4	If there is any inconsistency between the documents identified in condition 2, the more recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.	No inconsistencies were identified.	NT	
5.	5	The Applicant shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: <ul style="list-style-type: none"> 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 commissioned by the Department regarding compliance with this consent; and c) the implementation of any actions or measures contained in these documents. 	Management plans have been amended to address comments received.	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Limits of Consent					
Quarrying Operations					
6.	6	The Applicant may carry out quarrying operations on the site until 31 March 2046. <i>Note: Under this consent, the Applicant is required to rehabilitate the site and perform 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 satisfactorily.</i>	Current year 2019.	C	
7.	7	The Applicant shall not extract extractive materials below a level of 45 metres AHD.	Current extraction level >90m AHD.	C	
8.	8	The Applicant shall not extract more than 16.2 million tonnes of extractive material from the site under this consent.	641,800T extracted since work under the current consent commenced.	C	
9.	9	The Applicant shall not transport more than 500,000 tonnes of quarry products from the site in any calendar year. <i>Note: Extractive material provided to Council free of charge for roads works on Possum Brush Road in accordance with condition 19 of Schedule 2 shall be excluded from the limit specified above.</i>	148,800 T extracted in 2018-2019 financial year. 164,360 T extracted in 2017-2018 financial year.	C	
Quarry Product Transport					
10.	10	The Applicant shall ensure that: a) no more than 36 truck movements occur per hour; and b) no more than 420 truck movements occur per day. <i>Note: Truck movements mean heavy vehicle one-way trips, either entering or leaving the site, including trucks associated with the asphalt and recycling activities.</i>	Truck movements monitored through weighbridge records. Maximum truck movements = 30/hour (1/11/18) Maximum daily movements = 172. (1/11/18)	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #								
HOURS OF OPERATION													
11.	11	<p>The Applicant shall comply with the operating hours in Table 1.</p> <p><i>Table 1: Operating Hours</i></p> <table><tr><th>Activity</th><th>Operating Hours</th></tr><tr><td>Extraction and processing operations</td><td>6:30 am to 6 pm Monday to Friday 7 am to 3 pm Saturday</td></tr><tr><td>Loading and dispatch</td><td>6:30 am to 6 pm Monday to Friday 7 am to 3 pm Saturday</td></tr><tr><td>Blasting</td><td>9 am and 3 pm Monday to Friday. No blasting is allowed on Saturdays, Sundays or public holidays, or at any other time without the written approval of the Secretary.</td></tr></table> <p>The following activities may be carried out on the site outside the hours specified in Table 1:</p> <p>a) delivery or dispatch of materials as requested by Police or other authorities; and</p> <p>b) emergency work to avoid the loss of lives, property and/or to prevent environmental harm.</p> <p>In such circumstances, the Applicant shall notify the Secretary and affected residents prior to undertaking the activities, or as soon as is practical thereafter. The Applicant shall keep a record of all such events and report on the same in the Annual Review (see condition 9 of Schedule 5).</p>	Activity	Operating Hours	Extraction and processing operations	6:30 am to 6 pm Monday to Friday 7 am to 3 pm Saturday	Loading and dispatch	6:30 am to 6 pm Monday to Friday 7 am to 3 pm Saturday	Blasting	9 am and 3 pm Monday to Friday. No blasting is allowed on Saturdays, Sundays or public holidays, or at any other time without the written approval of the Secretary.	<p>The “Possum Brush” Quarry has operated in accordance with the operating hours specified in Table 1.</p> <p>Records showed no truck movements prior to 6.30am.</p> <p>Induction and site signage identifies no contractor trucks prior to 7am.</p> <p>No requests have been received for activities to be conducted outside of the specified hours have been requested by Pacific Blue Metal from the Secretary of DP&E.</p>	C	
Activity	Operating Hours												
Extraction and processing operations	6:30 am to 6 pm Monday to Friday 7 am to 3 pm Saturday												
Loading and dispatch	6:30 am to 6 pm Monday to Friday 7 am to 3 pm Saturday												
Blasting	9 am and 3 pm Monday to Friday. No blasting is allowed on Saturdays, Sundays or public holidays, or at any other time without the written approval of the Secretary.												
STRUCTURAL ADEQUACY													
12.	12	<p>The Applicant shall 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.	<p>No new buildings or structures have been constructed since the previous audit.</p>	NT									
INDEPENDENT AUDIT REPORT - POSSUM BRUSH QUARRY 31 MARCH 2020		AUDIT COMPLIANCE CODES: C: COMPLIANT; N: NON-COMPLIANCE; O: OPPORTUNITY FOR IMPROVEMENT; NT: NOT TRIGGERED			PAGE 24 OF 85								

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
DEMOLITION					
13.	13	The Applicant shall ensure that all demolition work is carried out in accordance with <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> , or its latest version.	No demolition work has been conducted since the previous audit	NT	
PROTECTION OF PUBLIC INFRASTRUCTURE					
14.	14	The Applicant shall: a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. <i>Note: This condition does not apply to damage to roads caused as a result of general road usage.</i>	No public infrastructure has been damaged or required relocation during the "Possum Brush" Quarry activities since 2016.	NT	
OPERATION OF PLANT AND EQUIPMENT					
15.	15	The Applicant shall ensure that all the plant and equipment used at the site is maintained and operated in a proper and efficient manner.	Plant maintenance records sighted. E.g. Volvo L250H. Daily prestart inspections completed. Maintenance records show 250hour servicing completed (OEM requires minimum 500hour servicing).	C	
IDENTIFICATION OF APPROVED LIMITS OF EXTRACTION					
16.	16	Prior to 30 September 2016, unless otherwise agreed by the Secretary, the Applicant shall: d) engage a registered surveyor to mark out the boundaries of the approved limits of extraction within the development area (see Appendix 1); and e) submit a survey plan of these boundaries with applicable GPS coordinates to the Secretary.	A survey plan of the boundaries of the limits of extraction for the Possum Brush Quarry was prepared and a copy of the survey plan submitted to the DP&E on 17 March 2015 and 12 September 2016 – verified previous audit.	C	
17.	17	While quarrying operations are being carried out, the Applicant shall ensure that these boundaries are clearly marked at all times in a manner that allows operating staff and inspecting officers to clearly identify the approved limits of extraction.	Boundary markers were observed to be in place along the limits of the areas for extraction on the "Possum Brush" Quarry site.	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
PRODUCTION DATA					
18.	18	The Applicant shall: a) provide annual quarry production data to DRE using the standard form for that purpose; and b) include a copy of this data in the Annual Review (see condition 9 of Schedule 5).	Quarry production data for "Possum Brush" Quarry was completed on the DRE standard Form S1 and submitted to the DPI/DRE (2017-2018 submitted 27/08/18). A copy of the quarry production data was included in the Annual Review (e.g. Appendix 22017-2018 Annual Review).	C	
CONTRIBUTIONS TO COUNCIL					
19.	19	The Applicant shall provide extractive material to Council free of charge for ongoing maintenance of Possum Brush Road between the quarry entrance and the Pacific Highway.	It was reported that no requests for materials had been received from Council.	C	
20.	20	The Applicant shall pay to Council a monthly contribution for the maintenance of Possum Brush Road between the quarry entrance and the Pacific Highway. The rate of the contribution for all quarry products transported from the site is: a) 7.5 cents per tonne for five years from 25 May 2008; b) 10 cents per tonne for the next five years from 25 May 2013; and c) further increases indexed annually to changes in the Consumer Price Index (Road & Bridge Construction) (NSW Index) from 25 May 2018 and thereafter.	2018-2019 contributions were \$16,367.95. Total of \$264,314.49 paid to Council. GTCC invoices sighted for road levy payment. Records of payments verified.	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #																							
SCHEDULE 3 – ENVIRONMENTAL PERFORMANCE CONDITIONS																												
NOISE																												
Noise Impact Assessment Criteria																												
21.	1	<p>The Applicant shall ensure that the noise generated by the development does not exceed the criteria in Table 2 at any residence on privately-owned land.</p> <p><i>Table 2: Noise criteria dB(A)</i></p> <table><tr><th rowspan="2">Receiver</th><th>Day/Evening</th><th colspan="2">Night</th></tr><tr><th>L_{Aeq}(15 min)</th><th>L_{Aeq}(15 min)</th><th>L_{A1}(max)</th></tr><tr><td>R1 – 5 St Peters</td><td>39</td><td>39</td><td>45</td></tr><tr><td>R2 – 175 Possum</td><td>38</td><td>38</td><td>45</td></tr><tr><td>R3 – 55 Possum</td><td>37</td><td>37</td><td>45</td></tr><tr><td>All other residences</td><td>35</td><td>35</td><td>45</td></tr></table> <p><i>Note: Receiver locations are shown in Appendix 2.</i></p> <p>Noise generated by the development is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy (as may be updated from time-to-time). Appendix 3 sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria. However, these criteria do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.</p>	Receiver	Day/Evening	Night		L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{A1} (max)	R1 – 5 St Peters	39	39	45	R2 – 175 Possum	38	38	45	R3 – 55 Possum	37	37	45	All other residences	35	35	45	<p>Noise reports sighted for April 2019, January 2019, August 2018.</p> <p>Annual review for 2017-2018 financial year includes reporting on noise monitoring.</p> <p>All results sighted show that noise levels were below noise criteria.</p>	C	
Receiver	Day/Evening	Night																										
	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{A1} (max)																									
R1 – 5 St Peters	39	39	45																									
R2 – 175 Possum	38	38	45																									
R3 – 55 Possum	37	37	45																									
All other residences	35	35	45																									

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Operating Conditions					
22.	2	<p>The Applicant shall:</p> <ol style="list-style-type: none"> implement best practice management to minimise the operational and road transportation noise of the development; minimise the noise impacts of the development during meteorological conditions when the noise criteria in this consent do not apply (see Appendix 3); carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent; and regularly assess noise monitoring data and modify and/or stop operations on site to ensure compliance with the relevant conditions of this consent, <p>to the satisfaction of the Secretary.</p>	<p>Quarterly noise monitoring has been conducted. Noted that approval to amend noise monitoring to annually was granted by NSW EPA (15/05/19)</p> <p>Noise monitoring records show that noise levels form the operations were consistently below noise criteria.</p>	C	
Noise Management Plan					
23.	3	<p>The Applicant shall prepare a Noise Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:</p> <ol style="list-style-type: none"> be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary; describe the measures that would be implemented to ensure: <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 3); describe the proposed noise management system; and include a monitoring program that will be put in place to measure noise from the development against the noise criteria in Table 2, and which evaluates and reports on the effectiveness of the noise management system on site; and <p>The Applicant shall implement the management plan as approved from time to time by the Secretary.</p>	<p>Noise Management Plan developed and approved July 2017. Noise management plan updated on five occasions since (current version 3.02, December 2018). Noise management plan requires induction to include noise management strategies.</p> <p>However, the following were not included in the induction:</p> <ul style="list-style-type: none"> • Use of noise enclosures around any generators and any other stationary noise sources (permanent and/or temporary). • Awareness of prevailing wind directions and their potential to increase noise emissions downwind (i.e. when < 3m/s). • Awareness of the noise enhancing effects of temperature inversions and the times of day and meteorological conditions under when they may occur. <p>Noise monitoring records do not include all information required by the Noise Management Plan (name of the person undertaking the monitoring, instrument model, calibration details of equipment used).</p>	NC	01

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #											
			Noise monitoring conducted. Noise reports had not been provided within 14 days of each attended monitoring event as required in the Noise Management Plan.													
BLASTING																
Blasting Impact Assessment Criteria																
24.	4	<p>The Applicant shall ensure that blasting on site does not cause any exceedance of the criteria in Table 3.</p> <p><i>Table 3: Blasting criteria</i></p> <table><tr><th>Location</th><th>Airblast overpressure (dB(Lin Peak))</th><th>Ground vibration (mm/s)</th><th>Allowable exceedance</th></tr><tr><td rowspan="2">Any residence on privately owned land</td><td>120</td><td>10</td><td>0%</td></tr><tr><td>115</td><td>5</td><td>5% of the total number of blasts over a period of 12 months</td></tr></table> <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>	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Any residence on privately owned land	120	10	0%	115	5	5% of the total number of blasts over a period of 12 months	<p>Blast report 24/10/18, 12/12/18, and 11/04/19 sighted.</p> <p>Records of blast monitoring included in the Annual Review (reviewed 2016-2017, 2017-2018).</p> <p>All results were below the blasting criteria.</p>	C	
Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance													
Any residence on privately owned land	120	10	0%													
	115	5	5% of the total number of blasts over a period of 12 months													
Blasting Frequency																
25.	5	<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>	<p>Records showed blasting approximately every 1-3 months (24/10/18, 12/12/18, 11/04/19, and 1/07/19). Six blasts in 2017.</p>	C												
Operating Conditions																
26.	6	<p>During blasting operations, the Applicant shall:</p> <p>a) implement best management practice to:</p> <ul style="list-style-type: none">protect the safety of people and livestock in the areas surrounding blasting operations;	<p>Precision Drill and Blast engaged to conduct blasting.</p> <p>Blast Management Plan developed.</p>	NC	02											

INDEPENDENT AUDIT REPORT - POSSUM BRUSH QUARRY 31 MARCH 2020

AUDIT COMPLIANCE CODES: C: COMPLIANT; N: NON-COMPLIANCE; O: OPPORTUNITY FOR IMPROVEMENT; NT: NOT TRIGGERED

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AUDIT CHECKLIST: Consolidated Development Consent 283/97 MOD 4
Project: AQ1252
Company: Pacific Blue Metals Pty Ltd
Date: 27-28 August 2019


AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		<ul style="list-style-type: none"> protect public or private infrastructure/property in the surrounding area from damage from blasting operations; and 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>Safety Management Plan prepared by Precision Drill and Blast.</p> <p>Letter box drop to neighbours on blasting activities.</p> <p>Blast notification list which details neighbours and preferred method of notification. Resident notified of blasting activities via Email, phone or letter (sighted Blast Notification letter 1/07/19 sent to 7 residents).</p> <p>Blast monitoring conducted. Records sighted.</p> <p>Blast Management Plan requires a blast notification board, nominating the blast time, location and contact information, to be provided for the community on the PBM website.</p> <p>Blast notification board not included on website.</p>		
27.	7	<p>Upon written request of the owner of any existing dwelling house located within 1.25 kilometres of the development, the Applicant shall arrange at its own costs, for the inspection by a technically qualified person agreed to by both parties, to record the material condition of any existing dwelling house.</p> <p>The Applicant shall supply a copy of any inspection report, certified by the person who undertook the inspection, to the relevant property owner within fourteen days of receipt of the report.</p> <p>Should the inspection report find that structural damage to the dwelling house has occurred as a result of blasting at the quarry, the owner of that dwelling house may request the Applicant to carry out works to remedy or mitigate that damage. Such works shall be carried out at the Applicant's expense and shall be agreed to by the owner of the dwelling house.</p> <p>In the event of a dispute between the Applicant and the owner of an existing dwelling house arising from the requirements of this condition, the Applicant shall refer the matter for the consideration and decision of the Secretary.</p>	No requests have been received.	NT	
Blast Management Plan					
28.	8	The Applicant shall prepare a Blast Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:	Blast Management Plan (Rev 2.00, 3/01/18) has been prepared and approved by the Secretary. Plan has been updated following annual review in 2018 and to address DPE comments.	C	
INDEPENDENT AUDIT REPORT - POSSUM BRUSH QUARRY 31 MARCH 2020		AUDIT COMPLIANCE CODES: C: COMPLIANT; N: NON-COMPLIANCE; O: OPPORTUNITY FOR IMPROVEMENT; NT: NOT TRIGGERED			PAGE 30 OF 85

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #																				
		<div>a) be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary;</div> <div>b) describe the measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this consent;</div> <div>c) include a monitoring program for evaluating and reporting on compliance with the blasting criteria in this consent;</div> <div>d) include community notification procedures for the blasting schedule; and</div> <div>e) include a protocol for investigating and responding to complaints.</div> <div>The Applicant shall implement the management plan as approved from time to time by the Secretary.</div>																							
AIR QUALITY																									
Air Quality Impact Assessment Criteria																									
29.	9	<div>The Applicant shall 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 listed in Tables 4 at any residence on privately-owned land.</div> <div>Table 4: Air quality criteria</div> <table><tr><th>Pollutant</th><th>Averaging Period</th><th colspan="2">Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>Annual</td><td colspan="2">a,d 30 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>24 hour</td><td colspan="2">b 50 µg/m³</td></tr><tr><td>Total suspended particulates (TSP)</td><td>Annual</td><td colspan="2">a,d 90 µg/m³</td></tr><tr><td>^c Deposited dust</td><td>Annual</td><td>b 2 g/m²/month</td><td>a,d 4 g/m²/month</td></tr></table> <div>Notes for Table 4:</div>	Pollutant	Averaging Period	Criterion		Particulate matter < 10 µm (PM10)	Annual	a,d 30 µg/m ³		Particulate matter < 10 µm (PM10)	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	<div>Dust deposition gauges installed. Records showed levels consistently below criterion.</div> <div>Air Quality Management Plan does not provide for monitoring of TSP or PM₁₀. Instead, requires monitoring of TSP and PM₁₀ if deposited dust levels exceed criterion. No exceedances have occurred.</div>	C	
Pollutant	Averaging Period	Criterion																							
Particulate matter < 10 µm (PM10)	Annual	a,d 30 µg/m ³																							
Particulate matter < 10 µm (PM10)	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																						

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		<p>b. Cumulative impact (ie increase in concentrations due to the development plus background concentrations due to all other sources).</p> <p>c. Incremental impact (ie incremental increase in concentrations due to the development on its own, with zero allowable exceedances of the criteria over the life of the development).</p> <p>d. Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.</p> <p>e. Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, or any other activity agreed to by the Secretary.</p>			
Operating Conditions					
30.	10	<p>The Applicant shall:</p> <p>a) implement best practice management to minimise the dust emissions of the development;</p> <p>b) carry out periodic air quality monitoring to determine whether the development is complying with the relevant conditions of this consent;</p> <p>c) 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>d) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note d under Table 4); and</p> <p>e) minimise the area of surface disturbance and maximise progressive rehabilitation of the site, to the satisfaction of the Secretary.</p>	<p>Water cart used on site to minimise dust emissions from vehicle movements.</p> <p>Water sprays installed on processing plant and stockpile areas.</p> <p>Air quality monitoring (dust deposition monitoring) conducted verify compliance with conditions of consent and EPA criteria.</p> <p>Meteorological station installed at site office for monitoring weather conditions.</p> <p>No new areas have been exposed.</p>	C	
Quarry-owned Land					
31.	11	The Applicant shall 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 occupied residence on quarry-owned land unless:	No dust monitoring results have exceeded criteria.	NT	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		(a) the tenant has been notified of any health risks associated with such exceedances in accordance with the notification requirements under Schedule 4 of this consent; and (b) the tenant of any land owned by the Applicant can terminate their tenancy agreement without penalty at any time, subject to giving reasonable notice, to the satisfaction of the Secretary.			
Air Quality Management Plan					
32.	12	<p>The Applicant shall prepare an Air Quality Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:</p> <p>a) be submitted to the Secretary for approval by within three months of the date of approval of Modification 4, 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; and</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>The Applicant shall implement the management plan as approved from time to time by the Secretary.</p>	<p>Air Quality Management Plan developed and approved by DPE on 21/07/17 (submitted 1/08/16).</p> <p>The plan has been updated on 3 occasions subsequent to the original approval (Current version 3.01).</p> <p>Contents of the Air Quality Management Plan verified during the previous audit.</p>	C	
Meteorological Monitoring					
INDEPENDENT AUDIT REPORT - POSSUM BRUSH QUARRY 31 MARCH 2020		AUDIT COMPLIANCE CODES: C: COMPLIANT; N: NON-COMPLIANCE; O: OPPORTUNITY FOR IMPROVEMENT; NT: NOT TRIGGERED			PAGE 33 OF 85

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
33.	13	For the life of the development, the Applicant shall ensure that there is a suitable meteorological station operating in the vicinity of the site that complies with the requirements in the <i>Approved Methods for Sampling of Air Pollutants in New South Wales</i> guideline.	Meteorological station installed 19 January 2017. Lightning strike November 2017. System upgraded to improve lightning protection.	C	
Greenhouse Gas Emissions					
34.	14	The Applicant shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site.	Management of the quarry operations and activities to minimise diesel / fuel usage is practised at the "Possum Brush" Quarry to minimise the release of greenhouse gas Emissions from the site. Plant regularly maintained to minimise emissions. Management of electrical power usage is also practised to reduce greenhouse gas impact from the project, where practicable - e.g. Solar panels installed for office, laboratory and asphalt plant.	C	
SOIL AND WATER					
Water Supply					
35.	15	The Applicant shall ensure it has sufficient water for all stages of the development, and if necessary, adjust the scale of quarrying operations to match the available water supply. <i>Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.</i>	Water balance in the Water Management Plan shows that the site has sufficient capacity for meeting its water needs. The quarry has had sufficient water for operations to date.	C	
Water Discharges					
36.	16	The Applicant shall comply with the discharge limits in any EPL, or with section 120 of the POEO Act.	No discharge in 2019. Two discharge events since previous audit. 22/03/18 and 15/03/17. Records of discharge show that water quality met discharge limits in EPL 3933.	C	


AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Groundwater					
37.	17	<p>In the event that groundwater in excess of negligible quantities is intersected during quarrying operations, the Applicant shall undertake a hydrogeological investigation, in consultation with DPI Water, to the satisfaction of the Secretary. The investigation must report on groundwater sources, levels, yield and quality; identify any risks to groundwater users or groundwater dependent ecosystems and propose recommended management measures.</p> <p>The Applicant must implement reasonable and feasible management measures to the satisfaction of the Secretary.</p>	No groundwater has been encountered.	NA	
Water Management Plan					
38.	18	<p>The Applicant shall prepare a Water Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:</p> <ul style="list-style-type: none"> e) be prepared in consultation with the EPA and DPI Water; f) be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary; g) include a Site Water Balance that includes details of: <ul style="list-style-type: none"> • sources and security of water supply; • water uses, losses and management on site; • any off-site water transfers; and • reporting procedures; and h) include a Surface Water Management Plan that includes: <ul style="list-style-type: none"> • 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"> ○ clean water diversion system; ○ erosion and sediment controls; ○ stormwater runoff controls; ○ dirty water management system; and ○ water storages; and • a program to monitor and report on: 	<p>Water Quality management plan developed and approved (4/07/17). Content of plan verified during previous audit. Plan has been updated in 2017 and 2018 (following review)</p>	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #												
		<ul style="list-style-type: none">○ any surface water discharges;○ the effectiveness of the water management system; and○ surface water flows and quality in local watercourses; and <ul style="list-style-type: none">• measures that would be implemented to minimise water use on site;• identification of all reasonable and feasible measures to improve the quality of surface water within and around the site; <p>The Applicant shall implement the management plan as approved from time to time by the Secretary.</p>															
LANDSCAPE AND REHABILITATION																	
Rehabilitation Objectives																	
39.	19	<p>The Applicant shall rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must be in accordance with the objectives in Table 5.</p> <p><i>Table 5: Rehabilitation objectives</i></p> <table><tr><th>Feature</th><th>Objective</th></tr><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 designed to minimise the visual impacts of the development when viewed from surrounding land.• Restored with native, endemic vegetation</td></tr><tr><td>Vegetated land</td><td><ul style="list-style-type: none">• Conserved and enhanced with native, endemic vegetation.• Containing self-sustaining ecosystems.</td></tr><tr><td>Surface Infrastructure</td><td><ul style="list-style-type: none">• Decommissioned and removed, unless the Secretary agrees otherwise.</td></tr><tr><td>Quarry Benches & Pit Floor</td><td><ul style="list-style-type: none">• Landscaped and vegetated using native trees and understorey species.</td></tr><tr><td>Final Void</td><td><ul style="list-style-type: none">• Minimise the height and slope of batters.• Minimise the drainage catchment.</td></tr></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 designed to minimise the visual impacts of the development when viewed from surrounding land.• Restored with native, endemic vegetation	Vegetated land	<ul style="list-style-type: none">• Conserved and enhanced with native, endemic vegetation.• Containing self-sustaining ecosystems.	Surface Infrastructure	<ul style="list-style-type: none">• Decommissioned and removed, unless the Secretary agrees otherwise.	Quarry Benches & Pit Floor	<ul style="list-style-type: none">• Landscaped and vegetated using native trees and understorey species.	Final Void	<ul style="list-style-type: none">• Minimise the height and slope of batters.• Minimise the drainage catchment.	<p>No rehabilitation has occurred since the previous audit.</p> <p>Maintenance of the wildlife corridor and buffer between quarry and agricultural land has been undertaken.</p>	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 designed to minimise the visual impacts of the development when viewed from surrounding land.• Restored with native, endemic vegetation																
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AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		Community <ul style="list-style-type: none"> Ensure public safety. Minimise the adverse socio-economic effect of quarry closure. 			
Progressive Rehabilitation					
40.	20	The Applicant shall 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 disturbance in the future.</i>	No rehabilitation has been required since the previous audit. No terminal benches have been constructed. No areas of denuded vegetation where rehabilitation is required. Maintenance of the wildlife corridor and buffer between quarry and agricultural land has been undertaken.	NT	
Landscape and Rehabilitation Management Plan					
41.	21	The Applicant shall prepare a Landscape and Rehabilitation Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must: <ul style="list-style-type: none"> k) be prepared in consultation with OEH and Council; l) be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary; m) provide details of the conceptual final landform and associated land uses for the site; n) describe the short, medium and long-term measures that would be implemented to ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent; o) include a program to progressively improve the structure and floristic composition of the established wildlife corridor which includes: <ul style="list-style-type: none"> maintaining a fence around the wildlife corridor to exclude grazing stock; maintaining wildlife warning signs and speed limits on internal roads; and 	Landscape and Rehabilitation Plan developed. Rev V1.02 approved 4/07/2017. Final void does not clearly indicate the management requirements for the final void. Landscape Management Plan requires inspection of all rehabilitation areas after substantial rainfall events to identify any areas where remedial earthworks are required. No records of inspections after rainfall.	NC	03
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AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		<ul style="list-style-type: none"> making suitable arrangements to protect in perpetuity the wildlife corridor; and <p>p) include a program to monitor Rudder's Box within the Applicant's property;</p> <p>q) include a detailed description of the measures that would be implemented to:</p> <ul style="list-style-type: none"> maximise the salvage of environmental resources within the approved disturbance area for beneficial reuse; protect vegetation and fauna habitat outside the approved extraction area; minimise tree or native vegetation removal or destruction; use pre-existing or local plant species for revegetation; minimise the impacts on native fauna and flora, including Brush-tailed Phascogale and Rudder's Box; landscape the site to minimise visual and lighting impacts; control weeds and feral pests; control erosion; control access; and bushfire management; and <p>r) include a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria;</p> <p>s) identify the potential risks to the successful rehabilitation of the site, and include a description of the contingency measures that would be implemented to mitigate these risks; and</p> <p>t) include details of who would be responsible for monitoring, reviewing, and implementing the plan.</p> <p>The Applicant shall implement the management plan as approved from time to time by the Secretary.</p> <p><i>Note: For the purposes of this consent, suitable arrangements to protect the wildlife corridor in perpetuity may include the use of Public Positive Covenants in combination with Restrictions on Use of Land on the land title/s of the wildlife corridor. Other arrangements such as the use of Biobanking Agreements or transfer of lands to the national parks estate would also be considered for their suitability.</i></p>			


AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Rehabilitation and Conservation Bond					
42.	22	<p>Within 6 months of the approval of the Landscape and Rehabilitation Management Plan, the Applicant shall lodge a Rehabilitation and Conservation Bond with the Department to ensure that the management of biodiversity and the rehabilitation of the site are implemented in accordance with the performance and completion criteria set out in the Landscape and Rehabilitation Management Plan. The sum of the bond shall be determined by:</p> <ul style="list-style-type: none"> a) calculating the cost of rehabilitating the site taking into account the likely surface disturbance over the next 3 years of quarrying operations; and b) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs, to the satisfaction of the Secretary. <p><i>Note: If the rehabilitation of the site is completed to the satisfaction of the Secretary, then the Secretary will release the bond. If the rehabilitation of the site is 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></p>	<p>Landscape and Rehabilitation Management Plan approved on 4/07/17.</p> <p>18/12/17 Bond estimate submitted to DP&E, approved on 1/05/19.</p> <p>Rehabilitation and Conservation Bond lodged 30/05/19. Receipt of bond confirmed by DP&E 31/05/19.</p>	C	
43.	23	<p>Within 3 months of each Independent Environmental Audit (see condition 10 of Schedule 5), the Applicant shall review, and if necessary revise, the sum of the Rehabilitation and Conservation Bond to the satisfaction of the Secretary. This review must consider the:</p> <ul style="list-style-type: none"> a) effects of inflation; b) likely cost of 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 rehabilitation of the site to date. 	<p>Rehabilitation and Conservation Bond lodged 30/05/19. Receipt of bond confirmed by DP&E 31/05/19.</p>	NT	
ABORIGINAL CULTURAL HERITAGE					
44.	24	<p>If any item or object of Aboriginal heritage significance is identified on site, the Applicant shall ensure that:</p>	<p>No Aboriginal heritage items or objects have been found.</p>	NT	

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		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 with high visibility flagging tape, or the like; and c) OEH is contacted immediately. Work in the vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the <i>National Parks and Wildlife Act 1974</i> .			
TRANSPORT					
Transport Routes					
45.	25	No trucks associated with the development are to travel on Bullocky Way, Tritton Road or the section of Possum Brush Road to the west of the intersection with the quarry access road and other minor roads off this section of road unless delivering products to a property fronting onto these roads or providing materials for the maintenance of the roads themselves, without the written agreement of the Secretary.	Requirements included in site induction for truck drivers (Item 6).	C	
Pacific Highway Intersection					
46.	26	The Applicant shall ensure that appropriate advance warning truck signage is installed or replaced on the northbound and southbound lanes of the Pacific Highway, to the satisfaction of the RMS	Truck signage verified on Pacific highway. Installed 16/02/18 by RMS following consultation with Quarry. 	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Operating Conditions					
47.	27	<p>The Applicant shall ensure that:</p> <ul style="list-style-type: none"> a) all company owned trucks associated with the quarry have appropriate signage, so they can be easily identified by road users; b) all laden trucks entering or exiting the site have their loads covered; c) all laden trucks exiting the site are cleaned of materials that may fall on the road, before leaving the site; and d) road maintenance requirements, including the removal of any obstructing roadside vegetation, are reported to Council for Possum Brush Road and to RMS for the Pacific Highway. 	<p>All trucks sighted during the audit had loads covered. Reported that trucks were checked for material which may fall at the weighbridge.</p> <p>Noted during the audit that Possum Brush Road had some road damage. Letter to Council 10/12/18 and 28/05/19 raising maintenance issues with Council. No formal response from Council. Reported that the MCC asset manager was contacted on 13/08/19. No maintenance had been conducted at the time of audit.</p>	C	
Transport Management Plan					
48.	28	<p>The Applicant shall prepare a Transport Management Plan for the development to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see condition 2 of Schedule 5) this plan must:</p> <ul style="list-style-type: none"> a) be prepared in consultation with RMS and Council; b) be submitted to the Secretary for approval by within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary; c) 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, particularly having regard to early morning truck arrivals, school bus routes and the location of residential properties; and d) describe the measures that would be put in place to ensure compliance with the Drivers' Code of Conduct. <p>The Applicant shall implement the management plan as approved from time to time by the Secretary.</p>	<p>Transport Management Plan was available. Contents verified previous audit.</p> <p>Updated March 2017, July 2017 and January 2018.</p>	C	
Monitoring of Product Transport					
49.	29	<p>The Applicant shall keep accurate records of:</p> <ul style="list-style-type: none"> a) the amount of quarry products transported from the site (calendar month and year); 	<p>Weighbridge information used to record quarry products transported and truck movements.</p> <p>Records were included in the Annual review (Appendix 3).</p>	C	
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		b) the number of truck movements entering and leaving the site (hour, day, calendar month and year); and c) include these records in the Annual Review (see condition 9 of Schedule 5). <i>Note: Records must include material provided to Council, referred to in condition 19 of Schedule 2.</i>	No material requested by Council since the previous audit.		
VISUAL IMPACTS					
50.	30	The Applicant shall: a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development; and b) take all practical measures to shield views of quarrying operations from users of public roads and privately-owned residences, to the satisfaction of the Secretary.	The "Possum Brush" Quarry is located in a heavily wooded area of rolling hills and the quarry operations are shielded from surrounding potential view by the vegetation and topography. The "Possum Brush" Quarry operations are not directly visible from users of public roads or privately-owned residences.	C	
WASTE					
51.	31	The Applicant shall: a) implement all reasonable and feasible measures to minimise the waste generated by the development; b) ensure that the waste generated by the development is appropriately stored, handled and disposed of; and c) monitor and report on effectiveness of the waste management and minimisation in the Annual Review (see condition 9 of Schedule 5), to the satisfaction of the Secretary.	There are a number of waste skips and bins for specific waste segregation (e.g. general waste, waste oil tank adjacent to the oil-water separator at Maintenance Workshop, cardboard, paper, etc). Steel is segregated into a dedicated waste skip for collection and recycling. Waste management is reported in the Annual Review section 2.8. Recycling of waste oil, steel, tyres cardboard and plastics implemented.	C	
Odour					
52.	32	The Applicant shall not cause or permit the emission of offensive odour beyond the boundaries of the site.	No offensive odours have been emitted from the site.	C	
LIQUID STORAGE					

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
53.	33	The Applicant shall ensure that all liquid tanks and similar storage facilities (other than for water) are protected by appropriate bunding, which must exceed 110% of the stored volume of the liquid.	<p>All liquid storage facilities sighted were bunded.</p> 	C	
DANGEROUS GOODS					
54.	34	The Applicant shall ensure that the storage, handling, and transport of dangerous goods is done in accordance with the relevant <i>Australian Standards</i> , particularly AS1940 and AS1596, and the <i>Dangerous Goods Code</i> .	<p>Gas storage on site – Registered with SafeWork NSW. All dangerous goods on site were appropriately labelled. A dangerous goods manifest was maintained for the site. Storage volumes for flammable liquids have been documented and storage requirements identified. The site was in the process of reviewing quantities to minimise stored quantities and ensure storage facilities are appropriate.</p>	C	
BUSHFIRE					
55.	35	<p>The Applicant shall:</p> <ol style="list-style-type: none"> ensure that the development is suitably equipped to respond to any fires on site; and assist the Rural Fire Service, emergency services and National Parks and Wildlife Service as much as possible if there is a fire in the surrounding area. 	<p>All earthmoving equipment is fitted with fire extinguishers and the on- site water truck is fitted with pumps and pipework for use in fire-fighting. Pacific Blue Metal indicated that they would assist the RFS and NP&WS in the event of any fires in areas surrounding the "Possum Brush" Quarry property.</p>	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
SCHEDULE 4 – ADDITIONAL PROCEDURES					
NOTIFICATION OF LANDOWNERS					
56.	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 shall 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 shall 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>	No exceedances have been recorded.	NT	
INDEPENDENT REVIEW					
57.	2	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.	No independent reviews have been requested.	NT	
58.	3	<p>If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision the Applicant shall:</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>	No independent reviews have been requested.	NT	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
SCHEDULE 5 – ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING					
ENVIRONMENTAL MANAGEMENT					
Environmental Management Strategy					
59.	1.	<p>The Applicant shall prepare and implement an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:</p> <ol style="list-style-type: none"> be submitted to the Secretary for approval within three months of the date of approval of Modification 4, unless otherwise agreed by the Secretary; provide the strategic framework for the environmental management of the development; identify the statutory approvals that apply to the development; describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; describe the procedures that would be implemented to: <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the operation and environmental performance of the development; receive, handle, respond to, and record complaints; resolve any disputes that may arise during the course of the development; respond to any non-compliance; and respond to emergencies; and include: <ul style="list-style-type: none"> copies of any strategies, plans and programs approved under the conditions of this development consent; and a clear plan depicting all the monitoring required to be carried out under the conditions of this consent. 	<p>Environmental Management Strategy has been developed and implemented.</p> <p>Submission to the Secretary and contents verified previous audit.</p>	C	
Management Plan Requirements					
60.	2	<p>The Applicant shall ensure that the Management Plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <ol style="list-style-type: none"> detailed baseline data; 	<p>Management Plans have been prepared and include reference and description of each of the relevant elements nominated in Schedule 5 condition 2.</p>	C	
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		<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; andthe 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; andeffectiveness of any management measures (see (c) above); <p>e) a contingency plan to manage any unpredicted impacts and their consequences;</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; andexceedances 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>			
Updating & Staging Submission of Strategies, Plans or Programs					
61.	3	To ensure the strategies, plans or programs under this consent are updated on a regular basis, and that they incorporate any appropriate mitigation measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval. With the agreement of the Secretary, the Applicant may	Revised plans have been reviewed as revised to comply with condition 5(4).	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		<p>also submit any strategy, plan or program required by this consent on a staged basis.</p> <p>With the agreement of the Secretary, the Applicant may revise any strategy, plan or program approved under this consent without consulting with all the parties nominated under the applicable conditions of consent.</p> <p><i>Notes:</i></p> <p><i>While any strategy, plan or program may be submitted on a progressive basis, the Applicant will need to ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times.</i></p> <p><i>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 to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</i></p>			
Revision of Strategies, Plans & Programs					
62.	4	<p>Within 3 months of the submission of an:</p> <ul style="list-style-type: none"> a) Annual Review under condition 9 below; b) incident report under condition 7 below; c) audit report under condition 10 below; and d) any modifications to this consent, e) the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent, to the satisfaction of the Secretary. <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</i></p>	<p>Records show plans had been updated in January 2018 in accordance with condition 5(4).</p> <p>No incidents or modifications have occurred.</p> <p>Plans were in draft at the time of the previous audit.</p>	C	
Adaptive Management					
63.	5	<p>The Applicant shall 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>	No exceedances have occurred.	NA	

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		Where any exceedance of these criteria and/or performance measures has occurred, the Applicant shall, at the earliest opportunity: <ol style="list-style-type: none"> take all reasonable and feasible measures to ensure that the exceedance ceases and does not recur; 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; and implement remediation measures as directed by the Secretary, to the satisfaction of the Secretary. 			
COMMUNITY CONSULTATIVE COMMITTEE					
64.	6	<p>The Applicant shall operate a Community Consultative Committee (CCC) for the development, to the satisfaction of the Secretary. This CCC must be operated in general accordance with the <i>Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects</i> (Department of Planning, 2007, or its latest versions)</p> <p>Notes:</p> <ul style="list-style-type: none"> <i>The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent.</i> <i>In accordance with the guideline, the committee should be comprised of an independent chair and appropriate representation from the Applicant, Council, and the local community.</i> 	<p>A community consultative committee has been established.</p> <p>Meetings are conducted annually and chaired by MCC. Includes representatives from the community (2). It was reported that the committee had met in November 2017, with PBM providing an overview of the 2016 Community Consultative Committee guidelines to the committee including items such as Code of Conduct, declaration of interests, committee membership and the Departments' role in appointing a Chairperson, however no minutes of the meeting were available. Evidence that the Chairperson had provided an annual report to the DPI&E, and that committee members had signed the code of conduct and Declaration of pecuniary and non-pecuniary interests, was not available.</p> <p>While it was reported that PBM had made attempts to organise further meetings, no meetings had been convened by the Chairperson since November 2017.</p> <p>Possum Brush Quarry has not ensured that a community Consultative Committee has operated in accordance with the requirements of the Community Consultative Committee Guidelines January 2016.</p>	NC	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
REPORTING					
Incident Reporting					
65.	7	The Applicant shall notify, at the earliest opportunity, the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the development, the Applicant shall notify the Secretary and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	No incidents have occurred since the previous audit.	C	
Regular Reporting					
66.	8	The Applicant shall 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.	Website has been implemented for providing compliance documentation. While facility for the complaints register was provided on the website, monitoring data had been inadvertently uploaded instead of the complaints register. It was noted that no complaints had been received in 2018 or 2019.	NC	04
ANNUAL REVIEW					
67.	9	By the end of March each year, or other timing as may be agreed by the Secretary, the Applicant shall review the environmental performance of the development to the satisfaction of the Secretary. This review must: a) describe the development (including rehabilitation and road maintenance) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year; b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against: • the relevant statutory requirements, limits or performance measures/criteria;	DP&E approval to change to financial year reporting (16/08/16). 2015-2016 Annual Review submitted to DP&E on 29/09/16 2016-2017 Annual Review submitted to DP&E on 29/09/17 2017-2018 Annual Review submitted to DP&E on 20/09/18 Approved Annual Reviews provided to Council (e.g. 2017-2018 provided to Council on 22/11/18).	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		<ul style="list-style-type: none"> requirements of any plan or program required under this consent; the monitoring results of previous years; and the relevant predictions in the documents listed in condition 2 of Schedule 2; <p>c) identify any non-compliance over the last 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 calendar year to improve the environmental performance of the development.</p> <p>The Applicant shall ensure that copies of the Annual Review are submitted to Council and are available to the Community Consultative Committee (see condition 6 of Schedule 5) and any interested person upon request.</p>			
INDEPENDENT ENVIRONMENTAL AUDIT					
68.	10	<p>By 30 September 2016, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>a) be conducted by 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;</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 and/or Water License (including any assessment, plan or program required under these approvals);</p> <p>d) review the adequacy of any approved strategy, plan or program required under the these approvals; and</p>	<p>Previous audit conducted 10/10/2016.</p> <p>Trevor Brown of Trevor Brown & Associates was commissioned to undertake the first Independent Environmental Audit under Development Consent 283/97 MOD 4 on 30 September 2016. The Independent Environmental Audit was conducted between 10 October and 24 October 2016, with a site visit / inspection and document review undertaken on 10 October 2016.</p> <p>Included acceptance of audit team by DP&E (12/09/16).</p> <p>AQUAS Pty Ltd engaged to conduct current audit.</p> <p>AQUAS commissioned to conduct audit on 27-28 August 2019.</p>	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		e) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals. <i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</i>			
69.	11	Within 6 weeks of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	Submitted to DP&E on 13/04/17. Report had not been submitted with 6 weeks of commissioning of the audit.	NC	06
ACCESS TO INFORMATION					
70.	12	By 31 December 2016, unless otherwise agreed by the Secretary, the Applicant shall: a) make the following information publicly available on its website: <ul style="list-style-type: none"> the documents listed in condition 2 of Schedule 2; current statutory approvals for the development; approved strategies, plans or programs; a summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent; a complaints register, which is to be updated on a quarterly basis; the Annual Reviews (over the last 5 years); any independent environmental audit, and the Applicant's response to the recommendations in any audit; and any other matter required by the Secretary; and b) keep this information up-to-date, to the satisfaction of the Secretary.	Complaints register not available on website.	NC	04

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
APPENDIX 3: NOISE COMPLIANCE ASSESSMENT					
Applicable Meteorological Conditions					
71.	1.	The noise criteria in Table 2 apply under all meteorological conditions except the following: a) monitoring locations for the collection of representative noise data; b) wind speeds greater than 3 metres/second at 10 metres above ground level; or c) stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or d) stability category G temperature inversion conditions.	Noise monitoring data includes commentary on meteorological conditions.	C	
Determination of Meteorological Conditions					
72.	2	Except for wind speed at microphone height, the data to be used for determining meteorological conditions shall be that recorded by the meteorological station required under condition 33 of Schedule 3.	Meteorological data included in noise reports. Data obtained from site meteorological station.	C	
Compliance Monitoring					
73.	3	Attended monitoring is to be used to evaluate compliance with the relevant conditions of this consent.	Noise reports show that attended monitoring has been conducted on a quarterly basis.	C	
74.	4	Unless otherwise directed by the Secretary, attended quarterly monitoring is to be used to evaluate compliance with the relevant conditions of this consent. <i>Note: The Secretary may direct that the frequency of attended monitoring increase or decrease at any time during the life of the development.</i>	Quarterly monitoring has been conducted. Noted that approval had been provided from DP&E for monitoring to be reduced to an annual basis.	C	
75.	5	Unless otherwise agreed with the Secretary, 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: a) monitoring locations for the collection of representative noise data;	Monitoring reports indicate that monitoring was conducted in accordance with the requirements of the NSW Industrial Noise Policy. Includes assessment of meteorological conditions at the time of monitoring, equipment used and commentary on noise sources.	C	
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		b) meteorological conditions during which collection of noise data is not appropriate; c) equipment used to collect noise data, and conformity with Australian Standards relevant to such equipment; and d) modifications to noise data collected, including for the exclusion of extraneous noise and/or penalties for modifying factors apart from adjustments for duration.			

AUDIT CHECKLIST: Environmental Protection Licence 3933			
Project: AQ1AQ1252	Company: Pacific Blue Metal Pty Ltd	Date: 27-28 August 2019	

7 Audit Checklist – Environmental Protection Licence 3393

AQUAS Ref No	EPL No.	Condition			Finding and Recommendations	Compliance rating	Assessment Issue #
1	A1.1	Scheduled Activity	Fee Based Activity	Scale	148,800 T extracted in 2018-2019 financial year. 164,360 T extracted in 2017-2018 financial year.	C	
		Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity			
		> 100000 - 500000 T annual capacity to extract, process or store	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store			
Limit Conditions							
2	L2.4	Air Emissions Point 1 – Solid particles limit 50mg/m³			No monitoring conducted. Initial monitoring found that emissions were substantially less than 50mg/m³. No further monitoring has been required. No air quality complaints have been received.	C	
3	L2.5	Water limits			Records of water quality monitoring show all discharges were within licence limits.	C	
		pH	6.5-8.5				
		Oil and Grease	No visible				
		TSS	50				

AUDIT CHECKLIST: Environmental Protection Licence 3933			
Project: AQ1AQ1252	Company: Pacific Blue Metal Pty Ltd	Date: 27-28 August 2019	

AQUAS Ref No	EPL No.	Condition					Finding and Recommendations	Compliance rating	Assessment Issue #
4	L3	Waste					Waste concrete, brick, tiles accepted. Records of waste maintained on the EPA WRAPP – 8,633 Tonnes on site at time of audit.	C	
		Code	Waste	Description	Activity	Other Limits			
		NA	General or Specific exempted waste	Waste that meets all the NA conditions of a resource recovery exemption under clause 51A of the Protection of the Environment Operations Act (Waste) Regulation 2005	Resource recovery Waste storage	NA			
			General solid waste (non-putrescible)	Concrete, Bricks, Asphalt, Tiles. Building and Demolition Waste that does not contain asbestos as defined in the EPA's Waste Classification Guideline Part 1 : Classifying Waste	Resource recovery Waste storage	Total 10,000 tonnes per annum			
	L3.2	The authorised amount of waste permitted on the premises must not exceed 10,000 tonnes at any time.					Current quantity 8,633 T. One exceedance of the 10,000T limit in October 2018 (by 376T). Self reported to EPA and a show cause notice issued by EPA.	NC	07

AUDIT CHECKLIST: Environmental Protection Licence 3933			
Project: AQ1AQ1252	Company: Pacific Blue Metal Pty Ltd	Date: 27-28 August 2019	


AQUAS Ref No	EPL No.	Condition			Finding and Recommendations	Compliance rating	Assessment Issue #															
	L4.1	<table><tr><td>Noise Limits</td><td></td><td></td></tr><tr><td>Location</td><td>Limit LAeq 15 minute (dBA)</td><td>Noise Limit LAmax (dBA)</td></tr><tr><td>Receiver Location 1 – 5 St Peters Cl, Possum Brush</td><td>39</td><td>45</td></tr><tr><td>Receiver Location 2 – 175 Possum Brush Rd, Possum Brush</td><td>38</td><td>45</td></tr><tr><td>Receiver Location 3 – 55 Possum Brush Rd, Possum Brush</td><td>37</td><td>45</td></tr></table> <p>The LAeq limits apply at all times, that is, Daytime, Evening and Night Time Operations</p> <p>The LAmax limits apply to the "night-time" operations.</p>			Noise Limits			Location	Limit LAeq 15 minute (dBA)	Noise Limit LAmax (dBA)	Receiver Location 1 – 5 St Peters Cl, Possum Brush	39	45	Receiver Location 2 – 175 Possum Brush Rd, Possum Brush	38	45	Receiver Location 3 – 55 Possum Brush Rd, Possum Brush	37	45	Noise monitoring conducted on a quarterly basis. Results show that noise limits have not been exceeded.	C	
Noise Limits																						
Location	Limit LAeq 15 minute (dBA)	Noise Limit LAmax (dBA)																				
Receiver Location 1 – 5 St Peters Cl, Possum Brush	39	45																				
Receiver Location 2 – 175 Possum Brush Rd, Possum Brush	38	45																				
Receiver Location 3 – 55 Possum Brush Rd, Possum Brush	37	45																				
	L4.5	For the purposes of determining the noise generated at the premises a Class 1 or 2 noise monitoring equipment as defined by AS IEC61672.1-2004 and AS IEC61672.2-2004, or other noise monitoring equipment accepted by the EPA in writing, must be used.			Noise monitoring conducted by consultant – Bruel and Kjaer Type 1 noise level meter used.	C																

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	L4.6	<p>To determine compliance:</p> <p>a) with the Leq(15 minute) noise limits in the table above, the noise monitoring equipment must be located:</p> <ul style="list-style-type: none"> (i) within 30 metres of a dwelling façade where any dwelling on the property is situated more than 30 metres from the property boundary that is closest to the premises; (ii) approximately on the boundary where any dwelling is situated 30 metres or less from the property boundary that is closest to the premises; (iii) within approximately 50 metres of the boundary of a National Park or a Nature Reserve. <p>b) the noise monitoring equipment must be located in a position that is:</p> <ul style="list-style-type: none"> (i) at the most affected point at a location where there is no dwelling at the location; or (ii) at the most affected point within an area at a location prescribed by item (a) of this condition 	<p>Noise monitoring locations identified in the noise report.</p> <p>Noted that monitoring at 55 Possum Brush Road did not comply with licence requirements (situated 30 metres or less from the property boundary that is closest to the premises). No justification for the site location was provided.</p>	NC	08
L5 Blasting					
	L5.1	The airblast overpressure level from blasting operations at the premises must not exceed 120dB (LinPeak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	All blast monitoring results show that airblast overpressure level were below 120dB (LinPeak) at monitoring locations.	C	
	L5.2	The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period.	All blast monitoring results show that airblast overpressure level were below 115dB (LinPeak) at monitoring locations (Maximum recorded 113.4dB October 2018).	C	
	L5.3	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive locations.	All blast monitoring results show that ground vibration peak particle velocity has not exceeded 10mm/sec at monitoring locations.	C	

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	L5.4	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period.	All blast monitoring results show that ground vibration peak particle velocity has not exceeded 5mm/sec at monitoring locations (maximum recorded 4.19mm/sec September 2019)	C	
	L5.5	To determine compliance with the blasting limits specified in the above four (4) conditions: (a) Airblast overpressure and ground vibration levels must be measured at any point within 1 metre of any affected residential boundary or other noise sensitive location such as a school or hospital for all blasts carried out in or on the premises; and (b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard 2187.2 of 1993.	Monitoring conducted at two closest affected residences. 175 Possum Brush Road and 5 St Peters Close.	C	
	L5.6	Blasting operations at the premises may only take place between 9:00am-3:00pm Monday to Friday. Blasting is not permitted on public holidays	Records show blasts had been conducted between 9:00am-3:00pm Monday to Friday	C	
	L5.7	Offensive blast fume must not be emitted from the premises.	No reports of offensive blast fume being emitted from premises.	C	
L6 Hours of operation					
5	L6.1	Construction work at the premises must only be conducted between 7am to 6pm Monday to Friday and between 8am to 1pm Saturday with no works on Sunday or public holidays.	No construction work has been conducted on site since the previous audit.	NT	
6	L6.2	All other activities at the premises must only be carried out between the hours detailed below: Hours of Operation for General Quarry Operations a) All quarrying activities must be conducted between 6.30am and 6pm Monday to Friday, and between 7am and 3pm Saturdays, except as detailed below.	Records showed no truck movements prior to 6.30am. Induction and site signage identifies no contractor trucks prior to 7am.	C	

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7	L6.2 Contd	<p>Permissible Times for Vehicles Entering the Premises</p> <p>b) Trucks used for the transport of product are not permitted to enter the premises before 6.15am Monday to Friday or 6.45am Saturdays. In respect of these trucks entering the premises, the licensee must erect and maintain a gate across the site access road 200 metres from the product stockpile area or in another area agreed by Council, which must not be opened prior to 6.30am Monday to Friday or 7am Saturday to allow access to the stockpile.</p> <p>c) No other trucks or heavy machinery are to enter the premises prior to 6.30am Monday to Friday or prior to 7am Saturdays.</p> <p>d) Loaded trucks or heavy machinery are not permitted to enter the premises after 6pm Monday to Friday or after 3pm Saturdays.</p> <p>e) Unloaded trucks or heavy machinery, except those described in clause f) and i) below, are not permitted to enter the premises after the hours of 6pm Monday to Friday and after 3pm Saturdays.</p> <p>f) Trucks containing returned loads of product and trucks owned or operated by the licensee, for licensed activities, and normally garaged at the premises, may enter the premises after the hours of 6pm Monday to Friday and after 3pm Saturdays only in the following circumstances:</p> <ol style="list-style-type: none"> The truck left the premises loaded with product prior to 6pm Monday to Friday or prior to 3pm Saturday. The truck travelled directly to the delivery site by the most direct route. The truck travelled directly back to the premises from the delivery site by the most direct route. Records must be kept for all trucks returning to the premises after the hours of 6pm Monday to Friday and 3pm Saturdays which records the time the truck left the premises, the load carried, the delivery site, the customer details, and the time the truck returned to the premises. <p>Note: These records may take the form of weighbridge records and security camera date stamps.</p> <p>v. No trucks are permitted to enter the premises between 12 midnight Saturdays and 6:15 am Monday.</p>	<p>Tucks are not permitted to enter before 7.00am Monday to Friday.</p> <p>Normal operating hours 7.00am to 5.00pm Monday to Friday, 7.00am to 12.00md Saturday.</p> <p>Form 25 Daily run sheet used to record trip information, including time returned to Quarry at end of day. Also includes quarry operating hours.</p>	C	
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AQUAS Ref No	EPL No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
8	L6.2 Contd	Permissible Times for Vehicles Leaving the Premises g) No trucks or heavy machinery are to leave the premises prior to 6.30am Monday to Friday or 7am Saturdays.	Records show that no trucks had left the premises prior to 6.30am Monday to Friday or 7am Saturdays.	C	
9	L6.2 Contd	Hours of Operation for Asphalt Plant Note: Greater Taree City Council has issued development consent for the asphalt plant to operate on a 24 hours per day basis under certain circumstances. The conditions below reflect that consent. h) The exception to operational hours described in clauses a) to g) above is the operational hours of the asphalt plant in the circumstances set out below: i. The asphalt plant and associated truck movements are permitted to operate 24 hours per day during the period 6.30am Monday to 10pm Friday for a maximum of 60 days in any one calendar year. (For the purposes of this licence the calendar year is the same as the reporting period year.) ii. The licensee must notify the Manager Hunter Region of the EPA when each night operations will be undertaken, by email at hunter.region@epa.nsw.gov.au , prior to the night time operations being undertaken.	Records maintained of plant operating hours. Records show extended operating hours on 16 days in 2019 (to date); 22 days in 2018- 2019 financial year; 8 in 2017-2018 financial year.	C	

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10		<p>i) Trucks containing returned loads of product and trucks owned or operated by the licensee which are normally garaged at the premises and involved in the delivery of asphalt during the 60 days per year of night time asphalt plant operations may enter the premises after 10pm Friday only in the following circumstances;</p> <p>i. The truck left the premises loaded with product prior to 10pm Friday.</p> <p>ii. The truck travelled directly to the delivery site by the most direct route.</p> <p>iii. The truck travelled directly back to the premises from the delivery site by the most direct route.</p> <p>iv. Records must be kept for all trucks returning to the premises after 10pm Friday which records the time the truck left the premises, the load carried, the delivery site, the customer details, and the time the truck returned to the premises.</p> <p>Note: These records may take the form of weighbridge records and security camera date stamps.</p> <p>v. No trucks are permitted to enter the premises between 12 midnight Saturdays and 6:15 am Monday.</p>	No trucks have returned after 10pm on a Friday.	C	
11		<p>Hours of Operation for Maintenance Activities</p> <p>j) Maintenance of equipment strictly in the workshop or plant areas is permitted between the hours of 6am to 9pm Monday to Saturday. Any maintenance carried out within these hours but outside the quarrying activities hours set out in clause a) must be inaudible at any residence (except residences owned by the licensee).</p>	Maintenance generally conducted between 7am to 5pm Monday to Friday	C	
12		<p>No Activities on Sundays or Public Holidays</p> <p>k) No works, maintenance, truck or machinery movements in or out of the premises are permitted on Sundays or Public Holidays.</p>	Reported that no works, maintenance, truck or machinery movements in or out of the premises are permitted on Sundays or Public Holidays.	C	

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13		Extension of Hours of Operation in emergency and other circumstances I) The hours of operation of the quarrying activities as set out in clause a) above can only be extended for an emergency or for circumstances involving the upgrading of the Pacific Highway, on a short term basis, with Council approval. A licence variation is not required in these circumstances under the following conditions: i. The Licensee must notify the EPA Manager Hunter Region by facsimile on (02) 49086810 of the intention to apply to council to extend the quarry's operational hours and the circumstances surrounding the application. ii. The licensee must notify the EPA Manager Hunter Region by facsimile on (02) 49086810 of the councils decision in written form. iii. The licensee must keep a log of all such extensions for inspection if required.	The quarry has not been required to extend hours as a result of emergency circumstances.	NT	
14	L6.3	Trucks associated with the waste recycling activities must not enter the premises prior to 07:00 am	Included in site induction requirements. Sign on front entry restricts access for to after 7.00am.	C	
L7.1 Potentially Offensive Odour					
15	L7.1	The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.	No offensive odours have been emitted from the premises.	C	
Operating Conditions					
16	O2	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner	Records of maintenance of plant were readily available on site. Verified for Volvo 250H. Daily prestarts completed. 250hour services records sighted, including 500hr oil testing.	C	
17	O3	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Dust suppression measures have been implemented for the site. Water sprays provided for crushing equipment. Water cart for minimising dust from exposed areas.	C	

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18	O3	Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.	Truck driver site induction includes requirement for covering of loads. All trucks sighted during the site inspection were covered.	C	
19	O4.1	Stormwater from all areas of the premises, which has the potential to mobilise sediments and other material must be controlled and diverted through the appropriate erosion and sediment control and or pollution control measures/structures	All stormwater was directed to onsite water collection systems. Surface water runoff reports to Dam 1, or in the sump dam. Water in Dam 1 provides for settlement of sediment and the water is reused on-site for dust control and activities in the process plant. Any overflow from Dam 1 flows to sump dam. Excess water from site in heavy rain events flows to Dam 3. Dam 3 was observed as clear during the site inspection. No discharge occurs from Dam 3 except under extreme weather conditions and the discharge is monitored in accordance with EPL conditions P1.3 and M2.2.	C	
20	O4.2	Erosion and sediment control and/or pollution measures and/or structures to capture stormwater from all areas of the premises must be installed and maintained.	Rock filled drains provided along road ways to minimise erosion. Erosion and sediment controls within disturbed areas within the extraction area are considered to conform with the requirements of the Managing Urban Stormwater: Soils and Construction Manual Volume 2E Mines and Quarries.	C	
21	O4.3	All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.	All above ground tanks sighted had been bunded.	C	

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22	O4.4	Bunds must: a) have walls and floors constructed of impervious materials; b) be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed); c) have floors graded to a collection sump; and d) not have a drain valve incorporated in the bund structure; or be constructed and operated in a manner that achieves the same environmental outcome.	Bunds provided. Bund did not have a collection sump. Locked drain valve provided for removal of rainwater.	C	
23	O5.1	The Licensee must ensure that any waste received at the premises is assessed and classified in accordance with the EPA's Waste Classification Guidelines as in force from time to time.	Construction/ demolition waste received. Waste is assessed upon entry to site to determine if the waste is suitable for acceptance. Quality Assurance Program – Recycling Plant available.	C	
24	O5.2	The Licensee must have in place at all times a quality assurance program to ensure only the types of wastes permitted above are received at the premises. This quality assurance program must include: a. Inspection of the waste received at the premises (prior to tipping) to ensure it only contains the wastes allowed by this licence; b. Inspection of the waste after tipping at the premises to ensure it only contains the wastes allowed by this licence; c. Documenting all loads of waste that are received at the premises that contain wastes other than those approved above (including name and registration number of waste supplier, why the waste load did not comply, and the fate of that load of waste).	Quality Assurance Program – Recycling Plant available. Inspection of Incoming waste form completed by weighbridge inspector and tipping inspector.	C	
25	O5.3	Prior to any wastes rejected by the Quality Assurance Program leaving the premises the Licensee must obtain from the owner of such wastes details of where that waste will be disposed legally	A rejected loads register is also documented (e.g. 27/07/2018 – Load rejected due to presence of waffle pod). Intended destination of rejected load recorded on form (e.g. Tuncurry tip).	C	

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26	O5.4	The Licensee must notify Greater Taree City Council and Great Lakes Council within 30 minutes of any rejected waste load leaving the premises, including the name and registration number of waste supplier, why the waste load was rejected, and the proposed fate of that load of waste.	Notification to MidCoast Council (formerly Greater Taree City Council and Great Lakes Council) recorded on rejected loads register.	C	
27	O5.5	Any load of waste that is received at the premises, which does not comply with the types of waste allowed to be received at the premises, and has not been returned to the supplier, must be stockpiled separately at the premises. The EPA must be notified within 24 hours of receipt of any such load of waste, including details of why the waste is not permitted to be received and actions the licensee will take to lawfully dispose of such wastes.	No loads have been received which did not comply and required stockpiling on site.	C	
28	O5.6	All residual waste by-products from the waste recycling operations conducted on-site (for example paper, cardboard, plastic, timber, steel) must be stored separately in such a manner that it does not cause windblown litter and must be regularly removed from the site for appropriate disposal or recycling. No such materials are permitted to be disposed at the premises.	Waste recycling facilities had been provided on site. During the site inspection, it was noted that waste had been segregated for recycling (e.g. steel removed from concrete)	C	
6 Monitoring Records					
29	M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Records of monitoring were available in the PBM site office	C	
30	M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Records of monitoring were available in the PBM site office in hard copy and electronically.	C	

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31	M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Water samples – Analytical Report from MidCoast Water Laboratory includes date of sample, point (description) and sampler. Time included 22/03/18. Noise monitoring records do not show the persons undertaking the sampling.	NC	01												
32	M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	Monitoring at monitoring location 2 has been conducted when overflow has occurred. 22/03/2018 15/03/2017.	C													
33	M2.2	Water and/ or Land Monitoring Requirements <table><tr><td>pH</td><td>pH</td><td>Each overflow event</td><td>Visual Inspection</td></tr><tr><td>Oil and Grease</td><td>visible</td><td>Each overflow event</td><td>Grab Sample</td></tr><tr><td>TSS</td><td>Milligrams per litre</td><td>Each overflow event</td><td>Grab Sample</td></tr></table>	pH	pH	Each overflow event	Visual Inspection	Oil and Grease	visible	Each overflow event	Grab Sample	TSS	Milligrams per litre	Each overflow event	Grab Sample	Records show monitoring of overflow at discharge from Sediment Dam 3 (Monitoring location 2) for the required variables.	C	
pH	pH	Each overflow event	Visual Inspection														
Oil and Grease	visible	Each overflow event	Grab Sample														
TSS	Milligrams per litre	Each overflow event	Grab Sample														
34	M3.1	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	Analysis undertaken by NATA accredited laboratory. Grab sample collected.	C													
35	M4.1	A meteorological weather station must be maintained at the premises so as to be capable of continuously monitoring the parameters specified in the condition below.	Meteorological weather station installed at site office. Monitors: rainfall; • wind speed and direction @ 10m; • temperature @ 2m and 10m; and • sigma theta @ 10m	C													

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36	M4.2	For each monitoring point specified in the table below the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.	Meteorological weather station installed at site office. Monitors: rainfall; • wind speed and direction @ 10m; • temperature @ 2m and 10m; and • sigma theta @ 10m Sampling conducted in accordance with sampling method identified.	C	
37	M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Complaints register maintained. No complaints received 2018 or 2019. Nine complaints received 2017 from 2 sources. Two complaints received 2016.	C	
38	M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	The Pacific Blue Metal "Possum Brush" Quarry Complaints Sheet Record lists: • date and time of the complaint; • method by which the complaint was made; • personal details of the complainant which were provided by the complainant; • nature of the complaint; • action taken by the licensee in relation to the complaint and follow-up contact with the complainant	C	
39	M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Records are maintained in the PBM site office. Records maintained indefinitely.	C	
40	M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Records are readily available.	C	

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41	M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	The "Possum Brush" Quarry operates a complaints telephone number 02 6554 3597.	C	
42	M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	The contact number has been provided to the Community Consultative Committee members and surrounding neighbours, and the complaints line is advertised on the front gate to the quarry.	C	
43	M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.		C	
44	M7.1	To determine compliance with the noise limits specified in this licence, attended noise monitoring must be undertaken in accordance with the requirements of conditions titled "Noise limits": a) at each one of the locations listed in the noise limits table; b) annually beginning 1 January each year; c) occur at the time of year when noise levels are expected to be highest, that is, generally winter conditions; d) occur at a time corresponding to usual or busy quarry activities; e) occur during each day, evening and night period as defined in the NSW Industrial Noise Policy; and f) occur at a time corresponding to "normal" or above average production conditions and truck movements.	Attended noise monitoring has been conducted on a quarterly basis. Noise monitoring conducted 3 April 2019. No exceedances have been reported.	C	
45	M7.2	The requirement to continue this monitoring will be assessed upon request by the licensee and after several noise compliance tests have been conducted.	Noted that noise monitoring has been reduced from quarterly to annually following request from licensee.	C	

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6 Reporting Conditions					
46	R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.	Annual returns completed. 2018 Confirmation of receipt provided 16/10/18. 2017 Confirmation of receipt provided 16/10/17. 2016 submitted 13/10/16	C	
47	R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below	Annual returns completed.	C	
48	R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.	Licence has not been transferred	NT	

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49	R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates	Licence has not been surrendered	NT	
50	R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	Required to be provided by 15 October. Submitted using eConnect. 2018 Confirmation of receipt provided 16/10/18. 2017 Confirmation of receipt provided 16/10/17. 2016 submitted 13/10/16	C	
51	R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Electronic and hard copy maintained on site.	C	
52	R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder	Signed by PBM Directors.	C	
53	R1.8	The licensee must supply annually with the Environment Protection Licence Annual Return a plan and table showing as at the licence anniversary date: 1. The location of all waste stockpiles on the premises; 2. The type of waste in each stockpile; 3. The height of each stockpile; 4. The amount of waste in each stockpiles in tonnes; and 5. The total amount of waste in all stockpiles in tonnes and whether the limit of tonnes has been exceeded.	Included in Annual Return – Waste Stockpile Data	C	

AUDIT CHECKLIST: Environmental Protection Licence 3933			
Project: AQ1AQ1252	Company: Pacific Blue Metal Pty Ltd	Date: 27-28 August 2019	

AQUAS Ref No	EPL No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
R2 Notification of environmental harm					
54	R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.		NT	
55	R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred		NT	
56	R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.		NT	
57	R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.		NT	

AUDIT CHECKLIST: Environmental Protection Licence 3933			
Project: AQ1AQ1252	Company: Pacific Blue Metal Pty Ltd	Date: 27-28 August 2019	

AQUAS Ref No	EPL No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
58	R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.		NT	
59	R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.		NT	
60	R4.1	The licensee must supply, with each Annual Return, a Noise Monitoring Report which details the findings of the annual noise monitoring required by this licence. Where any of the noise limits detailed in this licence were exceeded during the monitoring, the report must also detail the reason for the non-compliance and make recommendations as to measures that will be employed to ensure noise limits are met at all times.	Noise monitoring reports were included in the Annual Return.	C	

AUDIT CHECKLIST: Environmental Protection Licence 3933			
Project: AQ1AQ1252	Company: Pacific Blue Metal Pty Ltd	Date: 27-28 August 2019	

AQUAS Ref No	EPL No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
61	R4.2	The licensee must supply, with each Annual Return, a Blast Monitoring Report which must include the following information relating to each blast carried out within the premises during the reporting period covered by the Annual Return: (a) the date and time of the blast; (b) the location of the blast on the premises; (c) the blast monitoring results at each blast monitoring station; and (d) an explanation for any missing blast monitoring results.	Blast monitoring report was included in the Annual return.	C	
62	R4.3	The licensee must report any exceedence of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedence becomes known to the licensee or to one of the licensee's employees or agents	No exceedances of blasting limits have been recorded.	NT	
7 General Conditions					
63	G1.1	A copy of this licence must be kept at the premises to which the licence applies	Copy of the licence was available in the site office. – Licence and Compliance Kit for Licence Holders.	C	
64	G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Copy of the licence was available in the site office. It was reported that an EPA authorised Officer had not requested to see the licence.	NT	
65	G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Copy of the licence was available in the site office. – Licence and Compliance Kit for Licence Holders	C	

Appendix C. Consultation Records

From: sophia.stanley@dpi.nsw.gov.au on behalf of [DPI Cabinet](#)
To: [Hart, James](#)
Cc: [Brendan Stone](#); [Jane Bak](#)
Subject: Independent Environmental Audit - Possum Brush Quarry
Date: Tuesday, 27 August 2019 3:09:39 PM

Dear James

I refer to your email of 12 August 2019 regarding the Independent Environmental Audit of the Possum Brush Quarry.

The Department of Primary Industries has reviewed this request and has no issues or concerns.

Kind regards, Sophia

DPI Coordination Team:
Cass McNamara, Manager - 0404 087 481
Jane Bak, A/Manager - 0438 458 914 (27 Aug - 20 Sept)
Sophia Stanley, Policy & Project Officer - 0427 326 931

eCabinet: <https://ecab.nsw.gov.au/ecabinet-prod/login?0>

NSW Department of Primary Industries
Lvl 49 MLC Centre | 19 Martin Place | Sydney NSW 2000 E: dpi.cabinet@dpi.nsw.gov.au



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From: [Colin Phillips](#)

To: [Hart, James](#)

Cc: [Melanie Hollis](#); [Joel Curran](#)

Subject: FW: Independent Environmental Audit - Possum Brush Quarry

Date: Monday, 12 August 2019 11:05:03 AM

Good Morning James,

During the Department's review of environmental management plans, I raised some questions about long-term water management and the operation of the void created by the quarry. I placed a series of questions on 01 May 2019, which were deferred by the quarry personnel until the return of the quarry manager. I have not yet received a reply and think that the site's understanding of long-term water management should be explored in the audit.

My questions are:

I have some water management questions to follow-on from yesterday's site visit, which I hope you can assist me with:

1. Looking at Figures 3 and 4 of the L&RMP it seems that by the time RL 75 is reached in the deepening of the quarry, that natural outcome of water from the quarry void would be cut off. Is this a correct reading of the figures?
2. If my interpretation is correct, by the time the final void reaches RL 45, there would be no natural drainage of water from the void, and unless some form of drainage were to be installed, the void would start to fill with water and become a lake. Is this what is planned to occur?
3. If it is, then the L&RMP should provide information about this and how it would be made safe for people and fauna.
4. Table 5 of the L&RMP states that "*All stormwater within the void is collected and treated on site prior to exiting through a single point source*". This would describe current water management, but will this still be true as the quarry progresses below RL 75 or thereabouts? Is this a long-term rehabilitation objective?
5. Elsewhere, (Table 5 of the consent) (page 11 of the R&LMP) no mention is made of water being retained in the final void. Additionally (Table 5 of the consent), it is stated that the pit floor would be vegetated using native species and understorey species. How does this reconcile with a likely water-filled final void?

Please contact me if you have any questions
Regards

Colin Phillips

Team Leader

Energy and Resources Assessments

320 Pitt Street | GPO Box 39 | Sydney NSW 2001

T 02 9274 6483 E: colin.phillips@planning.nsw.gov.au



**Planning,
Industry &
Environment**

From: Mayor David West

To: Hart, James

Subject: RE: Independent Environmental Audit - Possum Brush Quarry

Date: Monday, 12 August 2019 10:56:33 AM

Good morning James thank you for your mail and it is with much pleasure I respond. I have been chair of the Community Consultative Committee since its inception and have found the committee to be a very valuable tool in managing the impact of the quarry on the local community. With very few exceptions the relationship has been one of accord with matters of concern (mostly the control of dust) over the years have been dealt with in a timely and efficient manner. There has, to my mind been a proactive approach by management to ensure the operation of the quarry has met its

responsibilities according to its significant conditions of consent.

Regards

David West

Mayor

Mayor David West

Mayor

[MCC Website](#)

[Direct](#) 0447 749 877

mayor@midcoast.nsw.gov.au

www.midcoast.nsw.gov.au or follow us

From: Hart, James <james.hart@aquas.com.au>

Sent: Monday, 12 August 2019 10:27 AM

To: Bruce Moore <Bruce.Moore@MidCoast.nsw.gov.au>; Mayor David West <mayor@midcoast.nsw.gov.au>

Subject: Independent Environmental Audit - Possum Brush Quarry

Hi,

AQUAS has been engaged to undertake an Independent Environmental Audit of the Possum Brush

Quarry. As a requirement of the Independent Environmental Audit process I am seeking feedback from various agencies in regard to any issues that may have arisen or concerns which you may have

in relation to the quarry operations. These will be included in the audit.

I am seeking feedback from both Council and the Chair of the Community Consultee committee. I understand that Cllr David West is the Chair.

I would appreciate it if you would respond to this email identifying any issues or concerns you have,

or if you have none, please respond and let me know.

If you have any questions or prefer to talk to someone about issues regarding the audit, you can contact me on 0408 238 682.

Regards

James Hart | Management Consultant

Certified Exemplar Global Lead OHS Auditor

Certified Exemplar Global Lead Environmental Auditor

Certified Exemplar Global Lead Quality Management System Auditor

AQUAS | Level 2, 426 King Street, Newcastle NSW 2300 | PO Box 2195, Dangar NSW 2309 |

phone: +61 2 4928 7600 | fax: +61 2 4927 0930 | Mobile: +61 408 238 682

email: james.hart@aquas.com.au | ABN 40050539010 |

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From: Steven Cox
To: Hart, James
Subject: RE: Independent Environmental Audit - Possum Brush Quarry
Date: Monday, 12 August 2019 2:13:12 PM

Hi James,

Thank you for your email regarding the independent audit of Possum Brush Quarry. The Biodiversity and Conservation Division (previously the Office of Environment and Heritage)

of the Department of Planning, Industry and Environment does not have any specific recommended areas of focus for the audit. I assume the audit will focus on the biodiversity, Aboriginal cultural heritage and flooding requirements of the project approval.

Regards

Steven

Steven Cox
Senior Team Leader Planning
Hunter Central Coast Branch

Biodiversity and Conservation Division | Department of Planning, Industry and Environment

T 02 4927 3140 | **M** 0472 800 088 | **E** steven.cox@environment.nsw.gov.au

Level 4, 26 Honeysuckle Drive, Newcastle NSW 2300

www.dpie.nsw.gov.au

The DPIE Hunter Central Coast Branch Planning Team has a group email address:

rog.hcc@environment.nsw.gov.au. Please address all further email correspondence in relation to Planning and

Aboriginal cultural heritage regulation matters to this address.

The Department of Planning, Industry 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.

From: Hart, James <james.hart@aquas.com.au>

Sent: Monday, 12 August 2019 10:18 AM

To: OEH ROD Hunter Central Coast Mailbox <rog.hcc@environment.nsw.gov.au>

Cc: Steven Cox <Steven.Cox@environment.nsw.gov.au>

Subject: Independent Environmental Audit - Possum Brush Quarry

Hi,

AQUAS has been engaged to undertake an Independent Environmental Audit of the Possum Brush Quarry. As a requirement of the Independent Environmental Audit process I am seeking

feedback from various agencies in regard to any issues that may have arisen or concerns which

you may have in relation to the quarry operations. These will be included in the audit.

I would appreciate it if you would respond to this email identifying any issues or concerns you have, or if you have none, please respond and let me know.

If you have any questions or prefer to talk to someone about issues regarding the audit, you can

contact me on 0408 238 682.

Regards

James Hart | Management Consultant

Certified Exemplar Global Lead OHS Auditor

Certified Exemplar Global Lead Environmental Auditor

Certified Exemplar Global Lead Quality Management System Auditor

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