

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



Audit Organisation:	Pacific Blue Metal Pty Ltd
Auditors:	James Hart
Date of Audit:	16 August 2022
Draft Report Submitted:	22 August 2022
Final Report Submitted:	29 August 2022
Final Report Rev01 Submitted	27 February 2023
Final Report Rev02 Submitted	14 March 2023

Independent Audit Declaration Form

Project Name: Possum Brush Quarry
Consent Number: **Consolidated Development Consent 283/97 MOD 4**
Description of Project: Hard Rock Quarry
Project Address: 113/115 Possum Brush Road Possum Brush NSW 2430
Proponent: Pacific Blue Metal Pty Ltd
Date: 14 March 2023

I declare that:

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

Notes:

a) Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and

b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both).

Name of Auditor: James Hart

Signature:

Qualification: Lead Environmental Auditor – Exemplar Global Certificate No. 12105

Company: James Hart Consulting

1	INTRODUCTION	6
1.1	Overview	6
1.2	Audit Objectives	6
1.3	Audit Scope and Criteria	6
2	Methodology	7
2.1	Audit Team	7
2.2	Approvals and Documents Audited	7
2.3	Agency and Community Consultation	8
4.1	Name and Position of Persons Interviewed	9
4.2	Audit Process	9
4.3	Audit Compliance Status Descriptors	9
4.4	Issues to be considered in reviewing this report	10
5	AUDIT FINDINGS	10
5.1	Overview	10
5.2	Previous Audit Findings	11
5.3	Summary of Agency Notices, Orders, Penalty Notices or Prosecutions	11
5.4	Complaints	11
5.5	Additional Matters Raised During Consultation	11
5.6	Consolidated Development Consent 283/97 MOD 4	12
5.7	Environmental Protection Licence (EPL 3393)	13
5.8	Air Quality Management Plan	13
5.9	Water Management Plan	13
5.10	Landscape and Rehabilitation Management Plan	13
5.11	Noise Management Plan	14
5.12	Blast Management Plan	14
5.13	Transport Management Plan and Driver Code of Conduct	14
5.14	Environmental Management Strategy	15
5.15	Areas of Non-compliance	16
5.16	Areas of compliance	17
6	CONCLUSIONS	18
7	Substantive Changes.	19
	Appendices	
	Appendix A. - Previous Audit Findings	20
	Appendix B. – Auditor Approval	27
	Appendix C. – Audit Tables	30
8	Audit Checklist – Consolidated Development Consent 283/97 MOD 4	31
9	Audit Checklist – Environmental Protection Licence 3393	66
	Appendix D. Consultation Records	92
	Appendix E. Site Photographs 16 August 2022	97

Abbreviations

AQMP	Air Quality Management Plan
AS	Australian Standard
BMP	Blast Management Plan
CCC	Community Consultative Committee
DA	Development Approval
DDG	Deposition Dust Gauge
DPE	Department of Planning and Environment
DPI	Department of Primary Industries
DRG	Department of Resources and Geoscience
EIS	Environmental Impact Statement
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
NMP	Noise Management Plan
OEH	Office of Environment and Heritage
PBM	Pacific Blue Metal Pty Ltd
POEO Act	Protection of the Environment Operations Act 1997
RMS	Roads and Maritime Services
TfNSW	Transport for NSW
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 Metal 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 Nahiatic 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 third 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. August 2019 to August 2022.

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
James Hart	Lead Auditor	Lead Environmental Auditor Exemplar Global No 12105 Newcastle University, Graduate Diploma in Environmental Science, 1997

James Hart was endorsed by the Secretary of the Department of Planning and Environment on 13 May 2022.

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 V5.0, 1/11/2021.
- Noise Management Plan – Possum Brush Quarry Project, Report No. 484/27 V3.02 - V5.0, 1/11/2021.
- Blast Management Plan – Possum Brush Quarry Project, Report No. 484/28 V4.0, 1/11/2021.
- Water Management Plan – Possum Brush Quarry, Report No. 484/30 V2.00 – V4.0, 9/11/2021.
- Landscape and Rehabilitation Management Plan – Possum Brush Quarry, Report No. 484/33, Version 4.01, 30/05/2022.
- Environmental Management Strategy – Possum Brush Quarry, Report No. 484/32 V4.0, 1/11/2021;
- Environmental Protection Licence No 3393, NSW EPA, 17 August;
- Transport Management Plan – Possum Brush Quarry, Report No. 484/31 V2.01 – V4.0, 1/11/2021;
- Possum Brush Quarry Complaints Registers 2016-2022;
- Independent Environmental Audit Possum Brush Quarry, AQUAS Pty Ltd, 31 March 2020.
- Independent Environmental Audit 2019 PBM Response Parts 1 & 2.

Independent Environmental Audit – Possum Brush Quarry

Commercial in Confidence

- Possum Brush Quarry Annual Review 2018-2019, Report No 484/38, September 2019;
- Possum Brush Quarry Annual Review 2019-2020, Report No 484/39, October 2020;
- Possum Brush Quarry Annual Review 2020-2021, Report No 484/40, September 2021;
- Possum Brush Quarry Water Quality Monitoring Results, 2019-2022.
- Blast Report – Possum Brush Quarry 9/06/2022.
- Possum Brush Quarry –Noise Monitoring Report, December 2021.
- PBM Environmental Induction Form 98 16/05/2022.
- PBMG Induction Level 3 Contractor Individual Form 70 27/08/2021.
- PBM Induction and Drivers Code of Conduct, Form 69 31/08/2021.
- Incident Report – Night Time Noise Monitoring 30 June 2022.
- Workplace Inspections Form 14, 21/04/2021.
- Extractive Materials Return 2020-2021.
- MidCoast Environmental Laboratory Analytical Report and Chain of Custody, No M220225, 19/03/2022.
- Truck movement Summary by hour, 2022.
- PBM Regeneration Activities Report No 8, June 2022,
- Internal Audit Report, July 2021-June 2022.
- Possum Brush Quarry Rejected Loads Register.

2.3 Agency and Community Consultation

- 3 Consultation with prior the following was undertaken prior to the audit to obtain feedback and to focus the audit criteria towards key issues.
- 4 Refer to **Appendix C** for consultation records provided.

Contact	Agency	Comments
Brad Ferguson – Compliance coordinator	MidCoast Council	I refer to your request of Council as to any issues or concerns that have been identified in relation to the subject quarry development. I am advised that, apart from one nearby neighbour complaining about truck noise from time to time, no matters have arisen that required Council to conduct an investigation or take any regulatory action. I don't think these are within the current audit period (Noted to be in 2017).
Heidi Watters Team Leader Northern Compliance	Department of Planning and Environment	The department requests that the audit focus on landscape and rehabilitation management and water management.
Marshall Sing -Operations Officer	Regulatory Operations Regional NSW Environment Protection Authority	No issues identified.

PBM advised that they did not have any contact with DPE – Water or DPE Environment & Heritage Group. An Email was sent to the mailboxes for both agencies but no response was provided. No contact information was available for TfNSW (formerly RMS).

4.1 Name and Position of Persons Interviewed

The following personnel were interviewed during the audit:

Name	Position/Role	Organisation	Date of Interview
Charlie Kennett	Quarry Manager	Pacific Blue Metal Pty Ltd	16/08/2022
Stacey Tyack	QHSE Manager	Pacific Blue Metal Pty Ltd	16/08/2022
Dean Brame	Supervisor	Pacific Blue Metal Pty Ltd	16/08/2022

4.2 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 09.00am on 16 August 2022.

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 PBM. Records were available to verify that management plans had been updated to ensure they remain relevant, and updated plans had been submitted to and approved by DPE.

A site inspection was conducted, which included inspection of roads and drainage structures, inspection of access control measures implemented, inspection of quarrying operations, inspection of accessible rehabilitation areas and water management measures implemented on site. At the time of audit, activities being undertaken included extraction, crushing and loading operations. Close inspection of areas outside of the extraction limit was not undertaken due to wet ground conditions making access hazardous.

During the inspection, it was noted that the Quarry footprint had not changed since the previous audit, and quarry operations had not extended beyond the project boundary.

A closing meeting was held at 3.30pm on 16 August 2022 where the preliminary audit findings were presented. Where aspects of the audit remained unresolved, Possum Brush Quarry was requested to provide additional information. This information was provided on 18-19/08/2022.

4.3 Audit Compliance Status Descriptors

Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Not Compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered	A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.
Observation	As part of the Audit evaluation, the auditor may make observations, including identifying any opportunities for improvement in relation to any compliance requirement or any other aspect of the project.

4.4 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 the 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 Possum Brush Quarry were sufficient evidence to verify general compliance of the activities with the requirements of the conditions of approval.

5 AUDIT FINDINGS

5.1 Overview

Specific activities being undertaken at the time of audit were:

- Extraction and crushing of material using mobile crushers;
- Screening and stockpiling of material;
- Loading of trucks for dispatch; and
- Drilling in preparation for blast.

The attached checklists record the outcomes of the audit process. Five non-compliances were raised where compliance with the conditions of consent, EPL, or management plans could not be verified as summarised below:

	Requirements	Findings
Schedule 2 – Administrative Controls	20	Compliant – 15
		Non-Compliant – 1
		Not Triggered – 4
Schedule 3 – Environmental Performance Conditions	35	Compliant – 28
		Non-Compliant – 3
		Not Triggered – 4
Schedule 4 – Additional Procedures	3	Compliant – 0
		Non-Compliant – 0
		Not Triggered – 3
Schedule 5 – Additional Procedures	12	Compliant – 9
		Non-Compliant – 1
		Not Triggered – 2
EPL 3393	76	Compliant – 62
		Non-Compliant – 2
		Not Triggered – 12

5.2 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.

5.3 Summary of Agency Notices, Orders, Penalty Notices or Prosecutions

No agency notices, orders, penalty notices or prosecutions were received during the period covered by the current audit.

A warning letter was received from DPE as the 2020-2021 Annual Review did not report on the warning letter dated 20 July 2020 for failure to operate a Community Consultative Committee to the satisfaction of the secretary and in accordance with the CCC Guidelines - State Significant Projects between 1 April 2016 and 4 April 2020.

5.4 Complaints

A Complaints Register is available where information regarding complaints was recorded, including the relevant resolution. No complaints had been received during the period covered by the current audit.

5.5 Additional Matters Raised During Consultation

Agency	Issue	Finding
DPE	The department requests that the audit focus on landscape and rehabilitation management and water management.	The audit found that there was general compliance with the Water Management Plan and the Landscape and Rehabilitation Management plan. Further details on water management are included in Section 5.9 of this report.

Further details of landscape and rehabilitation management are included in Section 5.10 of this report.

5.6 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.

One non-compliance was identified in relation to administrative controls.

- Three non-compliances were identified in relation to the conditions of approval, which triggers a non-compliance with Condition 3 (See Non-compliance NC-01).

Schedule 3 – Environmental Performance Conditions

All of the required management plans had been developed and provided to DPE for review and approval. Plans had been regularly updated during the audit period.

Three non-compliances were raised in relation to environmental performance conditions.

One noncompliance was raised against Condition 3-1 in relation to noise monitoring.

- Noise monitoring had not been conducted during the evening and night-time periods as required by Condition 3-1. See Non-compliance NC -02)

A second non-compliance was raised against Condition 3-29 in relation to reporting on truck movements.

- All information required by Condition 3-29 was not included in the Annual Reviews. The number of truck movements entering and leaving the site (hourly, daily, monthly) and monthly quantities were not included. See Non-compliance NC-03.

A third non-compliance was raised against Condition 3-33 in relation to liquid storage.

- The site had not ensured that the appropriate storage, of liquids. Containers of liquids were stored in an open, unbunded area. See Non-compliance NC-04.

Schedule 4 – Additional Procedures

All conditions under Schedule 4 were not triggered.

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. A website had been maintained which included information as required by the conditions of consent.

One non-compliance was raised in relation to environmental management, reporting and auditing.

- The 2020-2021 Annual review did not report on the warning letter dated 20 July 2020 for failure to operate a Community Consultative Committee to the satisfaction of the Secretary and in accordance with the CCC Guidelines - State Significant Projects between 1 April 2016 and 4 April 2020. See Non-compliance NC-05.

5.7 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 blasting, waste and surface water, and complaints management and reporting processes have been implemented and met.

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

One noncompliance was raised against Condition O-4.3 in relation to liquid storage.

- The site had not ensured that the appropriate storage, of liquids. Containers of liquids were stored in an open, unbunded area. See Non-compliance NC-04.

A second non-compliance was raised against Condition M7.1 in relation to noise monitoring.

- Noise monitoring had not been conducted during the evening and night-time periods as required by Condition 3-1. (See Non-compliance NC -02).

5.8 Air Quality Management Plan

An Air Quality Management Plan (AQMP) had been prepared for the project and originally approved by DPE on 21 July 2017. The AQMP had been updated on several occasions, with the current version being Air Quality Management Plan, V5.0, 1/11/2021. The AQMP included measures to minimise air quality impacts of the sites operations and requirements for air quality monitoring. Historical dust deposition monitoring results show that dust deposition levels have been consistently below site criteria. Deposited dust monitoring ceased in May 2019 with the agreement of the EPA, with air quality monitoring required to be conducted on receipt of a complaint. No complaints in relation to air quality have been received.

5.9 Water Management Plan

A Water Management Plan (WMP) has been prepared for the Quarry (V4.00 November 2021), which had been submitted to and approved by DP&E (V1.0, approved 4/07/17).

The topography of the site is such that all surface water run-off from the disturbed areas of the quarry is directed to and collected in a series of dams and reused on site for production and dust control. he quarry does not require a Water Access Licence, with all water used within the quarry obtained from the surface water catchment system. Implementation of controls for erosion and sediment management were verified during the site inspection.

The Quarry has one licenced discharge point, dam 3. Records were available to demonstrate that water monitoring had been conducted in compliance with the requirements of the consent conditions and EPL. Four overflow events had occurred during the period covered by this audit. No exceedances of water quality criteria had been recorded.

No groundwater has been intercepted at the quarry, and no groundwater monitoring is required to be undertaken.

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.

5.10 Landscape and Rehabilitation Management Plan

The Quarry has been operating under a LRMP which had been submitted to DPE and approved in 4/07/2017. (Current Version 4.01, 30/05/2022). 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 further rehabilitation had occurred. Rehabilitation activities associated with management of the wildlife corridor and buffer between quarry and agricultural land continues to be undertaken.

Bushfires in November 2019 burnt all vegetated areas of the quarry and surrounding areas including the 50m buffer area and the wildlife corridor. Following the bushfires, the IBIS conducted rehabilitation of wildlife corridor and buffer zones over a 3 month period. Monitoring of recovery of the Wildlife Corridor has been conducted with results identifying natural recovery of native flora species was evident and flourishing. While ground conditions prevented a close inspection of the wildlife corridor, observation of the corridor from the quarry verified recovery of the Wildlife Corridor.

While additional monitoring and management of the regenerated areas was conducted following bushfires, it is considered that the current monitoring program in the LRMP remains appropriate.

5.11 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 NMP has been continually updated to ensure it remains relevant (current Version Noise Management Plan V5.0, 1/11/2021). The site had implemented measures to comply with site working hours, and noise monitoring had generally 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.

One non-compliance with requirements of the NMP was identified:

- Noise monitoring had not been conducted during the evening and night-time periods as required by Condition 3-1. (See Non-compliance NC -02).

5.12 Blast Management Plan

A Blast Management Plan (current version V4.00 01/11/21) had been developed, which had been submitted to DP&E and originally approved on 4/07/17. No exceedances of blast criteria had been measured.

No non-compliances were raised in relation to blast management.

5.13 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 plan and Code of Conduct has been regularly updated, with the current version being Version 4.00, 01/11/21).

The audit identified general compliance with the TMP. Records of truck movements were maintained from weighbridge information, including time and quantity transported.

Reporting on heavy vehicle movements was included in Section 6.5 of the Annual Reviews, with a summary provided in Appendix 2. However, it was found that the information provided in Appendix 2 of the Annual Reviews did not include all information required by the conditions of consent. A summary of daily, weekly and monthly truck movements was not provided, and monthly amount of quarry products transported was not included. This issue was raised as Non-compliance NC-03.

5.14 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 implementation of the EMS. While a Community Consultative Committee had been established, the committee had not met since November 2017. A warning letter was issued by DPE in July 2020 for failure to operate a Community Consultative Committee. Attempts by the independent chair to re-establish the Community Consultative Committee in 2020 and 2021 were unsuccessful. As a result, in July DPE advised PBM that it was not required to establish a new Community Consultative Committee.

5.15 Areas of Non-compliance

Issue No.	Condition	Requirement	Issue sighted and Recommendations																							
NC-01	Schedule 2 Condition 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>	Three non-compliances have been identified during the current audit which triggers a non-compliance with this condition Recommendation: It is recommended that all non-compliances identified are addressed and closed out.																							
NC-02	Schedule 3 Condition 1	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. <i>Table 2: Noise criteria dB(A)</i>	Noise monitoring had not been undertaken in the evening or night-time in December 2021. Recommendation: Evening and night time noise monitoring should be conducted at the earliest available opportunity.																							
		<table border="1"> <thead> <tr> <th rowspan="2">Receiver</th> <th colspan="3">Day/Evening/Night</th> </tr> <tr> <th>LAeq(15)</th> <th>LAeq(15 min)</th> <th>LA1(max)</th> </tr> </thead> <tbody> <tr> <td>R1 – 5 St Peters Close</td> <td>39</td> <td>39</td> <td>45</td> </tr> <tr> <td>R2 – 175 Possum Brush Road</td> <td>38</td> <td>38</td> <td>45</td> </tr> <tr> <td>R3 – 55 Possum Brush Road</td> <td>37</td> <td>37</td> <td>45</td> </tr> <tr> <td>All other</td> <td>35</td> <td>35</td> <td>45</td> </tr> </tbody> </table>	Receiver	Day/Evening/Night			LAeq(15)	LAeq(15 min)	LA1(max)	R1 – 5 St Peters Close	39	39	45	R2 – 175 Possum Brush Road	38	38	45	R3 – 55 Possum Brush Road	37	37	45	All other	35	35	45	
Receiver	Day/Evening/Night																									
	LAeq(15)	LAeq(15 min)	LA1(max)																							
R1 – 5 St Peters Close	39	39	45																							
R2 – 175 Possum Brush Road	38	38	45																							
R3 – 55 Possum Brush Road	37	37	45																							
All other	35	35	45																							
NC-03	Schedule 3 Condition 29	The Applicant shall keep accurate records of: <ul style="list-style-type: none"> a) the amount of quarry products transported from the site (calendar month and year); 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>	Summary of truck movements was included in the Annual review (Appendix 2). However, the documentation provided in Appendix 2 does not include all information required. Recommendation: PBM should include a full report of all truck movements entering and leaving the site in the annual Review.																							
NC-04	Schedule 3 Condition 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.	The site had not ensured that the appropriate storage, of liquids. Containers of liquids were stored in an open, unbunded area. Recommendation: Ensure all liquid containers are stored in the bunded storage area provided.																							

NC-05	Schedule 5 Condition 9	<p>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:</p> <ol style="list-style-type: none"> 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: <ul style="list-style-type: none"> • the relevant statutory requirements, limits or performance measures/criteria; • 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; c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; d) identify any trends in the monitoring data over the life of the development; e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and f) describe what measures will be implemented over the current calendar year to improve the environmental performance of the development. <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>	<p>The 2020-2021 Annual Review did not report on the warning letter dated 20 July 2020 for failure to operate a Community Consultative Committee to the satisfaction of the Secretary and in accordance with the CCC Guidelines - State Significant Projects between 1 April 2016 and 4 April 2020.</p> <p>Recommendation: Ensure that a summary of any official cautions, warning letters, penalty notices issued or prosecution proceedings by any regulatory agency, and a summary of the response of Pacific Blue Metal to any such enforcement actions is included in Annual Reviews.</p>
-------	---------------------------	---	---

5.16 Areas of compliance

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

6 CONCLUSIONS

Possum Brush Quarry had developed and generally implemented management plans and associated documentation to address the requirements of the conditions of consent.

While compliance with aspects of the conditions of the project approval and management plans was found, five non-compliances were raised where compliance with requirements of the conditions of consent, EPL or management plans prepared for the site was not demonstrated.

Possum Brush Quarry 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

- ✓ **Possum Brush Quarry**

7 Substantive Changes.

No substantive changes were made to the draft audit report.

Appendix A. - Previous Audit Findings

Issue No.	Condition	Requirement	Issue sighted	Possum Brush Quarry Response	2022 Status
N-01	<p>Schedule 3– Environmental Performance Conditions 3 Noise Management Plan 8, 11.4.3</p> <p>EPL Monitoring Condition M1.3</p>	<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> <p>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;</p> <p>b) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> • compliance with the noise criteria in this consent; • best practice management is being employed; and • the noise impacts of the development are minimised during meteorological conditions under which the noise criteria in this consent do not apply (see Appendix 3); <p>c) describe the proposed noise management system; and</p> <p>d) 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> <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.</p> <p>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>	<p>Update the site induction to include all required information on noise mitigation measures. Ensure all noise reports include all information required by the Noise Management Plan.</p> <p>Email to Spectrum Acoustics 5/09/20129 requesting required information be included in Noise Reports.</p>	<p>PBM Employee Environmental Induction (Form 098) updated to include all noise mitigation measures.</p> <p>PBM Contractor Individual Induction (Form 070) updated to include all noise mitigation measures.</p> <p>Refer response to N-08</p> <p>Closed</p>
N-02	<p>Schedule 3– Specific Environmental Conditions 6 Blast Management</p>	<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; • 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>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>		<p>Blast Management Plan updated. Requirements for notification removed. Quarry process for notifying residents included.</p>

Issue No.	Condition	Requirement	Issue sighted	Possum Brush Quarry Response	2022 Status
	Blast Management Plan 10.1.1	b) operate a suitable system to enable the local community to get up-to-date information on the proposed blasting schedule on site; and 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.			Closed
N-03	Schedule 3– Specific Environmental Conditions 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: a) be prepared in consultation with OEH and Council; 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) provide details of the conceptual final landform and associated land uses for the site; d) 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; e) include a program to progressively improve the structure and floristic composition of the established wildlife corridor which includes: • 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 f) include a program to monitor Rudder’s Box within the Applicant’s property; g) include a detailed description of the measures that would be implemented to:	The Landscape and Rehabilitation Management Plan does not clearly indicate the rehabilitation requirements for the final void. Recommendation: Update the Landscape and Rehabilitation Management Plan to clearly describe how rehabilitation of the final void will be conducted. Records were not available to show that inspections of all rehabilitation areas had been conducted after substantial rainfall events to identify any areas where remedial earthworks are required. Recommendation: Undertake inspections in accordance with the requirements of the Landscape and	The L&RMP will be updated to describe the final void at the end of the current DA period. This will be undertaken in the next review of the plan (due December 2019). Inspections of rehabilitation areas after substantial rainfall are undertaken, however a record of inspections has not been kept. All such inspections will now be recorded on the Daily Toolbox Sheet.	Landscape and Rehabilitation Management Plan updated Daily toolbox forms include check on rehabilitation areas. Closed

Issue No.	Condition	Requirement	Issue sighted	Possum Brush Quarry Response	2022 Status
		<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</i></p>	<p>Rehabilitation Management Plan.</p>		

Issue No.	Condition	Requirement	Issue sighted	Possum Brush Quarry Response	2022 Status
		<i>Agreements or transfer of lands to the national parks estate would also be considered for their suitability.</i>			
N-04	Schedule 5 Environmental Management, Reporting and Auditing Condition 8 Condition 12	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.	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. Recommendation: Upload the complaints register to the Quarry website.	A Complaints register has been available on the PBM website since its inception. During the last upload of information our Website Consultant inadvertently uploaded the Environmental Monitoring Data twice (once under Environmental Monitoring Data and a second time under Complaints). On discovery of this it was immediately rectified and the current complaints register uploaded. Please note that the missing PBM complaints register did not contain any new complaints or information, as PBM has not received a complaint since May 2017.	Complaints register included in the Environmental Monitoring Data Report published on the PBM website Closed
N-05	Schedule 5 Environmental Community Consultative Committee Condition 6	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) <i>Notes:</i> <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</i>	Meeting minutes were not available for the meeting reported to be conducted in November 2017. Evidence that committee members had signed the conflict of Interest and pecuniary and non-pecuniary interest declarations was not available. Evidence that the CCC chairperson had submitted an annual report to DPI&E was not available.	Independent Chair appointed by DPE. Independent Chair unable to establish a Community Consultative Committee due to lack of response from community.	Letter from DPE in July 2020 to Community Consultative Chair advising that a Community Consultative Committee does not need to be established. Closed

Issue No.	Condition	Requirement	Issue sighted	Possum Brush Quarry Response	2022 Status
		<i>appropriate representation from the Applicant, Council, and the local community.</i>	<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>	<p>Noted – PBM is now aware of this requirement.</p> <p>The 2016 IEA was PBM's first IEA. PBM had incorrectly assumed that the auditor would submit the report to DPE. PBM has since submitted the report.</p>	<p>2019 IEA submitted within 6 week period. Audit commissioned 27 August 2019. IEA submitted 27 September 2019.</p> <p>Closed</p>

Issue No.	Condition	Requirement	Issue sighted	Possum Brush Quarry Response	2022 Status
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>	Actioned November 2018. Waste quantities are sufficiently tracked – the exceedance was due to processing constraints. New processing procedures are in place.	<p>Records show that the amount of waste stored on the premises has not exceeded 10,000 tonnes for the audit period.</p> <p>Closed</p>
N-08	EPL Limit Conditions L4.6	<p>To determine compliance:</p> <p>a) with the $L_{eq(15 \text{ minute})}$ 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>	<p>Noise monitoring consultants provided with written instructions to ensure that noise monitors at each location are within 30 metres of the dwelling façade. Photographic evidence of such is to be supplied with each report. This will be checked for compliance by PBM staff. Appendix II of Noise reports provide photo of position of noise monitors within 30m of residence at each location.</p>	<p>Noise Monitoring Reports have been updated to include the required information. Where information has not been provided, PBM have requested the report be updated to include all relevant information.</p> <p>Closed</p>

Appendix B. – Auditor Approval



Department of Planning and Environment

Stacey Tyack
Quality, Safety & Environment Manager
Pacific Blue Metal
Possum Brush Quarry
Biripi and Worimi Country
POSSUM BRUSH NSW 2430

Sent by email only: gse@pacificbluemetal.com.au

13/05/2022

Dear Ms Tyack

**Possum Brush Quarry (DA283/97)
2022 Independent Environmental Audit proposal**

I refer to your letter (DA283/97-PA-25) submitted to the Department of Planning and Environment (the department) on 5 May 2022 requesting approval by the Planning Secretary of suitably qualified persons to prepare the 2022 Independent Environmental Audit (IEA) for the Possum Brush Quarry.

The has reviewed the nomination and information you have provided, including your response on 13 May 2022 to a request for additional, and is satisfied that these experts are suitably qualified and experienced. I also note that the proposed auditor has provided a completed Independent Audit Declaration Form.

In accordance with Schedule 5 condition 10 of DA283/97 as modified (the consent) and the Independent Audit Post Approval Requirements, the Secretary has agreed to the following audit team to prepare the 2022 IEA for Possum Brush Quarry:

- Mr James Hart, James Hart Consulting

Please ensure this correspondence is appended to the IEA Report.

The department requests that the audit focus on landscape and rehabilitation management and water management. Based on your advice of 13 May 2022, we understand that James Hart has the required expertise in these fields and no additional auditors will be engaged.

The department notes that the Exemplar Global certifications for the above auditor will expire before the final audit for this project has been completed. Please note that this approval of the above audit team is conditional upon them maintaining certification as a lead auditor with a relevant industry body.

The IEA is to be conducted in accordance with the conditions of consent. Under the provisions of Schedule 2 condition 5 of the consent, the Secretary requires that the IEA is prepared, undertaken and finalised in accordance with the Independent Audit Post Approval Requirements. Failure to meet these requirements will require revision and resubmission.

The department reserves the right to request an alternate auditor or audit team for future audits. Notwithstanding the agreement for the above listed audit team for this Project, each respective project



Department of Planning and Environment

approval or consent requires a request for the agreement to the auditor or audit team be submitted to the department, for consideration of the Secretary. Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

Should you wish to discuss the matter further, please contact Jennifer Sage, Compliance Officer on 0400 245 170 or compliance@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink that reads "H Watters".

Heidi Watters
Team Leader Northern
Compliance

As nominee of the Planning Secretary

Appendix C. – Audit Tables

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

JHC Ref No	Cond No.	Condition	Evidence	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.	Compliant	
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).		Results of the current audit show that the development has generally been conducted in accordance with the EIS, EA (Mod 1), EA (Mod 2), EA (Mod 3) and EA (Mod 4).	Compliant	
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>		Three non-compliances have been identified during the current audit which triggers a non-compliance with this condition. Recommendation: It is recommended that all non-compliances identified are addressed and closed out.	Not Compliant	NC-01
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.	Compliant	

JHC Ref No	Cond No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
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. 	Noise Management Plan V5.0, 1/11/2021. Blast Management Plan V4.0, 1/11/2021 Air Quality Management Plan, V5.0, 1/11/2021 Water Management Plan V4.0, 9/11/2021 Transport Management Plan V4.0, 1/11/2021 Environmental Management Strategy V4.0, 1/11/2021	Management plans have been amended to address comments received.	Compliant	
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 2022.	Compliant	
7.	7	The Applicant shall not extract extractive materials below a level of 45 metres AHD.	Drill and Blast Records	Current extraction level 88-120 AHD	Compliant	
8.	8	The Applicant shall not extract more than 16.2 million tonnes of extractive material from the site under this consent.	AWS – Weighbridge records	1,638,842 tonnes extracted since work under the current consent commenced.	Compliant	

JHC Ref No	Cond No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
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>	Weighbridge Records 2020-2021 Annual Review 2019-2020 Annual Review	219,219 T saleable product in 2019-2020 financial year. 431,206 T saleable product in 2020-2021 financial year. 346.324 T saleable product in 2021-2022 financial year.	Compliant	
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>	Weighbridge Records 2020-2021 Annual Review 2019-2020 Annual Review	Truck movements monitored through weighbridge records. Maximum truck movements = 36/hour multiple dates and times. Maximum daily movements = 344 (2/09/2021)	Compliant	

JHC Ref No	Cond No.	Condition	Evidence	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 border="1"> <thead> <tr> <th>Activity</th> <th>Operating Hours</th> </tr> </thead> <tbody> <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 of laden trucks</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</td> </tr> </tbody> </table> <p>The following activities may be carried out on the site outside the hours specified in Table 1:</p> <ol style="list-style-type: none"> delivery or dispatch of materials as requested by Police or other authorities; and emergency work to avoid the loss of lives, property and/or to prevent environmental harm. <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.</p> <p>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 of laden trucks	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	Weighbridge Records	<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 DPE.</p>	Compliant	
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 of laden trucks	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													

JHC Ref No	Cond No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
STRUCTURAL ADEQUACY						
12.	12	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. <i>Notes:</i> <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. 	DA2021/1821	DA2021/1821 has been approved by Council for the construction of a laydown area. Yet to commence construction.	Not Triggered	
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.	Site interview and inspection	No demolition work has been conducted since the previous audit	Not Triggered	
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 the previous audit (2019).	Not Triggered	

JHC Ref No	Cond No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
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.	Volvo A40D2 Dump Truck- Daily Prestart for February 2022, 9250hr service 19/09/2020 Kubota Skidsteer SVL75 – 750hrs Plant Maintenance Report 21/07/2022 Impactor Crusher Striker HMR1312 – Maintenance and Safety Sheet 30/07/2022 Striker Plant Maintenance Report 8000hrs – 25/06/2022.	Plant maintenance records sighted. E.g. Daily prestart inspections completed . Maintenance records show 250 hour servicing completed (OEM requires minimum 500hour servicing).	Compliant	
IDENTIFICATION OF APPROVED LIMITS OF EXTRACTION						
16.	16	Prior to 30 September 2016, unless otherwise agreed by the Secretary, the Applicant shall: a) engage a registered surveyor to mark out the boundaries of the approved limits of extraction within the development area (see Appendix 1); and b) submit a survey plan of these boundaries with applicable GPS coordinates to the Secretary.	Independent Audit Report - Possum Brush Quarry 31 March 2020	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.	Compliant	
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.	Site Inspection	Boundary markers were observed to be in place along the limits of the areas for extraction on the “Possum Brush” Quarry site.	Compliant	

JHC Ref No	Cond No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
PRODUCTION DATA						
18.	18	The Applicant shall: a) provide annual quarry production data to DRG 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).	2020-2021 Annual Review - Appendix 3 Extractive Materials Return 2020-2021 Extractive Materials Return 2021-2022	Quarry production data for "Possum Brush" Quarry was completed on the DRG standard Form S1 and submitted to the DPI/DRG (2017-2018 submitted 27/08/18). A copy of the quarry production data was included in the Annual Review (e.g. Appendix 3 Extractive Materials Return 2020-2021).	Compliant	
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.	Not Triggered	
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.	Site Interview PBM – GTCC Road Levy Midcoast Council Invoice 14/07/2022	2021-2022 contributions were \$38,095.63. Total of \$371,937.22 paid to Council. Midcoast Council invoices sighted for road levy payment. Records of payments verified.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	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 border="1"> <thead> <tr> <th rowspan="2">Receiver</th> <th colspan="3">Day/Evening Night</th> </tr> <tr> <th><i>L_{Aeq}(15 min)</i></th> <th><i>L_{Aeq}(15 min)</i></th> <th><i>L_{A1}(max)</i></th> </tr> </thead> <tbody> <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> </tbody> </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			<i>L_{Aeq}(15 min)</i>	<i>L_{Aeq}(15 min)</i>	<i>L_{A1}(max)</i>	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>AEMR 2020-2021 - Table 5 Compilation of Noise Monitoring Data and PBM Contributions: 2014 – 2021.</p> <p>Possum Brush Quarry – Noise Monitoring, December 2021, Spectrum Acoustics, 24 February 2022.</p> <p>Environmental monitoring data 2022 Q2</p> <p>Environmental monitoring data 2021</p> <p>Environmental monitoring data 2020</p> <p>Environmental monitoring data 2019</p>	<p>Noise reports sighted for September 2019, July 2020 and December 2021.</p> <p>Annual review for 2020-2021 financial year includes reporting on noise monitoring.</p> <p>All results sighted show that noise levels were below noise criteria.</p> <p>No evening or night-time monitoring conducted due to lack of production or weather conditions (wind/ rain).</p> <p>Reported as a non-compliance for the 2021-2022 financial year.</p> <p>Recommendation: Evening and night time noise monitoring should be conducted at the earliest available opportunity.</p>	Not Compliant	NC-02
Receiver	Day/Evening Night																												
	<i>L_{Aeq}(15 min)</i>	<i>L_{Aeq}(15 min)</i>	<i>L_{A1}(max)</i>																										
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																										

JHC Ref No	Cond. No.	Condition	Evidence	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>Annual Review 2019-2020 Annual Review 2020-2021</p> <p>Possum Brush Quarry – Noise Monitoring, December 2021, Spectrum Acoustics, 24 February 2022.</p>	<p>Annual noise monitoring has been conducted.</p> <p>Noise monitoring records show that noise levels form the operations were consistently below noise criteria.</p>	Compliant	
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 V5.0, 1/11/2021</p>	<p>Noise Management Plan developed and initially approved July 2017. Noise management plan updated on eight occasions since the previous audit (current version 5.0, November 2021).</p> <ol style="list-style-type: none"> Current NMP approved 1/03/2022 Section 5 – Noise mitigation Measures Section 5 – Noise mitigation Measures Section 6 - Monitoring 	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #											
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 border="1"> <thead> <tr> <th>Location</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <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> </tbody> </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>AEMR 2020-2021 - Table 6 Ground Vibration and Airblast Overpressure Recorded: 2014– 2021.</p> <p>Environmental monitoring data 2022 Q2</p> <p>Blast Report 9/06/2022.</p>	<p>Blast results for 2019, 2020, 2021 and up to July 2022 sighted.</p> <p>All results were below the blasting criteria.</p> <p>Maximum Airblast Overpressure 103.5dBA</p> <p>Ground Vibration Maximum 2.99m/s</p>	Compliant	
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>AEMR 2020-2021 - Table 6 Ground Vibration and Airblast Overpressure Recorded: 2014– 2021.</p> <p>Environmental monitoring data 2022 Q2</p>	<p>Records showed blasting has not occurred more than twice in a calendar month (twice in December 2020, March 2021, May 2021).</p>	Compliant												
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>Blast Report 9/06/2022.</p> <p>Blast Management Plan April 2021</p>	<p>Precision Drill and Blast engaged to conduct blasting.</p> <p>Blast Management Plan April 2020 developed.</p>	Compliant												

JHC Ref No	Cond. No.	Condition	Evidence	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>Blast Management Plan, Precision Drill and Blast, April 2020.</p> <p>Environmental monitoring data 2022 Q2</p> <p>Blast Report 9/06/2022.</p>	<p>Safety Management Plan prepared by Precision Drill and Blast.</p> <p>Neighbours either Emailed or telephoned to inform of blasts.</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.	Not Triggered	
Blast Management Plan						
28.	8	<p>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:</p> <p>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;</p>	<ul style="list-style-type: none"> Blast Management Plan V4.0, 1/11/2021 	<p>Blast Management Plan (V 4.0) has been prepared and approved by the Secretary.</p> <p>Plan has been updated to address DPE comments in June 2020.</p> <p>a. Current Plan submitted to DPE 25/01/2022.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
		b) describe the measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this consent; c) include a monitoring program for evaluating and reporting on compliance with the blasting criteria in this consent; d) include community notification procedures for the blasting schedule; and e) include a protocol for investigating and responding to complaints. The Applicant shall implement the management plan as approved from time to time by the Secretary.		b. Section 5.3 Blast Management c. Section 6 Monitoring d. Section 5.3.1 – Blast Schedule Notification e. Section 9 – Complaints Handling		

AIR QUALITY

Air Quality Impact Assessment Criteria

29.	9	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. <i>Table 4: Air quality criteria</i> <table border="1" data-bbox="271 930 1032 1198"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th colspan="2">^d Criterion</th> </tr> </thead> <tbody> <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> </tbody> </table> <p><i>Notes for Table 4:</i> a. Cumulative impact (i.e. increase in concentrations due to the development plus background concentrations due to all other sources). b. Incremental impact (i.e. incremental increase in concentrations due to the development on its own, with zero allowable exceedances of the criteria over the life of the development).</p>	Pollutant	Averaging Period	^d 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	Complaints register Site inspection	The approved Air Quality Management Plan requires dust monitoring to be undertaken upon receipt of an air quality complaint attributable to the quarry. No air quality complaints have been received by the Quarry. No complaints have been received. No requests to undertake air quality monitoring have been received.	Compliant	
Pollutant	Averaging Period	^d 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																							

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
		<p>c. Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.</p> <p>d. Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, or any other activity agreed 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,</p> <p>to the satisfaction of the Secretary.</p>	<p>Site inspection</p> <p>Complaints register</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>No complaints regarding air quality have been received.</p> <p>No new areas have been exposed.</p>	Compliant	
Quarry-owned Land						
31.	11	<p>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:</p> <p>(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</p> <p>(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,</p>	Complaints register	<p>No air quality complaints have been received.</p> <p>No tenanted properties on quarry owned land.</p>	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
		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>	<ul style="list-style-type: none"> • Air Quality Management Plan, V5.0, 1/11/2021 	<p>Air Quality Management Plan developed and approved by DPE on 21/07/17.</p> <p>Updated as per DPE email 13/05/19 - amended complaints protocol and incident reporting to better reflect the conditions of consent. Rev 3.01, 13/05/2019.</p> <p>Updated on 3 further occasions.</p> <p>a. Approval of current AQMP 25/01/2022.</p> <p>b. Section 5 Air Quality Control Measures</p> <p>c. Section 5.3 Greenhouse Gas Emissions and 5.4 Dust Control Procedures</p> <p>d. Section 6 Air Quality Monitoring</p>	Compliant	
Meteorological Monitoring						
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.	Site Inspection	<p>Meteorological station installed 19 January 2017.</p> <p>Located on site.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
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.		<p>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.</p> <p>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.</p> <p>New crusher plant was being installed which will improve efficiency of the operations.</p> <p>New plant has been purchased which meets EU emission standards</p> <p>Continued upgrading of the processing plant which will improve efficiency and lower energy usage per unit processed.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
SOIL AND WATER						
Water Supply						
35.	15	<p>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.</p> <p><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></p>	Water Management Plan V4.0, 9/11/2021	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.	Compliant	
Water Discharges						
36.	16	The Applicant shall comply with the discharge limits in any EPL, or with section 120 of the POEO Act.	Midcoast Council Analytical Report, 19/03/2022.	Three discharge events in the period 2019-2022. Monitoring results show water discharged was within the limits specified in Condition L2.5 of EPL 3393. 4/03/2022 – Water discharge Results were within EPL licence limits (discharge over several days)	Compliant	
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>	Site interview	No groundwater has been encountered.	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
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"> 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> 	Water Management Plan V4.0, 9/11/2021	<p>Water Quality management plan developed and approved (4/07/17). Content of plan verified during previous audit.</p> <p>Plan has been updated on 4 occasions. Current plan Version 4.00, 9/11/2021.)</p> <ul style="list-style-type: none"> a. Verified previous audit b. Verified previous audit. Current plan approved 24/03/2022 c. Section 5 Site Water Balance and Management d. Section 5 Site Water Balance and Management and Section 6 Surface Water Monitoring Program. 	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #														
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 border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Site (as a whole)</td> <td> <ul style="list-style-type: none"> Safe, stable and non-polluting. Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and 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> <tr> <td>Community</td> <td> <ul style="list-style-type: none"> Ensure public safety. Minimise the adverse socio-economic effect of quarry closure. </td> </tr> </tbody> </table>	Feature	Objective	Site (as a whole)	<ul style="list-style-type: none"> Safe, stable and non-polluting. Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and 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. 	Community	<ul style="list-style-type: none"> Ensure public safety. Minimise the adverse socio-economic effect of quarry closure. 	<p>Landscape and Rehabilitation Plan developed. Current Version 4.01, 30/05/2022.</p> <p>Possum Brush Quarry Regeneration Activities Report, June 2022</p>	<p>Rehabilitation activities currently involve the maintenance of 18ha of land currently under rehabilitation.</p> <p>Maintenance of the wildlife corridor and buffer between quarry and agricultural land has been undertaken.</p> <p>Bushfires in November 2019 burnt all vegetated areas of the quarry and surrounding areas including the 50m buffer area and the wildlife corridor.</p> <p>Monitoring of recovery of the Wildlife Corridor has been conducted with results identifying natural recovery of native flora species was evident and flourishing.</p> <p>Following bushfires, IBIS conducted rehabilitation of wildlife corridor and buffer zones over a 3 month period.</p>	Compliant	
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. 																			
Community	<ul style="list-style-type: none"> Ensure public safety. Minimise the adverse socio-economic effect of quarry closure. 																			
Progressive Rehabilitation																				
40.	20	<p>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.</p>	<p>Possum Brush Quarry Regeneration Activities Report, June 2022</p>	<p>No new rehabilitation has been required since the previous audit.</p> <p>No terminal benches have been constructed.</p> <p>No areas of denuded vegetation where rehabilitation is required.</p>	Compliant															

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
		<i>Note: It is accepted that parts of the site that are progressively rehabilitated may be subject to disturbance in the future.</i>		Maintenance of the wildlife corridor and buffer between quarry and agricultural land has been undertaken.		
Landscape and Rehabilitation Management Plan						
41.	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 the rehabilitation objectives and progressive rehabilitation obligations in this consent; 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 making suitable arrangements to protect in perpetuity the wildlife corridor; and include a program to monitor Rudder's Box within the Applicant's property; include a detailed description of the measures that would be implemented to: <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; 	<p>Landscape and Rehabilitation Plan developed. Current Version 4.01, 30/05/2022.</p> <p>Letter approving revised LMP from DPE 1/06/2022</p> <p>PBM Toolbox safety meeting records - 19-27 July 2022</p>	<p>Landscape and Rehabilitation Plan developed. Current Version 4.01, 30/05/2022.</p> <p>Landscape Management Plan updated to include description of the final void at the end of the DA period.</p> <p>Records of inspections of rehabilitation area following rainfall verified. Recorded on Toolbox forms.</p> <ol style="list-style-type: none"> Verified previous audit Verified previous audit. Current plan approved 1/06/2022 Section 5.2 Section 4 Landscape Management and Section 5 Rehabilitation. Section 4.2, 4.4 Section 4.3 Section 4 – Landscape Management Section 6 – Monitoring Table 5 – Rehabilitation risks and contingency measures Section 6 - Monitoring 	Compliant	


JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
		<ul style="list-style-type: none"> • 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>				
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> <p>a) calculating the cost of rehabilitating the site taking into account the likely surface disturbance over the next 3 years of quarrying operations; and</p> <p>b) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs, to the satisfaction of the Secretary.</p>	Independent Audit Report - Possum Brush Quarry 31 March 2020	<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.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
		<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>		Receipt of bond confirmed by DP&E 31/05/19. Verified previous audit.		
43.	23	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: 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.		Rehabilitation and Conservation Bond lodged 30/05/19. Receipt of bond confirmed by DP&E 31/05/19. Previous audit conducted 27-28 August 2019. Not required until after the current audit (this audit).	Compliant	
ABORIGINAL CULTURAL HERITAGE						
44.	24	If any item or object of Aboriginal heritage significance is identified on site, the Applicant shall ensure that: a) all work in the immediate vicinity of the suspected Aboriginal item or object ceases immediately; b) a 10 m buffer area around the suspected item or object is cordoned off 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> .	Site interview	No Aboriginal heritage items or objects have been found.	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
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.	Truck Driver Induction, Form 69 31/08/2021	Requirements included in site induction for truck drivers (Item 6).	Compliant	
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.	Compliant	
Operating Conditions						
47.	27	The Applicant shall ensure that: 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.		All trucks sighted during the audit had loads covered. Reported that trucks were checked for material which may fall at the weighbridge. No reports to Council for road maintenance during the current audit period.	Compliant	
Transport Management Plan						
48.	28	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:	Transport Management Plan Version 4.00, 1/01/2021	Transport Management Plan Version 4.00, 1/01/2021 was available. Contents verified previous audit.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
		<p>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> <p>The Applicant shall implement the management plan as approved from time to time by the Secretary.</p>		<p>Updated three times since previous audit.</p> <p>a) Consultation include in Appendix A b) Verified previous audit. Current plan approved 3/02/2022 c) Appendix B d) Section 6 – Transport Management Monitoring</p>		
Monitoring of Product Transport						
49.	29	<p>The Applicant shall keep accurate records of:</p> <p>d) the amount of quarry products transported from the site (calendar month and year); e) the number of truck movements entering and leaving the site (hour, day, calendar month and year); and f) include these records in the Annual Review (see condition 9 of Schedule 5).</p> <p><i>Note: Records must include material provided to Council, referred to in condition 19 of Schedule 2.</i></p>	<p>Annual Review – Appendix 2 Weighbridge records</p>	<p>Weighbridge information used to record quarry products transported and truck movements.</p> <p>Summary of truck movements was included in the Annual review (Appendix 2). However, the documentation provided in Appendix 2 does not include all information required.</p> <p>Recommendation:</p> <p>PBM should include a full report of all truck movements entering and leaving the site in the annual Review.</p>	Not Compliant	NC-03

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
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.	Site inspection	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.	Compliant	
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.	Annual Review Section 6.6	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 6.6 Recycling of waste oil, steel, tyres cardboard and plastics implemented. Waste tracked through transport documents.	Compliant	
Odour						
52.	32	The Applicant shall not cause or permit the emission of offensive odour beyond the boundaries of the site.	Site interview Complaints Register	No offensive odours have been emitted from the site.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
LIQUID STORAGE						
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.	Site Inspection 	Bunded liquid storage facilities were provided. Liquid storage drums were stored outside of buildings and bunded areas. Recommendation: Ensure all liquid containers are stored in the bunded storage area provided.	Not Compliant	NC-04
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> .	Site Inspection SDS Register	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. SDS Register maintained in office	Compliant	
BUSHFIRE						
55.	35	The Applicant shall: a) ensure that the development is suitably equipped to respond to any fires on site; and	Site interview and inspection	All earthmoving equipment is fitted with fire extinguishers and the on-site water truck is fitted with	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
		b) 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>pumps and pipework for use in fire-fighting.</p> <p>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> <p>Noted that PBM permitted use of the water from the pits for bushfire fighting during the December 2019.</p>		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
SCHEDULE 4 – ADDITIONAL PROCEDURES						
NOTIFICATION OF LANDOWNERS						
56.	1	As soon as practicable after obtaining monitoring results showing: <ol style="list-style-type: none"> 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 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). 	Site interview	No exceedances have been recorded.	Not Triggered	
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.	Site interview	No independent reviews have been requested.	Not Triggered	
58.	3	If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary’s decision the Applicant shall: <ol style="list-style-type: none"> a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to: <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 b) give the Secretary and landowner a copy of the independent review. 	Site interview	No independent reviews have been requested.	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	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. 	Environmental Management Strategy Ver 4.0, 1/11/2021	<p>Environmental Management Strategy has been developed and implemented.</p> <p>Submission to the Secretary and contents verified previous audit.</p> <ol style="list-style-type: none"> Submission verified previous audit. Current version approved 1/03/2022. Section 3 – Strategic Framework Section 4 – Legal and other requirements Section 14 Roles and Responsibilities Section 10 Publication of environmental performance information; Section 16 Stakeholder and Community consultation; Section 9.1 Complaints handling; Section 9.2 Dispute resolution; Section 10 Incident reporting; Section 15 Emergencies Section 4.3 Environmental Management Plans Section 6 Monitoring 	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
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> <p>a) detailed baseline data;</p> <p>b) a description of:</p> <ul style="list-style-type: none"> • the relevant statutory requirements (including any relevant approval, licence or lease conditions); • any relevant limits or performance measures/criteria; and • the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; <p>c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> • impacts and environmental performance of the development; and • effectiveness of any management measures (see (c) above); <p>e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> • incidents; • complaints; • non-compliances with statutory requirements; and • exceedances of the impact assessment criteria and/or performance criteria; and <p>h) a protocol for periodic review of the plan.</p> <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>		Management Plans have been prepared and include reference and description of each of the relevant elements nominated in Schedule 5 condition 2.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
Updating & Staging Submission of Strategies, Plans or Programs						
61.	3	<p>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 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>		Revised plans have been reviewed as revised to comply with condition 5(4).	Compliant	
Revision of Strategies, Plans & Programs						
62.	4	<p>Within 3 months of the submission of an:</p> <ol style="list-style-type: none"> Annual Review under condition 9 below; incident report under condition 7 below; audit report under condition 10 below; and any modifications to this consent, 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</i></p>	Management Plan Revision status tables	<p>Annual review submitted September 2019.</p> <p>Management plans had been updated and submitted to DPE in December 2019. The plans were subsequently updated to address comments received, with approval of plans in July 2020 and September 2020.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
		<i>measures to improve the environmental performance of the development.</i>		Annual Review submitted September 2021. Updated Management plans were submitted in December 2021, with plans being approved between January and June 2022.		
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> <p>Where any exceedance of these criteria and/or performance measures has occurred, the Applicant shall, at the earliest opportunity:</p> <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. 		No exceedances have occurred.	Not Triggered	
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"> The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent. 	Correspondence received from DPE 2/07/2021	Correspondence received from DPE 2/07/2021 stating: "Given a CCC was operating from 1998 until 2017, the Department considers that Pacific Blue Metal has been satisfactorily addressing its requirement under condition 6 of Schedule 5 of DA 283/97 to "...operate a Community	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
		<ul style="list-style-type: none"> <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> 		Consultative Committee (CCC) for the development, to the satisfaction of the Secretary". Given the current lack of community interest in a CCC, the Secretary is satisfied that the CCC need not have operated since the cessation of the previous CCC in 2017."		
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.	<p>Email to Compliance@DPE 11/11/2019 @12.44pm.</p> <p>8/07/2022- Response from DPE showing review of incident report.</p>	<p>One incident on 11/11/2019 - Hillview Bushfire which impacted the Wildlife Corridor and vegetated 50m buffer zone within the quarry.</p> <p>Reported to DPE via Email 11/11/2019.</p> <p>No further action required.</p> <p>Non-compliance with Noise monitoring was reported as an incident on 5/07/2022. Response from DPE showing review of incident report.</p>	Compliant	
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.	http://www.pacificbluemetal.com.au/compliance.html	Website has been implemented for providing compliance documentation.	Compliant	
ANNUAL REVIEW						

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
67.	9	<p>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:</p> <p>g) 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;</p> <p>h) 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:</p> <ul style="list-style-type: none"> • the relevant statutory requirements, limits or performance measures/criteria; • 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>i) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>j) identify any trends in the monitoring data over the life of the development;</p> <p>k) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>l) 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>		<p>DP&E approval to change to financial year reporting (16/08/16).</p> <p>2018-2019 Annual Review submitted to DP&E on 27/09/19</p> <p>2019-2020 Annual Review submitted to DP&E on 6/10/2020</p> <p>extension request to 7/10/2020 provided by DPE</p> <p>2020-2021 Annual Review submitted to DP&E on 30/09/2021</p> <p>DPE Approved Annual Reviews provided to Council (e.g. 2020-21 provided to Council on 24/03/2022).</p> <p>Noted that the 2020-2021 Annual review did not report on the warning letter dated 20 July 2020 for failure to operate a Community Consultative Committee to the satisfaction of the secretary and in accordance with the CCC Guidelines - State Significant Projects between 1 April 2016 and 4 April 2020.</p> <p>Recommendation:</p> <p>Ensure that a summary of any official cautions, warning letters, penalty notices issued or prosecution proceedings by any regulatory agency, and a summary of the response of Pacific Blue Metal to any such enforcement actions is included in Annual Reviews.</p>	Not Compliant	05

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
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> <ul style="list-style-type: none"> a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; b) include consultation with the relevant agencies; 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); d) review the adequacy of any approved strategy, plan or program required under these approvals; and e) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals. <p><i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</i></p>	Independent Audit Report - Possum Brush Quarry 31 March 2020	Previous audit conducted 27-28 August 2019.	Compliant	
69.	11	<p>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>		<p>Audit report initially submitted 27/09/2019.</p> <p>Updated report 16 January 2020.</p> <p>Response from DPE 24/02/2020 requesting further clarification.</p> <p>Audit report updated and resubmitted.</p> <p>Extension of time provided by DPE (28/02/2020 by Email) for final report to be submitted by 6 April 2020.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Assessment Issue #
				Audit report updated following comments for DPE and resubmitted		
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.	http://www.pacificbluemetal.com.au/compliance.html	Required information available on website	Compliant	

9 Audit Checklist – Environmental Protection Licence 3393

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #									
1	A1.1	Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.	Weighbridge Records 2020-2021 Annual Review 2019-2020 Annual Review	219,219 T extracted in 2019-2020 financial year. 431,206 T extracted in 2020-2021 financial year. 346.324 T saleable product in 2021-2022 financial year.	Compliant										
		<table border="1"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Crushing, grinding or separating</td> <td>Crushing, grinding or separating</td> <td>> 100000 - 500000 T annual processing capacity</td> </tr> <tr> <td>> 100000 - 500000 T annual capacity to extract, process or store</td> <td>Land-based extractive activity</td> <td>> 100000 - 500000 T annual capacity to extract, process or store</td> </tr> </tbody> </table>					Scheduled Activity	Fee Based Activity	Scale	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
		Scheduled Activity					Fee Based Activity	Scale							
		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/m ³		No monitoring conducted. Initial monitoring found that emissions were substantially less than 50mg/m ³ . No further monitoring has been required. No air quality complaints have been received.	Compliant										

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #															
3	L2.5	Water limits <table border="1" style="margin-left: 20px;"> <tr> <td>pH</td> <td>6.5-8.5</td> </tr> <tr> <td>Oil and Grease</td> <td>No visible</td> </tr> <tr> <td>TSS</td> <td>50</td> </tr> </table>	pH	6.5-8.5	Oil and Grease	No visible	TSS	50	Midcoast Council Analytical Report, 19/03/2022.	Three discharge events in the period 2019-2022. Monitoring results show water discharged was within the limits specified in Condition L2.5 of EPL 3393. 4/03/2022 – Water discharge Results were within EPL licence limits (discharge over several days)	Compliant										
pH	6.5-8.5																				
Oil and Grease	No visible																				
TSS	50																				
4	L3	Waste <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Code</th> <th>Waste</th> <th>Description</th> <th>Activity</th> <th>Other Limits</th> </tr> </thead> <tbody> <tr> <td>NA</td> <td>General or Specific exempted waste</td> <td>Waste that meets all the conditions of a resource recovery exemption under clause 51A of the Protection of the Environment Operations Act (Waste) Regulation 2005</td> <td>Resource recovery Waste storage</td> <td>NA</td> </tr> <tr> <td></td> <td>General solid waste (non-putrescible)</td> <td>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</td> <td>Resource recovery Waste storage</td> <td>Total 10,000 tonnes per annum</td> </tr> </tbody> </table>	Code	Waste	Description	Activity	Other Limits	NA	General or Specific exempted waste	Waste that meets all the 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	Weighbridge Records Inspection of Incoming Waste Products – Form 61, August 2022 Rejected Loads Register	Waste concrete, brick, tiles accepted. Records of waste maintained on the EPA WRAPP – 9185 Tonnes on site at time of audit. Waste received is inspected prior to unloading. Contaminated waste rejected.	Compliant	
Code	Waste	Description	Activity	Other Limits																	
NA	General or Specific exempted waste	Waste that meets all the 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																	
5	L3.2	The authorised amount of waste permitted on the premises must not exceed 10,000 tonnes at any time.	Weighbridge Records	July 2022 quantity 9185 T. Maximum quantity stored on site 9414/9T in June 2022.	Compliant																

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #												
6	L4.1	Noise Limits	Annual Review 2019-2020 Annual Review 2020-2021 Possum Brush Quarry – Noise Monitoring, Spectrum Acoustics, December 2021.	Noise monitoring conducted on an annual basis. Results show that noise limits have not been exceeded.	Compliant													
		<table border="1"> <thead> <tr> <th>Location</th> <th>Limit LAeq 15 minute (dBA)</th> <th>Noise Limit LAmax (dBA)</th> </tr> </thead> <tbody> <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> </tbody> </table>					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
		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																
The LAeq limits apply at all times, that is, Daytime, Evening and Night Time Operations																		
The LAmax limits apply to the "night-time" operations.																		
7	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.	Possum Brush Quarry – Noise Monitoring, Spectrum Acoustics, December 2021.	Noise monitoring conducted by consultant – Bruel and Kjaer Type 1 noise level meter used.	Compliant													

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
8	L4.6	<p>To determine Compliance:</p> <p>a) with the $L_{eq(15 \text{ minute})}$ 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 	Possum Brush Quarry – Noise Monitoring, Spectrum Acoustics, December 2021.	Noise report shows that noise monitoring locations were consistent with requirements.	Compliant	
L5 Blasting						
9	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.	Environmental Monitoring Data 2022 – Q2 Environmental Monitoring Data 2021 Environmental Monitoring Data 2020 Environmental Monitoring Data 2019	All blast monitoring results show that airblast overpressure level were below 120dB (LinPeak) at monitoring locations.	Compliant	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
10	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.	Environmental Monitoring Data 2022 – Q2 Environmental Monitoring Data 2021 Environmental Monitoring Data 2020 Environmental Monitoring Data 2019	All blast monitoring results show that airblast overpressure level were below 115dB (LinPeak) at monitoring locations (Maximum recorded 108.1dB 1/02/2021).	Compliant	
11	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.	Environmental Monitoring Data 2022 – Q2 Environmental Monitoring Data 2021 Environmental Monitoring Data 2020 Environmental Monitoring Data 2019	All blast monitoring results show that ground vibration peak particle velocity has not exceeded 10mm/sec at monitoring locations (maximum recorded 4.93mm/sec on 19/08/2020).	Compliant	
12	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.	Environmental Monitoring Data 2022 – Q2 Environmental Monitoring Data 2021 Environmental Monitoring Data 2020 Environmental Monitoring Data 2019	All blast monitoring results show that ground vibration peak particle velocity has not exceeded 5mm/sec at monitoring locations (maximum recorded 4.93mm/sec on 19/08/2020)	Compliant	
13	L5.5	To determine Compliant 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.	Blast Monitoring Report 9/06/2022 Environmental Monitoring Data 2022 – Q2 Environmental Monitoring Data 2021 Environmental Monitoring Data 2020 Environmental Monitoring Data 2019	Monitoring conducted at two closest affected residences. 175 Possum Brush Road and 5 St Peters Close.	Compliant	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
14	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	Blast Monitoring Report 9/06/2022 Environmental Monitoring Data 2022 – Q2 Environmental Monitoring Data 2021 Environmental Monitoring Data 2020 Environmental Monitoring Data 2019	Records show blasts had been conducted between 9:00am-3:00pm Monday to Friday	Compliant	
15	L5.7	Offensive blast fume must not be emitted from the premises.	Site Interview	Reported that no offensive blast fume had been emitted from the premises.	Compliant	
L6 Hours of operation						
16	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.	Site Induction Level 3 Contractor Induction Quarry PBM Register of Non-employee Persons on site	Refurbishment and upgrade of the crusher facility. Work hours 7.00am to 4.30pm.	Not Triggered	
17	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.	Site Induction Level 3 Contractor Induction Quarry PBM Register of Non-employee Persons on site	Records showed no truck movements prior to 6.30am. Induction and site signage identifies no contractor trucks prior to 7am.	Compliant	

AUDIT CHECKLIST: Statement of Commitments

Company: Possum Brush Quarry

James Hart Consulting

Date: August 2022

18	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> <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. 	<p>Form 25 Daily run sheet 15/08/2022 XN99CH</p> <p>Site sign – Front gate</p> <p>PBM Induction and Drivers Code of Conduct</p>	<p>Trucks 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>	Compliant	
----	---------------	---	---	--	-----------	--

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
		<p>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> <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>				
19	L6.2 Contd	<p>Permissible Times for Vehicles Leaving the Premises</p> <p>g) No trucks or heavy machinery are to leave the premises prior to 6.30am Monday to Friday or 7am Saturdays.</p>		Records show that no trucks had left the premises prior to 6.30am Monday to Friday or 7am Saturdays.	Compliant	

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
20	L6.2 Contd	<p>Hours of Operation for Asphalt Plant</p> <p>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.</p> <p>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:</p> <p>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.)</p> <p>II. 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.</p>	Possum Brush Quarry – Table 1: Hours of Operation	<p>Records maintained of plant operating hours.</p> <p>2021-2022 9 nights operation.</p> <p>2020-2021 – 36 nights</p> <p>2019 – 2020 – 18 nights</p> <p>EPA notified on each occasion – e.g. Email to EPA 27/07/2022 informing of night works 2-5/08/2022.</p>	Compliant	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
21		<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>	<p>Site interviews.</p> <p>Weighbridge Records</p> <p>Possum Brush Quarry – Hours of Operation Form.</p>	<p>No trucks have returned after 10pm on a Friday.</p>	Compliant	
22		<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>	<p>Site Interview</p>	<p>It was reported that maintenance was generally conducted between 7am to 5pm Monday to Friday</p> <p>Saturday 7am to 3pm.</p>	Compliant	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022



JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
23		No Activities on Sundays or Public Holidays k) No works, maintenance, truck or machinery movements in or out of the premises are permitted on Sundays or Public Holidays.	Hours of Operation Form.	Reported that no works, maintenance, truck or machinery movements in or out of the premises are permitted on Sundays or Public Holidays. Hours of Operation form shows no works conducted Sundays or Public Holidays	Compliant	
24		Extension of Hours of Operation in emergency and other circumstances l) 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.	Not Triggered	

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
25	L6.3	Trucks associated with the waste recycling activities must not enter the premises prior to 07:00 am	Form 25 Daily run sheet 15/08/2022 XN99CH Site sign – Front gate PBM Induction and Drivers Code of Conduct	Included in site induction requirements. Sign on front entry restricts access for to after 7.00am.	Compliant	
L7.1 Potentially Offensive Odour						
26	L7.1	The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.	Complaint Register	It was reported that no offensive odours have been emitted from the premises. No complaints had been received.	Compliant	
Operating Conditions						
27	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	Volvo A40D2 Dump Truck- Daily Prestart for February 2022, 9250hr service 19/09/2020 Kubota Skidsteer SVL75 – 750hrs Plant Maintenance Report 21/07/2022 Impactor Crusher Striker HMR1312 – Maintenance and Safety Sheet 30/07/2022 Striker Plant Maintenance Report 8000hrs – 25/06/2022.	Plant maintenance records sighted. E.g. Daily prestart inspections completed . Maintenance records show 250 hour servicing completed (OEM requires minimum 500hour servicing).	Compliant	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
28	O3	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Site Inspection	Dust suppression measures have been implemented for the site. Water sprays provided for crushing equipment. Water cart for minimising dust from exposed areas.	Compliant	
29	O3	Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.	PBM Induction and Drivers Code of Conduct.	Truck driver site induction includes requirement for covering of loads. All trucks sighted during the site inspection were covered.	Compliant	
30	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	Site Inspection Water Management Plan V4.0, 9/11/2021	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. No discharge occurs from Dam 3 except under extreme weather conditions and the discharge is monitored in accordance with EPL conditions P1.3and M2.2.	Compliant	

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
31	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.	Site Inspection	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.	Compliant	
32	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.	Site Inspection 	1000 l and 200L containers of oil were noted to be stored outside of covered or bunded areas. Recommendation: Ensure all liquid containers are stored in the bunded storage area provided.	Not Compliant	NC-03
33	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.	Site Inspection 	Bunds provided. Bund did not have a collection sump. Locked drain valve provided for removal of rainwater. Oil storage area has a sloped floor leading to a bunded sump.	Compliant	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
34	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.	Weighbridge Records Inspection of Incoming Waste Products – Form 61, August 2022 Rejected Loads Register	Construction/ demolition waste received. Waste is assessed upon entry to site to determine if the waste is suitable for acceptance and following tipping. Quality Assurance Program – Recycling Plant available.	Compliant	
35	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).	Inspection of Incoming Waste Products – Form 61, August 2022 Rejected Loads Register	Quality Assurance Program – Recycling Plant available. Inspection of Incoming waste form completed by weighbridge inspector and tipping inspector.	Compliant	
36	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	Rejected Loads Register	The rejected loads register documents the planned location of disposal of waste e.g. (e.g. 20/06/2022 – Load rejected due to presence of steel). Returned to original location for resorting then return to PBM.	Compliant	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
37	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.	Rejected Loads Register Email Correspondence to Midcoast Council 21/06/2022 @ 14.44 hrs.	Notification to MidCoast Council recorded on rejected loads register. e.g. Load rejected 21/06/2022 @ 14.22 hrs (excess steel). Reported to MidCoast Council 14.44 hrs.	Compliant	
38	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.	Compliant	
39	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.	Site inspection	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)	Compliant	
6 Monitoring Records						
40	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.	Possum Brush Quarry – Noise Monitoring, December 2021, Spectrum Acoustics, 24 February 2022. Midcoast Council Analytical Report, 19/03/2022.	Records of monitoring were available in the PBM site office	Compliant	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
41	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.	Site interviews	Records of monitoring were available in the PBM site office in hard copy and electronically. Summary of monitoring data provided on company website. Noted that EPA requested copy of the rejected loads register. Provided .	Compliant	
42	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.	Possum Brush Quarry – Noise Monitoring, December 2021, Spectrum Acoustics, 24 February 2022. Midcoast Council Analytical Report, 19/03/2022.	Information included in Analytical Report and on Chain of Custody form. Not included in noise report for 24/02/2022. PBM have requested reissue of the report with all required information.	Compliant	
43	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:	Midcoast Council Analytical Report, 19/03/2022.	Monitoring at monitoring location 2 has been conducted when overflow has occurred.	Compliant	

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #		
44	M2.2	Water and/ or Land Monitoring Requirements		Midcoast Council Analytical Report, 19/03/2022.	Records show monitoring of overflow at discharge from Sediment Dam 3 (Monitoring location 2) for the required variables.	Compliant		
		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
45	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.	Midcoast Council Analytical Report, 19/03/2022.	Analysis undertaken by MidCoast Environmental Laboratory NATA Accreditation 12902.	Compliant			
46	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.	Site Inspection	Meteorological weather station installed at site office. Monitors: rainfall; <ul style="list-style-type: none"> • wind speed and direction @ 10m; • temperature @ 2m and 10m; and • sigma theta @ 10m 	Compliant			

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
47	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.		<p>Meteorological weather station installed at site office. Monitors:</p> <ul style="list-style-type: none"> • rainfall; • wind speed and direction @ 10m; • temperature @ 2m and 10m; and • sigma theta @ 10m <p>Sampling conducted in accordance with sampling method identified.</p>	Compliant	
48	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 Sheet Record	Complaints register maintained. No complaints received 2018 to 2022.	Compliant	
49	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.	Complaints Sheet Record	<p>The Pacific Blue Metal “Possum Brush” Quarry Complaints Sheet Record lists:</p> <ul style="list-style-type: none"> • 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 	Compliant	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
50	M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Complaints Sheet Record	Records are maintained in the PBM site office and on the company website. Records maintained indefinitely.	Compliant	
51	M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.		Records were readily available.	Compliant	
52	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.	Compliant	
53	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 surrounding neighbours, and the complaints line is advertised on the front gate to the quarry and on the PBM website.	Compliant	
54	M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.			Compliant	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
55	M7.1	To determine Compliant 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.	AEMR 2020-2021 - Table 5 Compilation of Noise Monitoring Data and PBM Contributions: 2014 – 2021. Possum Brush Quarry – Noise Monitoring, December 2021, Spectrum Acoustics, 24 February 2022. Environmental monitoring data 2022 Q2 Environmental monitoring data 2021 Environmental monitoring data 2020 Environmental monitoring data 2019	Noise reports sighted for September 2019, July 2020 and December 2021. Annual review for 2017-2018 financial year includes reporting on noise monitoring. All results sighted show that noise levels were below noise criteria. No evening or night time monitoring conducted due to lack of production or weather conditions (wind/ rain). Reported as a non-compliance for the 2021-2022 financial year. Recommendation: Evening and night time noise monitoring should be conducted at the earliest available opportunity.	Not Compliant	02
56	M7.2	The requirement to continue this monitoring will be assessed upon request by the licensee and after several noise Compliant tests have been conducted.		Noted that noise monitoring has been reduced from quarterly to annually following request from licensee in 2019.	Compliant	

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
6 Reporting Conditions						
57	R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliant, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliant - Licence Conditions, 4. a Statement of Compliant - Load based Fee, 5. a Statement of Compliant - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliant - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliant - 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. 2021 Received 30/09/2021. 2020 Received 11/09/2020. 2019 – Received 27/09/2019	Compliant	
58	R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below		Annual returns completed.	Compliant	
59	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	Not Triggered	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
60	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	Not Triggered	
61	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').	eConnect response confirming submission 2021 Received 30/09/2021. 2020 Received 11/09/2020. 2019 – Received 27/09/2019	Required to be provided by 15 October. Submitted using eConnect. 2021 Received 30/09/2021. 2020 Received 11/09/2020. 2019 – Received 27/09/2019	Compliant	
62	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.	Compliant	
63	R1.7	Within the Annual Return, the Statements of Compliant 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	1/10/2021 – Email showing acceptance of signed submission	Signed by PBM Directors. Electronic signatures via Email as per portal. 1/10/2021 – Email showing acceptance of signed submission	Compliant	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
64	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.	R1.8 Waste Stockpile Data 2021	Included in Annual Return – Waste Stockpile Data	Compliant	
R2 Notification of environmental harm						
65	R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.		No environmental harm has occurred as a result of quarry operations.	Not Triggered	
66	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		No environmental harm has occurred as a result of quarry operations.	Not Triggered	
67	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.		No environmental harm has occurred as a result of quarry operations.	Not Triggered	
68	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.		No environmental harm has occurred as a result of quarry operations.	Not Triggered	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
69	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.		No environmental harm has occurred as a result of quarry operations.	Not Triggered	
70	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.		No environmental harm has occurred as a result of quarry operations.	Not Triggered	
71	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-Compliant and make recommendations as to measures that will be employed to ensure noise limits are met at all times.	Annual Return 2020-2021 R1.9 Noise Report 2020-2021	Noise monitoring reports were included in the Annual Return.	Compliant	

AUDIT CHECKLIST: Statement of Commitments
Company: Possum Brush Quarry

James Hart Consulting
Date: August 2022

JHC Ref No	EPL No.	Condition	Evidence	Finding and Recommendations	Compliant rating	Assessment Issue #
72	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.	Annual Return 2020-2021 R1010- Blast Report 2020-2021	Blast monitoring report was included in the Annual return.	Compliant	
73	R4.3	The licensee must report any exceedance of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents	R1010- Blast Report 2020-2021	No exceedances of blasting limits have been recorded.	Not Triggered	
7 General Conditions						
74	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.	Compliant	
75	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.	Not Triggered	
76	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 readily available in the site office for inspection.	Compliant	

Appendix D. Consultation Records

Independent Environmental Audit – Possum Brush Quarry

Commercial in Confidence

James Hart

From: James Hart <james_hart@bigpond.com>
Sent: Thursday, 11 August 2022 6:48 PM
To: 'council@midcoast.nsw.gov.au'; 'mayor@midcoast.nsw.gov.au';
'hunter.region@epa.nsw.gov.au'; 'jessie.hayne@epa.nsw.gov.au';
'water.enquiries@dpi.nsw.gov.au'; 'info@environment.nsw.gov.au'
Cc: Quality, Safety & Environment (Pacific Blue Metal)
Subject: Independent Environmental Audit - Possum Brush Quarry

Hi,

I have been engaged to undertake an Independent Environmental Audit of the Possum Brush Quarry near Nahiic, NSW. 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 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 development, you can contact me on 0408238682.

Please note that the audit will be conducted on 16-17 August 2022.

Regards

James Hart | Management Consultant

James Hart Consulting

Certified Exemplar Global Lead OHS Auditor
Certified Exemplar Global Lead Environmental Auditor
Certified Exemplar Global Lead Quality Management System Auditor

Mobile: 0408 238 682
Email: james_hartbigpond.com

Independent Environmental Audit – Possum Brush Quarry

Commercial in Confidence

Independent Environmental Audit – Possum Brush Quarry

Commercial in Confidence

James Hart

From: Brad Ferguson <Brad.Ferguson@midcoast.nsw.gov.au>
Sent: Tuesday, 16 August 2022 7:55 AM
To: James Hart
Subject: RE: ECM - Independent Environmental Audit - Possum Brush Quarry

Hi James – I do not think they are within the audit period.

Brad

From: James Hart <james_hart@bigpond.com>
Sent: Monday, 15 August 2022 6:47 PM
To: Brad Ferguson <Brad.Ferguson@midcoast.nsw.gov.au>
Subject: RE: ECM - Independent Environmental Audit - Possum Brush Quarry

Thanks Brad,

Do you know if the traffic noise complaints were recent (within the past 3 years) or earlier? My understanding there have been no complaints raised with the Quarry in the period covered by this audit.

Regards

James Hart | Management Consultant

James Hart Consulting

*Certified Exemplar Global Lead OHS Auditor
Certified Exemplar Global Lead Environmental Auditor
Certified Exemplar Global Lead Quality Management System Auditor*

Mobile: 0408 238 682
Email: james_hart@bigpond.com

From: Brad Ferguson <Brad.Ferguson@midcoast.nsw.gov.au>
Sent: Monday, 15 August 2022 3:45 PM
To: james_hart@bigpond.com
Cc: Paul De Szell <Paul.DeSzell@MidCoast.nsw.gov.au>; Michelle Jobson <Michelle.Jobson@MidCoast.nsw.gov.au>
Subject: RE: ECM - Independent Environmental Audit - Possum Brush Quarry

Hi James,

I refer to your request of Council as to any issues or concerns that have been identified in relation to the subject quarry development. I am advised that, apart from one nearby neighbour complaining about truck noise from time to time, no matters have arisen that required Council to conduct an investigation or take any regulatory action.

Regards,

Independent Environmental Audit – Possum Brush Quarry

Commercial in Confidence



DOC22/703409-1, EF13/3417

James Hart Consulting
By email: james_hart@biopond.com

15 August 2022

Attention: Mr James Hart

Dear Mr Hart

Possum Brush Quarry – Independent Environmental Audit

I refer to your email correspondence dated 11 August 2022 regarding input to the Independent Environmental Audit of Possum Brush Quarry near Possum Brush.

The Environment Protection Authority (EPA) encourages independent audit towards proponents improving their environmental performance. We do not provide input as our role is to set environmental objectives for environmental/conservation management and manage outcomes.

I refer you to the EPA's public register <http://www.epa.nsw.gov.au/prpoeo/index.htm> where you can search for regulatory activity undertaken by the EPA for Environment Protection Licence 3393 for Pacific Blue Metal Pty. Ltd.

If you require any further information regarding this matter please me on (02) 4908 6827.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Sing'.

MARSHALL SING
Regulatory Operations Officer

Phone 131 555
Phone +61 2 4908 6800
(from outside NSW)

TTY 133 677
ABN 43 692 285 758

PO BOX 488G
Newcastle
NSW 2300 Australia

117 Bull Street
Newcastle West
NSW 2302 Australia

[Info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)
www.epa.nsw.gov.au

Appendix E. Site Photographs 16 August 2022

Independent Environmental Audit – Possum Brush Quarry

Commercial in Confidence



Photographs 1 and 2 Quarry road and dam. Revegetated benches in background



Photograph 3 - Current Quarry Work Area



Photograph 4 - Recycling Bins



Photograph 5 -Chemical Storage



Photograph 6 -Waste Concrete Storage