



Independent Environmental Audit:

**Tinda Creek Sand Quarry
Development Consent SSD-4978**



Audit Reference:	AQUAS Job No. 1253.01
Audit Organisation:	Hy-Tec Concrete and Aggregates
Auditors:	James Hart, AQUAS
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This report has been prepared by: James Hart

Signature



Date 18/11/2019

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This report has been distributed to:

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Independent Audit Certification Form

Development Name Tinda Creek Sand Quarry
Development Consent No. SSD-4978
Description of Development Sand Quarry
Development Address Located approximately 67 kilometres north of Windsor along Putty Road, NSW
Operator Aus-10 Rhyolite Pty Ltd t/a Hy-Tec Concrete and Aggregates (Hy-Tec)
Operator Address Gateway Business Park U 4 63-79 Parramatta Rd Silverwater, NSW 2128
Title of Audit Independent Environmental Audit: Tinda Creek Sand Project SSD-4978, NSW

I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report and to the best of my knowledge:

- The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:20184 and Post Approval Guidelines – Independent Audits;
- The findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit;
- I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);
- Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Note.

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

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

Signature 
Name of Lead or Principal Auditor James Hart
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Auditor Certification Exemplar Global Lead Environmental Auditor No 12107
Date 18 November 2019

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Abbreviations

AQMP	Air Quality Management Plan
AS	Australian Standard
BCD	Biodiversity & Conservation Division (formerly OEH)
DA	Development Approval
DDG	Deposition Dust Gauge
DPI&E	Department of Planning Industry and Environment
DPI	Department of Primary Industry
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
LRP	Landscape Management Plan
NMP	Noise Management Plan
NOW	NSW Office of Water
OEH	Office of Environment and Heritage
POEO Act	Protection of the Environment Operations Act 1997
TMP	Transport Management Plan and Driver Code of Conduct
TSP	Total Suspended Particulates
TSS	Total Suspended Solids
WAL	Water Access Licence
WMP	Water Management Plan

1 INTRODUCTION

1.1 Overview

Aus-10 Rhyolite Pty Ltd t/a Hy-Tec Concrete and Aggregates (Hy-Tec) operate the Tinda Creek Sand Quarry, an existing sand quarry located on Putty Road, approximately 67 kilometres north of Windsor, NSW. The quarry is located within Lots 1, 2 and 3 of DP 628806 and is bounded by Yengo National Park on the north, east, and south, and on the west by Putty Road. Wollemi National Park, along with several agricultural land holdings, is located on the western side of Putty Road.

Hy-Tec was granted Development Approval in April 2015 to operate the Tinda Creek Sand Quarry (SSD_4978). The previous approval (DA134/95) was surrendered on 10 December 2015.

The conditions of approval require Tinda Creek Sand Quarry 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 within one year of the date of the commencement of quarrying operations, and every 3 years thereafter, unless the Director-General 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 Tinda Creek Sand 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 Lots 1, 2, and 3 of DP 628806, and the activities and processes carried out by Hy-Tec in operating the quarry. The audit is the second for the project and covered the period since approval was granted.

The audit scope included:

- the conditions of all relevant approvals;
- management plan requirements;
- the requirements of relevant regulatory agencies;
- the status of the operation;
- the performance of the operation;

- results from previous audits;
- any incidents or community complaints;
- feedback received from other regulatory agencies on the performance of the operation; and
- feedback received from the community / community consultative committee on the performance of the operation.

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

2 Methodology

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

2.1 Audit Team

The audit was conducted by the following:

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

James Hart, was endorsed by the Secretary of the Department of Planning and Environment on 11 July 2019.

2.2 Approvals and Documents Audited

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

- Development Approval – SSD_4978;
- Approval for the expansion of Existing Sand Quarry, Tinda Creek, NSW (EPBC 2013/028);
- Air Quality Management Plan – Tinda Creek Sand Quarry, May 2017;
- Noise Management Plan – Tinda Creek Sand Quarry, May 2017;
- Transport Management Plan – Tinda Creek Sand Quarry, May 2017;
- Water Management Plan – Tinda Creek Sand Quarry, May 2017;
- Landscape Management Plan – Tinda Creek Sand Quarry, May 2017;
- Heritage Management Plan - Tinda Creek Sand Quarry, May 2017;
- Environmental Management Strategy – Tinda Creek Sand Quarry, May 2017;
- Environmental Protection Licence No 12007, NSW EPA, 3/03/2017;
- Tinda Creek Sand Quarry Annual Review, January 2016 – December 2016;
- Tinda Creek Sand Quarry Annual Review, January 2017 – December 2017;
- Tinda Creek Sand Quarry Annual Review, January 2018 – December 2018;
- EPBC Compliance Audit, Report No. 980/06 Hy-Tec Industries Pty Limited, R.W. Corkery and Co Pty Ltd, 2018.
- Tinda Creek Sand Quarry Complaints Register, up to October 2019;
- Tinda Creek Sand Quarry Draft Minutes Community Consultative Committee 8/05/17, 14/05/18, 15/10/18, 13/05/19;
- Tinda Creek Dust Monitoring August 2019;

- Tinda Creek Aquatic Monitoring Report, Spring 2018, Niche Environment and Heritage, March 2019;
- Tinda Creek Aquatic Monitoring Report, Spring 2019, Niche Environment and Heritage, September 2019;
- Tinda Creek Offset vegetation, revegetation and Koala monitoring report 2018, Niche Environment and Heritage, March 2019;
- Grevillea parviflora subsp. parviflora monitoring at Tinda Creek offset area report R180328r0, Niche Environment and Heritage, 5/07/17;
- Grevillea parviflora subsp. parviflora monitoring at Tinda Creek offset area report R280926, Niche Environment and Heritage 26/09/18;
- Investigation of Groundwater Level Changes at Tinda Creek Quarry, Prepared by Katarina David, December 2018;
- Tinda Creek Monthly Truck Movements, 2016;
- Tinda Creek Monthly Truck Movements, 2018;
- Tinda Creek Monthly Truck Movements, 2019;
- Environmental Noise Monitoring – Tinda Creek Quarry, Final. Umwelt (Australia) Pty Limited, May 2017;
- Noise Compliance Assessment – Tinda Creek Quarry, Tinda Creek, NSW. Muller Acoustic Consulting, April 2018;
- Noise Compliance Assessment – Tinda Creek Quarry, Tinda Creek, NSW. Muller Acoustic Consulting, April 2019;
- Water Access licence 24381;
- Water Access Licence 24367;
- Water Access Licence 42446.

2.3 Agency and Community Consultation

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

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

Contact	Agency	Comments
Genevieve Seed Senior Planning Officer	Department of Planning, Industry and Environment	The assessment or compliance branch of the Department has no specific requests or requirements in relation to the Tinda Creek IEA.
council@hawkesbury.nsw.gov.au	Hawkesbury Council	No response.
Lisa Andrews Independent Chairperson	Community Consultative Committee & Director Articulate Solutions Pty Ltd	The CCC members' issues of interest are: Traffic and Rehabilitation (including end of mine life).
Andrew Helman- Senior Geoscientist	Department of Planning, Industry and Environment Landuse Assessment Geological Survey of NSW	No issues or concerns.

Lisa Crambrook - Operations Officer, Sydney Industry North	NSW Environment Protection Authority	The EPA doesn't have any comments to contribute to the audit of Tinda Creek.
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2.4 Name and Position of Persons Interviewed

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

Name	Position/Role	Organisation	Date of Interview
Darryl Thiedeke	National Planning and Development Manager	Hy-Tec	9-10/10/19
Michael Walton	Quarry Manager	Hy-Tec	9-10/10/19
Bryan Grant		Hy-Tec	9-10/10/19
Hung Tu	Project Manager	Hy-Tec	9-10/10/19
Nicholas Warren	Environmental Consultant	RW Corkery	9-10/10/19

2.5 Audit Process

The audit commenced with an Opening Meeting to confirm the scope, purpose, and timeline of the audit. The Opening Meeting was held at 10.15, 9 October 2019, in the Tinda Creek Sand Quarry site office.

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

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

A closing meeting was held at 12.30pm on 10 October 2019 where the preliminary audit findings were presented.

2.6 Audit Compliance Definitions

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

Compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit
Non-compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent of one or more specific elements of the regulatory approval have not been complied with within the scope of the audit.

Not triggered	A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, therefore a determination of compliance could not be made.
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Opportunities for Improvement are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance. Further Opportunities for Improvement are considered to be areas where performance may be improved.

2.7 Issues to be considered in reviewing this report

This audit was based on a review of compliance with the approval conditions for the operation of Tinda Creek Sand 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 Hy-Tec were sufficient evidence to verify general compliance of the activities with the requirements of the conditions of approval.

3 AUDIT FINDINGS

3.1 Overview

Specific activities being undertaken at the time of audit were:

- Loading and haulage of material from the quarry to the processing plant;
- Screening of material;
- Loading of trucks for dispatch; and
- Operation of Front end loader.

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

3.2 Previous Audit Findings

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

3.3 Development Consent (SSD_4978)

Schedule 2 – Administrative Controls

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

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

Schedule 3 – Environmental Performance Conditions

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

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

One noncompliance was raised against Condition 3-13 as a result of an inspection of the site by DPI&E, which resulted in two provisional improvement notices being issued.

- Surface water management systems had not been maintained to ensure the separation of clean and dirty water management systems and minimise sediment in water discharged from site.

A second non-compliance was raised against Condition 3-30 in relation to waste management.

- The site had not ensured that the appropriate storage, handling and disposal of waste generated by the development. Equipment and other materials stored in the south-eastern corner of the site by previous operator.

Schedule 4 – Additional Procedures

One non-compliance was identified with the Conditions of Approval under Schedule 4 (Schedule 4-1).

- Exceedances of the deposited dust criteria at DG1 in 2017 as a result of organic matter had not been notified to landowners

Schedule 5 – Environmental Management, Reporting and Auditing

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

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

- Exceedance of the annual dust deposition criterion occurred in 2017.
- The previous independent environmental audit report had not been provided to the Secretary within 6 weeks of commissioning of the audit.
- Exceedances of the dust deposition criteria had been recorded in 2017 and 2018, and groundwater level at one location dropped below the trigger level in October 2018. The Secretary had not been notified within 7 days of identification of the exceedance.

3.4 Environmental Protection Licence (EPL 12007)

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

No non-compliances was identified in relation to EPL requirements.

3.5 Water Access Licence 24367

A Water Access Licence had been obtained for extraction of groundwater from a bore for use in the Quarry.

Review of compliance with the conditions of the water licence found that, while the site had maintained a logbook to record information on groundwater usage, including date and times taken, and quantities, all required information was not recorded. As a result, one non-compliance was raised.

- While maintained which records dates, meter reading and volume, the access licence number, approval number and time water taken was not recorded.

3.6 Water Access Licence 24381

Water Access Licence 24381 had been obtained for extraction of groundwater from the Quarry.

Review of compliance with the conditions of the water licence found that the site had not maintained a logbook to record information on groundwater usage, including date and times taken, and quantities. As a result, the site was non-compliant with four of the conditions of the water access licence for which one non-compliance was raised.

- A logbook had not been maintained for water extraction under licence 24381.

3.7 Air Quality Management Plan

An Air Quality Management Plan (AQMP) had been prepared for the project and approved by DPI&E on 19 May 2017. The AQMP included measures to minimise and monitor air quality impacts of the site's operations and requirements for air quality monitoring.

One non-compliance was identified in relation to the requirements of the AQMP.

- Exceedances of the deposited dust criteria at DG1 in 2017 had not been notified to government agencies and landowners in accordance with the requirements of Section 7.2 of the AQMP.

It was noted that Hy-Tec had dust deposition samples analysed by University of Queensland, which identified high levels of polysaccharide slime and fungi, insect debris, and plant debris. Further, while insoluble solids exceeded criterion, the ash content was less than criterion. Dust resulting from quarry activities (predominantly clays and sand) would be expected to remain as ash.

3.8 Water Management Plan

A Water Management Plan (WMP) has been prepared for the Quarry (v2.0, 27 June 2019), which had been submitted to and approved by DPI&E (V1.0, approved 5/08/19).

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

Monthly inspections of the quarry, including infrastructure and water management measures were conducted.

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

- Two improvements notices were issued by DPI&E in 2017 as surface water management systems had not been maintained to ensure the separation of clean and dirty water management systems and minimise sediment in water discharged from site.

3.9 Landscape Management Plan

The Quarry has been operating under a Landscape Management Plan (LMP) which had been submitted to DPI&E and approved in 19 May 2017. The LMP included requirements for clearing, threatened species, weeds and feral pests, and monitoring requirements.

All extraction activities had been undertaken within Domain 6, with clearing limited to the removal of isolated trees within Domain 6.

Continued rehabilitation of the former silt pond (Domain 4) has been undertaken, and rehabilitation of the southeast corner where material had been removed had been undertaken.

A consultant had been engaged to conduct ecological monitoring, and feral animal and weed inspections had been conducted by the quarry management team. A long-term rehabilitation monitoring plot had been established on the east of Domain 4, with monitoring conducted by Niche Environment and Heritage in 2018.

No non-compliances were identified in relation to the Landscape Management Plan.

3.10 Noise Management Plan

A Noise Management Plan (NMP) had been prepared for the project. The NMP had been updated and approved by DPI&E on 19 May 2017. The site had implemented measures to comply with site working hours, and noise monitoring had been conducted during operational periods of the quarry in accordance with the requirements of the noise management plan and the EPL. Noise monitoring results indicated the site was complying with noise limits.

No noise complaints had been received, and noise monitoring conducted has shown that the site is complying with noise limits.

3.11 Transport Management Plan

A Transport Management Plan and Driver Code of Conduct (TMP) had been updated and approved on 19 May 2017.

The audit found compliance with the requirements of the TMP. Records of truck movements were maintained from weighbridge information, which showed truck movements were compliant with site requirements. No complaints in relation to truck movements had been received.

Records of driver inductions, including the driver code of conduct, were available, and vehicle inspection checks had been conducted to verify compliance with site requirements.

No non-compliances were identified.

3.12 Heritage Management Plan

The audit found that the site was in compliance with requirements of the Heritage Management Plan (HMP). No unexpected heritage finds had been identified.

Records were available to verify that a cultural heritage training package had been developed and implemented.

3.13 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 DPI&E on 19 May 2017.

No non-compliances were identified in regard to implementation of the EMS.

3.14 Areas of Non-compliance

Issue No.	Condition	Requirement	Issue sighted
01	Schedule 3-13	<p>The Applicant shall prepare and implement a Water Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by suitably qualified person/s approved by the Secretary; (b) be prepared in consultation with the EPA and NOW, and be submitted to the Secretary for approval within 6 months of the date of this consent, unless the Secretary agrees otherwise; (c) include a: <ul style="list-style-type: none"> Site Water Balance that includes: <ul style="list-style-type: none"> • details of: <ul style="list-style-type: none"> ▪ Quantity of water required to support operations; ▪ sources and security of water supply, clearly differentiating between surface water and groundwater, and taking into account rainfall variability; ▪ water use and management on site; ▪ reporting procedures; and ▪ measures to minimise clean water use on site; (d) 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 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; ▪ dirty water management system; and ▪ water storages; and • performance criteria, including trigger levels for investigating any potentially adverse surface water quality impacts; • the measures that would be implemented to ensure compliance with the surface water performance criteria and relevant operating conditions of this consent; • a program to monitor and report on: <ul style="list-style-type: none"> ▪ any surface water discharges; ▪ the effectiveness of the water management system; ▪ surface water flows and quality in local watercourses; ▪ A comparison of monitoring results with modelled predictions; (e) Groundwater Management Plan, that includes: <ul style="list-style-type: none"> include a Groundwater Monitoring Program, that includes: <ul style="list-style-type: none"> • detailed baseline data on groundwater levels, yield and quality in local aquifers and privately-owned groundwater bores; • performance criteria for surrounding aquifers, privately-owned groundwater bores, including trigger levels for investigating any potentially adverse groundwater impacts; 	<p>In June 2017, an inspection of the site was conducted by DPIE. As a result, two provisional improvement notices were issued for:</p> <ul style="list-style-type: none"> • Insufficient grassing of drainage channels; and • Breach in surface water drain. <p>Surface water management systems had not been maintained to ensure the separation of clean and dirty water management systems and minimise sediment in water discharged from site.</p> <p>The site had implemented measures to address the provisional improvements notices. No further issues had been identified in relation to site water management.</p> <p>Recommendation: Hy-Tec need to ensure that surface water management systems are maintained to ensure the separation of clean and dirty water management systems and minimise sediment in water discharged from site.</p>

		<ul style="list-style-type: none"> • the measures that would be implemented to ensure compliance with the groundwater performance criteria and relevant operating conditions of this consent; • a program to monitor and report on: <ul style="list-style-type: none"> ○ groundwater inflows to the quarry pit (quarterly monitoring is required, unless otherwise agreed with the Secretary); ○ the impacts of the development on surrounding aquifers, privately-owned groundwater bores and Tinda Creek; and ○ a program to validate the groundwater model for the development, and compare monitoring results with modelled predictions; and <p>(f) include a Surface and Groundwater Contingency Strategy, that includes:</p> <ul style="list-style-type: none"> • a protocol for the investigation, notification and mitigation of identified exceedances of the surface water and groundwater impact assessment criteria; • measures to mitigate and/or compensate potentially affected landowners of privately owned land, including provision of alternative long-term supply of water to the affected landowner that is equivalent to the loss attributed to the development; and • the procedures that would be followed if any unforeseen impacts are detected during the development. 	
02	Schedule 3-30	<p>The Applicant shall:</p> <p>minimise the waste generated by the development; ensure that the waste generated by the development is appropriately stored, handled, and disposed of; and report on waste management and minimisation in the Annual Review, to the satisfaction of the Secretary</p>	<p>Hy-Tec had not ensured the waste was stored and disposed of appropriately.</p> <p>Equipment and other materials stored in the south-eastern corner of the site by previous operator.</p> <p>Noted that Hy-Tec had entered into a voluntary undertaking in June 2017 to remove the material. Material had been removed and the area was being revegetated.</p> <p>Recommendation: No further action required.</p>
03	Schedule 4-1	<p>As soon as practicable after obtaining monitoring results showing an exceedance of any relevant criteria in schedule 3, the Applicant shall notify 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.</p>	<p>Hy-Tec had not notified affected landowners in writing of dust exceedance, and provided regular monitoring results to each affected landowner until the development is again complying with the dust criteria.</p> <p>Exceedances of the deposited dust criteria at DG1 in 2017 as a result of organic matter.</p> <p>No notification to landowners.</p> <p>Review of monitoring data undertaken, which identified contamination of the sample</p>

			<p>through organic matter as the cause of elevated results. Low ash content of samples vindicate decision that high results were not the result of Quarry activities.</p> <p>Recommendation: Hy-Tec should ensure that, where exceedances occur, affected landowners are notified.</p>
04	Schedule 5-2	<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> <ul style="list-style-type: none"> (a) take all reasonable and feasible measures to ensure that the exceedance ceases and does not recur; (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and (c) implement remediation measures as directed by the Secretary; <p>to the satisfaction of the Secretary.</p>	<p>Exceedance of the annual dust deposition criterion occurred in 2017.</p> <p>Hy-Tec had samples analysed by University of Queensland, which identified high levels of polysaccharide slime and fungi, insect debris, and plant debris. Noted that insoluble solids exceeded criterion, while ash content was less than criterion. Dust resulting from quarry activities would be expected to remain as ash.</p> <p>Recommendation: Investigations identified that the dust exceedance was not the result of quarry activities. No further action required.</p>
05	Schedule 5-7	<p>The Applicant shall immediately notify 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. 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>	<ul style="list-style-type: none"> • Exceedances of the dust deposition criteria had been recorded in 2017 and 2018. • Groundwater level at one location dropped below the trigger level in October 2018. Report provided to DPI&E in December 2018. <p>The Secretary had not been notified within 7 days of identification of the exceedance.</p> <p>Recommendation: Hy-Tec should ensure that the Secretary is notified within 7 days of any incidents as defined in management plans.</p>
06	Schedule 5-10	<p>Within 6 weeks of the completion of this audit, unless the Secretary agrees otherwise, 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, including a timetable for the implementation of any measures proposed to address the recommendations in the audit report. If the Applicant intends to defer the</p>	<p>Audit conducted 24/01/17. Report provided to DPI&E 15/05/17.</p> <p>Report had not been provided within 6 weeks of completion of the audit.</p>

		implementation of a recommendation, reasons must be documented.	Recommendation: Hy-Tec should ensure that reports are provided to the DPI&E within required timeframes. Where circumstances outside the control of Hy-Tec prevent the report from being provided within the required timeframe, Hy-Tec should seek an extension of time for submission of the report.
07	WAL 24367 MW2337-00001	The following information must be recorded in the logbook for each period of time that water is taken: A. date, volume of water, start and end time when water was taken as well as the pump capacity per unit of time, and B. the access licence number under which the water is taken, and C. the approval number under which the water is taken, and D. the volume of water taken for domestic consumption and/or stock watering.	Excel spreadsheet maintained which records dates, meter reading and volume. Access licence number, approval number and time water taken not recorded. Recommendation: Hy-Tec should ensure that all information required by the Water licence is recorded in the logbook.
08	WAL 24381 MW2337-00001	The following information must be recorded in the logbook for each period of time that water is taken: A. date, volume of water, start and end time when water was taken as well as the pump capacity per unit of time, and B. the access licence number under which the water is taken, and C. the approval number under which the water is taken, and D. the volume of water taken for domestic consumption and/or stock watering.	No logbook maintained for water extraction under licence 24381. Recommendation: Hy-Tec should ensure that a logbook is maintained for Water Access Licence 24381.

3.15 Areas of compliance

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

4 CONCLUSIONS

Hy-Tec 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, eight non-compliances were raised where compliance with requirements of the conditions of consent, water access licences or management plans prepared for the site was not demonstrated. No non-compliances were identified with the EPL.

Hy-Tec 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

- ✓ **Hy-Tec Concrete and Aggregates**
- ✓ **AQUAS Pty Ltd**

5 Substantive Changes.

No substantive changes were made to the audit report as a result of review of the draft audit report.

Appendix A. - Previous Audit Findings

Areas of Non-compliance

Issue No.	Condition	Requirement	Issue sighted	Hy-Tec Response	Status
N-01	Schedule 5 – Environmental Management, Reporting and Auditing 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.	Environmental monitoring records (noise, water, air) were not available on the company website.	Any required documents not previously available on the Hy- Tec Website have been uploaded to the website – implemented June 2017	Verified. Documentation was available on the Company website. Closed
N-02	Schedule 5 – Environmental Management, Reporting and Auditing 8	<p>Within a year of the date of this consent, 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, Council and the CCC; (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 Licence (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. 	The independent environmental audit was not conducted with 12 months of the date of consent for the development.	Due to the ongoing delay of getting the relevant plans approved and ongoing communication with the Department by Umwelt, the Independent audit was not conducted as agreed until there was a meaningful element to audit. Audit conducted January 2017 with submission to DPI&E May 2017 (due to auditor's illness)	Current audit planned and conducted in accordance with Schedule 5 – 8. Closed

Issue No.	Condition	Requirement	Issue sighted	Hy-Tec Response	Status
N-03	Water Management Plan Cl. 2.2.3	All new diversion drains will be constructed and established with a stable vegetative cover in advance of being required to divert clean runoff around the extraction area. Once commissioned the diversion drains will remain in place to divert upslope runoff around the quarry site until the downslope quarry areas they are diverting runoff around are rehabilitated and have achieved a stable vegetative cover suitable to accept upslope runoff.	Vegetative cover had not established before use of diversion drains.	We note that as of the time of the audit, the water management plan had not been approved and the site was still operating under the existing strategies, plans or programs for the site that had been approved under DA 0134/95 as per condition 14 of Schedule 2 of SSD 4978. Though the drainage channel was spray grassed at the time, due to heavy rain, most of the grass was washed away and along with the fresh grass being consumed by the local kangaroo population, the site not been able to reapply further seeding due to the weather conditions and remaining seed growth being stunted due to cooling period. For future requirements, if the drainage channels cannot be adequately grassed in time, drainage channels will be redesigned to comply with Blue book – use of geotech blanket, mattress rock placement etc., until if possible, vegetative cover can be established. Implemented June 2017.	
N-04	Water Management Plan Cl. 4.3	Dredge pond levels recorded on a monthly basis and results reviewed against trigger levels.	Records of monitoring of dredge pond levels were not available.	We note that as of the time of the audit, the water management plan had not been approved and the site was still operating under the existing strategies, plans or programs for the site that had been approved under DA 0134/95 as per condition 14 of Schedule 2 of SSD 4978. Formalized inspection and recording has been undertaken and carried out on a monthly basis. Implemented June 2017	Records of dredge pond level monitoring were available. Closed

Issue No.	Condition	Requirement	Issue sighted	Hy-Tec Response	Status
N-05	Landscape Management Plan Cl. 3.2.2	Complete weed inspections of the biodiversity offset area, buffer zones, and rehabilitation areas every three months.	No record to verify weed inspections for the biodiversity offset area, buffer zones, and rehabilitation areas had been conducted.	We note that as of the time of the audit, the Landscape management plan had not been approved and the site was still operating under the existing strategies, plans or programs for the site that had been approved under DA 0134/95 as per condition 14 of Schedule 2 of SSD 4978. Formalized inspection and recording process has been undertaken and is carried out on a three monthly basis -- Implemented June 2017	Quarterly weed inspections had been conducted. Records available electronically. Closed
N-06	Landscape Management Plan Cl. 3.2.3	Complete feral animal inspections of the biodiversity offset area, buffer zones, and rehabilitation areas every three months.	No record to verify feral animal inspections for the biodiversity offset area, buffer zones, and rehabilitation areas had been conducted.	We note that as of the time of the audit, the Landscape management plan had not been approved and the site was still operating under the existing strategies, plans or programs for the site that had been approved under DA 0134/95 as per condition 14 of Schedule 2 of SSD 4978. Formalized inspection and recording process has been undertaken and the site conducts the feral inspections as part of the three monthly checklist. -- Implemented June 2017	Records available to show that feral animal inspections conducted with weed inspections on a quarterly basis. Closed

Areas of Administrative Non-compliance

Issue No.	Condition	Requirement	Issue sighted	Hy-Tec Response	Status
A-01	Schedule 2 Condition of Approval 6	The Applicant shall not: (a) extract or process more than 300,000 tonnes of sand in any calendar year; or undertake extraction operations beyond 15 m below the natural ground surface.	While it was reported that extraction depths are physically measured on site with a tape measure – no record maintained to show that the depth of extraction was not beyond 15m below natural ground surface.	Formalized inspection and recording process has been undertaken and will be checked as a minimum of twice a year. Implemented - April 2017. Monthly inspections using Theodolite. See records	Tinda Creek Pond Depth Procedure developed. Tinda Creek Pond Depth Inspection Register maintained. Closed
A-02	Environmental Performance Conditions 23	The Applicant shall ensure that: (a) all laden trucks have appropriate signage, including a contact phone number, 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 material that may fall on the road, before leaving the site; (e) no trucks queue at the entrance to the site before 6 am.	While requirements are communicated to truck drivers, a process to verify that loads are covered or that they are cleaned of material that may fall on the road had not been implemented.	We note that as of the time of the audit, the Transport management plan had not been approved and the site was still operating under the existing strategies, plans or programs for the site that had been approved under DA 0134/95 as per condition 14 of Schedule 2 of SSD 4978. Random vehicle checks are carried out to verify these requirements. The Random vehicle checklist, though requiring that vehicles are to be checked for operating tarps to ensure load coverage. Additionally, it is to be commented within the random vehicle checklist to verify that loads are leaving site in a covered state. Implemented June 2017	Records of completed vehicle inspections available. Closed

Issue No.	Condition	Requirement	Issue sighted	Hy-Tec Response	Status
A-03	Environmental Protection Licence R4.1	The licensee must submit the results of any noise monitoring undertaken in accordance with the requirements of Condition M5.1 or Condition M5.2 to the EPA within three weeks of the noise monitoring being undertaken.	Noise monitoring report was not submitted within 3 weeks of the noise monitoring being undertaken.	As advised, the initial noise monitoring though commissioned in the required time, was carried out later than expected due to the consultant travelling to Europe due to illness within his family and the monitoring being done later and with the report being submitted after the required time period. Change of consultant has taken place since to address this issue and second report done in April 2017 submitted within required timeframe.	Noise monitoring reports have been submitted within required timeframes. Closed
A-04	Water Management Plan Cl. 5.1	Six monthly updates delineating the extent of quarrying and the area that drains to the quarry water management system.	While it was reported that, as the area is significantly less than 40 ha, a visual inspection is all that is required, no records of inspections were available.	We note that as of the time of the audit, the water management plan had not been approved and the site was still operating under the existing strategies, plans or programs for the site that had been approved under DA 0134/95 as per condition 14 of Schedule 2 of SSD 4978. While 6 monthly visual inspections are carried out, the site has committed to arranging a yearly drone flyover to verify overall area of operations – first flyover (by fixed wing aircraft took place in January 2017). – Implemented January 2017 for aerial requirement. Formalized inspection and recording process has been undertaken and will be checked as a minimum of twice a year. Implemented - May 2017	Drone surveys – Aerial photography March and November 2018, May 2019. Closed

Appendix B. – Auditor Approval



Planning,
Industry &
Environment

Contact: Elizabeth Williamson
Phone: (02) 8269 6610
Email: compliance@psa.nsw.gov.au

Hy-Tec Industries Pty Ltd
PO Box 6770
SILVERWATER NSW 1811

Attention: Amanda Croker, Project Manager

Email: Amanda.Croker@hy-tec.com.au

Dear Ms Croker,

Tinda Creek Sand Quarry (SSD 4978) – Endorsement of IEA Auditors

I refer to your email to the Department of Planning, Industry and Environment (Department) on 3 July 2019 requesting approval to engage Mr James Hart of Australian Quality Assurance & Superintendence Pty Ltd to complete the 2019 Tinda Creek Independent Environmental Audit (IEA), as required under Development Consent SSD 4978 (Consent).

The Department endorses the proposed auditor. Approval is granted having considered the qualification and experience of Mr Hart. This approval is conditional upon the auditors' independence from the Project.¹

In preparing the IEA, you should ensure the audit:

- Is conducted in accordance with AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing and the Department's Independent Audit Post Approval Requirements (IAPAR), dated June 2018, available at <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Independent-audit-post-approval-requirements-2018-06.aspx>;
- Includes a compliance table indicating the compliance status of each condition of the Consent (and any other statutory instrument required to be audited);
- Avoids terms such as "partial compliance". An audit is to make findings of either "compliant" or "non-compliant";
- Includes recommended actions in response to non-compliances; and
- Identifies opportunities for improved environmental management and performance.

Finally, the Department requests that you:

- Review the IEA report to ensure it complies with the relevant conditions of consent, prior to submitting the report to the Secretary; and
- Submit an action plan with the audit report(s) detailing your response to the auditor's recommendations and timeframes to implement any adopted recommendations.

¹ Please note that auditors must declare any actual, potential or perceived conflicts of interest. Please refer to the Department's Independent Audit Post Approval Requirements listed in the body of this letter.



**Planning,
Industry &
Environment**

Please note that as the Consent was already in existence when the IAPAR was released, you may elect to voluntarily comply with the IAPAR but compliance with the Conditions of Consent takes priority.

Should you have any further enquiries about this matter, please contact Elizabeth Williamson on (02) 8289 6610 or at compliance@planning.nsw.gov.au.

Yours sincerely,



Chris Mathieson
Team Leader – Compliance (Metro)
As Nominee of the Secretary

11-7-2019

Appendix C. – Audit Tables

AUDIT CHECKLIST: Development Consent 4978

Project: AQ1253

Company: Hy-Tec – Tinda Creek Quarry

Date: 9-10 October 2019



6 Audit Checklist – Development Consent SSD-4978

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Schedule 2– Administrative Controls					
Obligation to Minimise Harm to the Environment					
1.	1	In addition to meeting the specific performance measures and 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 as a result of the operations had been reported.	Compliant	
Terms of Approval					
2.	2	The Applicant shall carry out the development generally in accordance with the: <ul style="list-style-type: none"> • EIS; • Statement of Commitments; and • conditions of this consent. 	Results of this audit show that the development has been carried out in general accordance with requirements.	Compliant	
3.	3	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.	No inconsistencies have been identified	Not Triggered	

AUDIT CHECKLIST: Development Consent 4978

Project: AQ1253

Company: Hy-Tec – Tinda Creek Quarry

Date: 9-10 October 2019



AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
4.	4	The Applicant shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent; (b) any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with this consent; or (c) the implementation of any actions or measures contained in these documents.	The audit results show that the applicant had complied with the requirements of the Secretary. Plans have been updated to reflect comments provided by DPI&E.	Compliant	
Limits of Consent					
5.	5	Quarrying operations may take place on site until 31 December 2045.	Current year 2019	Compliant	
6.	6	The Applicant shall not: (a) extract or process more than 300,000 tonnes of sand in any calendar year; or (b) undertake extraction operations beyond 15 m below the natural ground surface.	38,952T extracted in 2019 to date. 116,000T for Calendar year 2018. 183,714T for calendar year 2017 152,745T for calendar year 2016 Current extraction depth 10.38m. Survey report completed 16 August 2019.	Compliant	

AUDIT CHECKLIST: Development Consent 4978

Project: AQ1253

Company: Hy-Tec – Tinda Creek Quarry

Date: 9-10 October 2019



AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
7.	7	The Applicant shall not: (a) transport more than 300,000 tonnes of sand from the site in a calendar year; and (b) dispatch more than 34 trucks per day or receive more than 34 trucks per day, averaged over a calendar month	Material transported: 39,061T 2019 to date 116,000 T for Calendar year 2018. 190 642T for calendar year 2017 152,715T for calendar year 2016 Records maintained through weighbridge management system – Monthly average < 15 trucks /day	Compliant	
8.	8	Within 6 months of the date of this consent, or as otherwise agreed by the Secretary, the Applicant shall surrender the development consent (DA 0134/95) for the existing operations on the site in accordance with Section 104A of the EP&A Act	Surrendered 7/12/2015 by Birdon Contracting. Verified previous audit.	Compliant	
Structural Adequacy					
9.	9	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.	No new buildings or alterations have occurred.	Not Triggered	
Demolition					
10.	10	The Applicant shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	Demolition has been undertaken to remove structures from the Biodiversity offset area. Asbestos Clearance certificate sighted (8/06/18). Demolition by licenced demolition contractor - Qubicon Group Pty Ltd – Class A Asbestos Removal Licence.	Compliant	

AUDIT CHECKLIST: Development Consent 4978

Project: AQ1253

Company: Hy-Tec – Tinda Creek Quarry

Date: 9-10 October 2019



AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Protection of Public Infrastructure					
11.	11	<p>The Applicant shall:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.</p> <p>Note: This condition does not apply to damage to roads caused as a result of general road usage.</p>	No damage to public infrastructure had been reported.	Not Triggered	
Operation of Plant and Equipment					
12.	12	<p>The Applicant shall ensure that all the plant and equipment used at the site is:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	<p>Maintained electronically in 'Gearbox'.</p> <p>Hardcopy records of service and repairs also maintained on site. (Moving across to electronic system - 'Gearbox').</p> <p>Records available for dozer, dump truck, Dredge, fuel trailer, generators, etc.</p> <p>Records for service of excavator sighted – 500hr service 26/08/19.</p> <p>Repair 30368 26/09/19.</p>	Compliant	

AUDIT CHECKLIST: Development Consent 4978

Project: AQ1253

Company: Hy-Tec – Tinda Creek Quarry

Date: 9-10 October 2019



AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Updating and Staging Strategies, Plans or Programs					
13.	13	<p>With the approval of the Secretary, the Applicant may submit any strategies, plans or programs required by this consent on a progressive basis.</p> <p>To ensure the strategies, plans or programs under the conditions of this consent are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval.</p> <p>With the agreement of the Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all parties under the applicable condition of this consent</p>	All plans have been submitted to DPI&E. Approved in May 2017, with the exception of the Water Management Plan - approved in August 2019.	Compliant	
14.	14	<p>Until they are replaced by an equivalent strategy, plan or program approved under this consent, the Applicant shall implement the existing strategies, plans or programs for the site that have been approved under DA 0134/95</p>	Currently operating under the revised plans as submitted to DPI&E.	Compliant	
Production Data					
15.	15	<p>The Applicant shall:</p> <p>(a) provide annual quarry production data to DRE using the standard form for that purpose; and</p> <p>(b) include a copy of this data in the Annual Review (see condition 4 of schedule 5).</p>	<p>Reports sighted. Submitted</p> <p>30/11/16.</p> <p>31/10/17</p> <p>26/11/18</p>	Compliant	
Developer Contributions					
16.	16	<p>The Applicant shall pay Council road maintenance contributions consistent with Council's Section 94 Contributions Plan, or its latest version.</p>	<p>Road levy paid on a monthly basis.</p> <p>Records of payment sighted January 2019 – September 2019.</p>	Compliant	

AUDIT CHECKLIST: Development Consent 4978

Project: AQ1253

Company: Hy-Tec – Tinda Creek Quarry

Date: 9-10 October 2019



AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Schedule 3 - ENVIRONMENTAL PERFORMANCE CONDITIONS					
Identification of Approved Extraction Limits					
17.	1	<p>Prior to undertaking extraction operations under this consent, the Applicant shall, the Applicant shall:</p> <p>(a) engage a registered surveyor to mark out the boundaries of the approved limits of extraction within the development area; and</p> <p>(b) submit a survey plan of these boundaries with applicable GPS coordinates to the Secretary.</p>	<p>Boundary limits have been surveyed and pegged.</p> <p>Provided by Degotardi Smith and Partners 30/06/15.</p> <p>Submitted 30/11/16.</p>	Compliant	
18.	2	<p>While extraction operations are being carried out, the Applicant shall ensure that these boundaries are clearly marked at all times.</p>	<p>Pegs are provided around the site to delineate the boundaries and internal work areas.</p>	Compliant	
Hours of operation					
19.	3	<p>The Applicant shall comply with the operating hours set out in Table 1</p> <p><i>Table 1: Operating Hours</i></p> <p>Activity Operating Hours</p> <p>Extraction operations and deliveries</p> <ul style="list-style-type: none"> o am to 6 pm, Monday to Friday o am to 3 pm, Saturday o No activities on Sundays or Public Holidays <p>Dispatch</p> <ul style="list-style-type: none"> o 5 am to 10 pm, Monday to Friday o 6 am to 3 pm, Saturday <p>Construction activities</p> <ul style="list-style-type: none"> o 7 am to 6 pm, Monday to Friday o 8 am to 1 pm, Saturday 	<p>Hours are included in induction</p> <p>Truck drivers cannot load prior to 7am.</p> <p>TBT at 6.00am. Loading permitted. No production before 7am.</p> <p>Work commence at 7am. Finish production at 3.30pm.</p> <p>Weighbridge system locked out before 5am and after 10pm.</p>	Compliant	

AUDIT CHECKLIST: Development Consent 4978

Project: AQ1253

Company: Hy-Tec – Tinda Creek Quarry

Date: 9-10 October 2019



AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment issue #
		No construction to be undertaken on Sundays or Public Holidays Maintenance activities 24 hours a day, 7 days per week, providing maintenance activities are inaudible at any privately-owned residence	Records reviewed for September 2019 – Showed first load ~6.01 am with loading completed before 6.30. Site induction includes site. 73 vehicles for the month. Maximum 5 loads per days in October		
Noise Criteria					
20.	4	The Applicant shall ensure that the noise generated by the development does not exceed the criteria in Table 2 (Table 2: Noise criteria dB (A)) at any residence on privately-owned land. Noise generated by the development is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. Appendix 6 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 relevant landowner to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.	Noise monitoring conducted in 21 March 2017, 18 April 2018, and 4 April 2019. Noise monitoring was conducted at two locations close to the quarry operations and at the nearest residential receiver. Report found that noise levels at were below the noise limits stipulated in the EPL.	Compliant	
Operating Conditions					
21.	5	The Applicant shall: (a) implement all reasonable and feasible mitigation measures to minimise the construction, operational and road noise of the development; (b) regularly assess noise monitoring data and modify and/or stop operations on site to ensure compliance with the relevant conditions of this consent.	Noise monitoring conducted May 2017, May 2018, April 2019. Annual noise monitoring conducted has found that noise emitted by the quarry operations was below the noise limits stipulated in the EPL.	Compliant	

AUDIT CHECKLIST: Development Consent 4978

Project: AQ1253

Company: Hy-Tec – Tinda Creek Quarry

Date: 9-10 October 2019



AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
<p>Noise Management Plan</p>					
22.	6	<p>(c) minimise the noise impacts of the development during meteorological conditions when the noise criteria in this consent do not apply (see Appendix 6);</p> <p>(d) carry out noise monitoring to determine whether the development is complying with the relevant conditions of this consent;</p> <p>to the satisfaction of the Secretary.</p>	<p>Noise management plan prepared and submitted for approval. Initial submission 30/10/15. Updated May 2017</p>	Compliant	

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AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Air Quality Impact Assessment Criteria					
23.	7	<p>The Applicant shall implement all reasonable and feasible avoidance and mitigation measures so that particulate matter emissions generated by the development do not exceed the criteria in Tables 3 to 5 at any residence on privately-owned land.</p>	<p>Dust suppression measures implemented on site. Water cart available. Sand is maintained in a wet condition to minimise dust generation. Road sealed into site between Putty Road and the weighbridge. Approved Air Quality Management Plan requires TSP and PM₁₀ monitoring to be conducted should complaints be received.</p>	Compliant	
Operating Conditions					
24.	8	<p>The Applicant shall:</p> <ol style="list-style-type: none"> implement all reasonable and feasible measures to minimise the dust emissions of the development; minimise surface disturbance of the site; and monitor and report on compliance with the relevant air quality criteria in this consent. 	<p>Dust control measures have been identified in the Air Quality Management Plan. Water cart available. Sand is maintained in a wet condition to minimise dust generation. Road sealed into site between Putty Road and the weighbridge. Deposition dust monitoring conducted at three locations. ALS undertake sampling and analysis of dust deposition samples.</p>	Compliant	

AUDIT CHECKLIST: Development Consent 4978

Project: AQ1253

Company: Hy-Tec -- Tinda Creek Quarry

Date: 9-10 October 2019



AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Air Quality Management Plan					
25.	9	<p>The Applicant shall prepare and implement an Air Quality Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with the EPA, and be submitted to the Secretary for approval within 6 months of the date of this consent, unless the Secretary agrees otherwise;</p> <p>(b) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> • compliance with the air quality criteria and operating conditions under this consent; and • best practice management is being employed <p>(c) include an air quality monitoring program that:</p> <ul style="list-style-type: none"> – evaluates and reports on: <ul style="list-style-type: none"> • the effectiveness of the air quality management measures; and • compliance with the air quality criteria and operating conditions; and 	<p>Air Quality Management Plan prepared and submitted to DPI&E. Initial plan submitted 30/10/16.</p> <p>Extension of time provided 10/10/15 for submission of plans.</p> <p>Plan approved and issued May 2017.</p>	Compliant	

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		<ul style="list-style-type: none"> defines what constitutes an air quality incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any air quality incidents. 			
Meteorological Monitoring					
26.	10	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 Approved Methods for Sampling of Air Pollutants in New South Wales guideline.	Meteorological station provided on site. Davis Advantage Pro 2.	Compliant	

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SOIL AND WATER					
Water Supply					
27.	11	The Applicant shall ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of operations under the consent to match its available water supply, to the satisfaction of the Secretary.	Production has been scaled back in 2019 due to reduced water supply. Reported that production has been reduced since March 2018. Work hours reduced from 6am to 3pm	Compliant	
Water Pollution					
28.	12	The Applicant shall: (a) comply with Section 120 of the POEO Act, unless an EPL authorises otherwise; (b) ensure that the catchment of the water management system is not larger than 40 ha, unless the Secretary agrees otherwise; (c) maintain the dredge and silt ponds to capture a 1 in 100 ARI storm event plus adequate freeboard to ensure no offsite discharge; and (d) ensure that the loss of groundwater and surface water to Tinda Creek is no greater than predicted in the EIS	EPL 12007 provides criteria for water discharge. Water Management Plan – Section 2.5 provides calculations for 1 in 100 year ARI storm event. Required to maintain at least 1 metre of freeboard in the dredge pond to maintain sufficient capacity. Based on 29 January 2017 LiDAR captured over the site, the closed water management system had an area of 20.6 ha or approximately 50% of the maximum allowed (see Figure 6.2 of WMP). Closed water management system had been modified, increased to 35.6 Ha as a result of extensions to the working area of Domain 6 and modifications to the diversion area.	Compliant	
Water management Plan					
29.	13	The Applicant shall prepare and implement a Water Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared by suitably qualified person/s approved by the Secretary;	Water quality management plan prepared by Umwelt and submitted for approval. No approval had been provided prior to update by RW Corkery January 2019.	Non-Compliant	01

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		<p>(b) be prepared in consultation with the EPA and NOW, and be submitted to the Secretary for approval within 6 months of the date of this consent, unless the Secretary agrees otherwise;</p> <p>(c) include a: Site Water Balance that includes: • details of: <ul style="list-style-type: none"> ▪ Quantity of water required to support operations; ▪ sources and security of water supply, clearly differentiating between surface water and groundwater, and taking into account rainfall variability; ▪ water use and management on site; ▪ reporting procedures; and ▪ measures to minimise clean water use on site; </p> <p>(d) 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 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; ▪ dirty water management system; and ▪ water storages; and • performance criteria, including trigger levels for investigating any potentially adverse surface water quality impacts; • the measures that would be implemented to ensure compliance with the surface water performance criteria and relevant operating conditions of this consent; • a program to monitor and report on: <ul style="list-style-type: none"> ▪ any surface water discharges; ▪ the effectiveness of the water management system; ▪ surface water flows and quality in local watercourses; ▪ A comparison of monitoring results with modelled predictions; </p> <p>(e) Groundwater Management Plan, that includes:</p>	<p>Management Plan updated and submitted to NRAR and EPA 29/01/19. 28/03/19 – received comments for NRAR. EPA response 1/02/19 – no comments.</p> <p>Comments received from DPI&E Water 28/03/19. Submitted to DPE 27/06/19. Approved 5/08/19. Submitted to DOEE – confirmed satisfied EPBC approval 15/08/19.</p> <p>In June 2017, an inspection of the site was conducted by DPI&E. As a result, two provisional improvement notices were issued for:</p> <ul style="list-style-type: none"> • Insufficient grassing of drainage channels; and • Breach in surface water drain. 		

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		<p>include a Groundwater Monitoring Program, that includes:</p> <ul style="list-style-type: none"> • detailed baseline data on groundwater levels, yield and quality in local aquifers and privately-owned groundwater bores; • performance criteria for surrounding aquifers, privately-owned groundwater bores, including trigger levels for investigating any potentially adverse groundwater impacts; • the measures that would be implemented to ensure compliance with the groundwater performance criteria and relevant operating conditions of this consent; • a program to monitor and report on: <ul style="list-style-type: none"> ○ groundwater inflows to the quarry pit (quarterly monitoring is required, unless otherwise agreed with the Secretary); ○ the impacts of the development on surrounding aquifers, privately-owned groundwater bores and Tinda Creek; and • a program to validate the groundwater model for the development, and compare monitoring results with modelled predictions; and <p>(f) include a Surface and Groundwater Contingency Strategy, that includes:</p> <ul style="list-style-type: none"> • a protocol for the investigation, notification and mitigation of identified exceedances of the surface water and groundwater impact assessment criteria; • measures to mitigate and/or compensate potentially affected landowners of privately owned land, including provision of alternative long-term supply of water to the affected landowner that is equivalent to the loss attributed to the development; and • the procedures that would be followed if any unforeseen impacts are detected during the development. 			

Heritage Management Plan

30.	14	The Applicant shall prepare and implement a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:	Heritage Management Plan prepared and submitted for approval.	Compliant	
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		<p>(a) be prepared in consultation with OEH, and Aboriginal stakeholders for matters relating to Aboriginal heritage values;</p> <p>(b) be submitted to the Secretary for approval within 6 months of the date of this consent, unless the Secretary agrees otherwise;</p> <p>(c) describe the measures that would be implemented for:</p> <ul style="list-style-type: none"> o managing identified heritage objects, previously unidentified heritage objects or the discovery of any human remains on site; and o ensuring ongoing consultation with Aboriginal stakeholders in the conservation and management of any Aboriginal cultural heritage values on site. 	<p>Extension of time provided 10/10/15 for submission of plans. Plan submitted 10/12/15.</p> <p>Approved 19 May 2017.</p>		
Landscape and Rehabilitation					
Biodiversity Offset Strategy					
31.	15	<p>The Applicant shall implement the biodiversity offset strategy described in the EIS, as summarised and revised in Table 6, and shown conceptually in Appendix 5, to the satisfaction of the Secretary.</p> <p>Table 6: Biodiversity Offset Strategy (ha)</p> <p>Area Offset Type Minimum Size (ha)</p> <p>On-site Offset Area Existing vegetation to be enhanced 106.6</p>	<p>In continued discussions with OEH regarding the offset strategy.</p> <p>Area agreed for offset as per the EIS.</p>	Compliant	
32.	16	<p>Within 2 years of this consent, unless otherwise agreed with the Secretary, the Applicant shall make suitable arrangements to provide appropriate long-term security for the offset area, to the satisfaction of the Secretary.</p> <p><i>Note: Mechanisms to provide appropriate long-term security to the land within the biodiversity offset strategy include a Biobanking Agreement, Voluntary Conservation Agreement or an alternative mechanism that provides for a similar conservation outcome. Any mechanism must remain in force in perpetuity</i></p>	<p>In continued discussions with OEH and DPI&E regarding the offset area.</p> <p>Consent date 10/04/2015.</p> <p>Currently in discussion to transfer the area to a NPWS.</p> <p>Letter sent to DPI&E 29/02/18. Response 21/12/18 identifying timeframes for establishment of the deed (by 30/06/19) and transfer of the BOA (within 5 years of transfer).</p> <p>Response provided 24/06/19 suggesting restrictive covenant and Section 88B instrument. Response provided by DPI&E in July 2019.</p>	Not Triggered	

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33.	17	<p>Rehabilitation Objectives The Applicant shall rehabilitate the site to the satisfaction of the Secretary. The final landform must: (a) be generally consistent with the proposed rehabilitation strategy in the EIS, and the final landform shown conceptually in Appendices 4 and 5. And (b) comply with the objectives in Table 7.</p>	<p>Rehabilitation has been undertaken in general accordance with the objectives identified in Table 7.</p>	Compliant	
34.	18	<p>Progressive Rehabilitation The Applicant shall rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. Interim stabilisation measures must be implemented where reasonable and feasible to control erosion (both wind and water) in disturbed areas that are not active and which are not ready for final rehabilitation</p>	<p>Rehabilitation of the former silt pond has continued with vegetation establishment and minor reshaping around the perimeters of the site are ongoing. Rehabilitation of areas where equipment and other materials had been removed from the southeast corner of the site had been conducted.</p>	Compliant	
Landscape Management Plan					
35.	19	<p>The Applicant shall prepare and implement a Landscape Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with OEH, and be submitted to the Secretary for approval within 6 months of the date of this consent, unless the Secretary agrees otherwise; (b) provide details of the conceptual final landform and associated land uses for the site; (c) describe how the implementation of the biodiversity offset strategy would be integrated with the overall rehabilitation of the site; (d) include detailed performance and completion criteria for evaluating the performance of the biodiversity offset strategy and rehabilitation of the site, including triggers for any necessary remedial action; (e) describe the short, medium and long term measures that would be implemented to: ○ manage remnant vegetation and habitat on site and in the offset area; and</p>	<p>Landscape Management Plan prepared and submitted for approval 9/10/15. Approved 19/05/2017 Table 2.1 identifies how the Landscape Management Plan complies with the conditions of approval</p>	Compliant	

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		<ul style="list-style-type: none"> o ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent; (f) include a detailed description of the measures that would be implemented over the next 3 years (to be updated for each 3 year period following initial preparation of the plan) including the procedures to be implemented for: <ul style="list-style-type: none"> o maximising the salvage of environmental resources within the approved disturbance area, o including tree hollows, vegetative and soil resources, for beneficial reuse in the enhancement of the offset area or site rehabilitation; o restoring and enhancing the quality of native vegetation and fauna habitat in the biodiversity and rehabilitation areas through assisted natural regeneration, targeted vegetation establishment and the introduction of fauna habitat features; o protecting vegetation and fauna habitat outside the approved disturbance area on-site; o minimising the impacts on native fauna, including undertaking pre-clearance surveys; o ensure only appropriate activities occur within a 40 m buffer of the recorded small-flower grevillea (<i>Grevillea parviflora</i> subsp. <i>parviflora</i>), (refer Figure 2 in Appendix 5); o establishing vegetation screening to minimise the visual impacts of the site on surrounding receivers; o ensuring minimal environmental consequences for threatened species, populations and habitats; o collecting and propagating seed; o controlling weeds and feral pests; o controlling erosion; o controlling access; and o managing bushfire risk; (g) include a Koala Management Plan prepared generally in accordance with SEPP 44, the accompanying guidelines provided in <i>Circular B35 - State Environmental Planning Policy 44 - Koala Habitat Protection</i>, the 			

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		<p>NPWS Policy and Procedure Statement No. 9 – Policy for the Translocation of Threatened Fauna in NSW and the draft koala plan of management in the EIS;</p> <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 implementation of the biodiversity offset, 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>			
Conservation and Rehabilitation Bond					
36.	20	<p>Within 6 months of the approval of the Landscape Management Plan, the Applicant shall lodge a Conservation and Rehabilitation Bond with the Department to ensure that the biodiversity offset strategy and rehabilitation of the site are implemented in accordance with the performance and completion criteria set out in the plan and relevant conditions of this consent. The sum of the bond shall be determined by:</p> <p>(a) calculating the cost of implementing the biodiversity offset strategy over the next 3 years;</p> <p>(b) calculating the cost of rehabilitating the site, taking into account the likely surface disturbance over the next 3 years of extraction operations; and</p> <p>(c) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs, to the satisfaction of the Secretary.</p>	<p>LMP approved 17/05/17.</p> <p>Approval of the Conservation and Rehabilitation bonds was provided on 27/11/17, with bonds to be paid by 15/12/17.</p> <p>Conservation bond submitted 6/12/17</p> <p>Rehabilitation Bond submitted 6/12/17</p>	Compliant	
37.	21	<p>Within 3 months of each Independent Environmental Audit (see condition 9 of schedule 5), the Applicant shall review, and if necessary revise, the sum of the Conservation and Rehabilitation Bond to the satisfaction of the Secretary. This review must consider the:</p> <p>(a) effects of inflation;</p> <p>(b) likely cost of implementing the biodiversity offset strategy and rehabilitating the site (taking into account the likely surface disturbance over the next 3 years of the development); and</p>	<p>IEA submitted 15 May 2017.</p> <p>Approval of the Conservation and Rehabilitation bonds was provided on 27/11/17, with bonds to be paid by 15/12/17.</p> <p>Conservation bond submitted 6/12/17</p> <p>Rehabilitation Bond submitted 6/12/17</p>	Compliant	

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Transport					
Access Road and Intersection Construction					
38.	22	The Applicant shall keep accurate records of all laden truck movements to and from the site (hourly, daily, and weekly, monthly and annually) and publish a summary of records on its website every 6 months.	Records are maintained in CAS – electronic system for managing weighbridge operations. Records were available on the company website.	Compliant	
Operating Conditions					
39.	23	The Applicant shall ensure that: (a) all laden trucks have appropriate signage, including a contact phone number, 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 material that may fall on the road, before leaving the site; (e) no trucks queue at the entrance to the site before 6 am.	Instigated a code of conduct for truck drivers. Note Code of conduct states no trucks to queue at the entrance before 5am. Driver- Vehicle Check inspection sheets completed. – e.g. 8/10/19, 9/10/19	Compliant	
Access Road and Intersection Construction					
40.	24	Within 12 months from the date of this consent, unless the Secretary agrees otherwise, the Applicant shall upgrade the site access road and its intersection with Putty Road in accordance with applicable AUSTROADS standards, and to the satisfaction of RMS.	Verified previous audit. The site access road has been sealed. No comments had been received from RMS on the upgrade work	Compliant	
Transport Management Plan					
41.	25	The Applicant shall prepare and implement a Transport Management Plan for the development to the satisfaction of the Secretary. This plan must:	Transport Management Plan prepared November 2016. Extension of time provided 10/10/15 for submission of plans.	Compliant	

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		(a) be prepared in consultation with RMS and Council, and be submitted to the Secretary for approval within 6 months of the date of this consent, unless the Secretary agrees otherwise; (b) include a drivers Code of Conduct for heavy vehicle drivers; and (c) describe the measures that would be put in place to ensure compliance with the drivers' code of conduct and include a program to monitor the effectiveness of the implementation of these measures.	Approved by DPI&E 19/05/17.		
Visual					
42.	26	The Applicant shall: a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development on local residences and road users; and b) ensure that all external lighting associated with the development complies with the relevant Australian Standards, including Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting or its latest version, to the satisfaction of the Secretary.	Site is in a remote location, and present operations on the site are distant and visually shielded from residents and road users so unlikely to have lighting impacts. It was acknowledged that as works progress closer to Putty Road, consideration will be given to the location and direction of security.	Compliant	
Bushfire Management					
43.	27	The Applicant shall ensure that the development is suitably equipped to respond to any fires on site; and assist the Rural Fire Service, emergency services and National Parks and Wildlife Service as much as practicable if there is a fire in the surrounding area.	Emergency response plan prepared for bushfires – (Reviewed October 2018). Reported that the site has been actively involved in assisting the Rural Fire Service during previous bushfires. Water tanker available (with hose). Noted that access to dam water had been provided to RFS for firefighting purposes. Fire extinguishers provided on site to respond to on-site fires	Compliant	

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44.	28	The Applicant shall ensure that only certified VENIM and ENIM is imported to the site to aid in the minimisation of final voids	No ENIM or VENIM imported to site since the previous audit.	Compliant	
45.	29	The Applicant shall manage on-site sewage treatment and disposal in accordance with the requirements of its EPL, and to the satisfaction of the EPA and Council.	Verified previous audit.	Compliant	
46.	30	The Applicant shall: (a) 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) report on waste management and minimisation in the Annual Review, to the satisfaction of the Secretary	Waste generated includes general waste, waste oils. Waste oil taken by service technician. Waste register maintained in the compliance dashboard. Waste oil collected by Tox Free 15/04/19 – Receipt 205752 General waste – Jim's Bins Penrith. Waste reporting included in Section 4.7 of the Annual Review. Hy-Tec entered into a voluntary undertaking in June 2017 to remove equipment and other materials from the southeast corner of the site and revegetate the area. Removal of material was conducted in 2017. During the site inspection, it was noted that revegetation of the area was progressing.	Non-Compliant	01

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Schedule 4 – Additional Procedures					
Notification of Landowners					
47.	1	As soon as practicable after obtaining monitoring results showing an exceedance of any relevant criteria in schedule 3, the Applicant shall notify 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.	Exceedances of the deposited dust criteria at DG1 in 2017 as a result of organic matter. No notification to landowners. Review of monitoring data undertaken, which identified contamination of the sample through organic matter as the cause of elevated results. Low ash content of samples vindicate decision that high results were not the result of Quarry activities.	Non-Compliant	02
Independent Review					
48.	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. If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision the Applicant shall: (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to: <input type="checkbox"/> consult with the landowner to determine his/her concerns; <input type="checkbox"/> conduct monitoring to determine whether the development is complying with the relevant criteria in schedule 3; and <input type="checkbox"/> if the development is not complying with these criteria then identify the 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.	No requests had been received.	Not Triggered	

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Schedule 5 – ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING					
Environmental Management Strategy					
49.	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> <ul style="list-style-type: none"> (a) be submitted to the Secretary for approval within 6 months of the date of this consent; (b) provide the strategic framework for environmental management of the development; (c) identify the statutory approvals that apply to the development; (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (e) 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; • respond to emergencies; and (f) include: <ul style="list-style-type: none"> • copies of any strategies, plans and programs approved under the conditions of this consent; and • a clear plan depicting all the monitoring required to be carried out under the conditions of this consent. 	<p>Environmental Management Strategy prepared.</p> <p>DPI&E approval 17/05/17.</p>	Compliant	
Adaptive Management					
50.	2	<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</p>	<p>Exceedance of the annual dust deposition criterion occurred in 2017.</p>	Non-Compliant	04

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	<p>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. Where any exceedance of these criteria and/or performance measures has occurred, the Applicant shall, at the earliest opportunity:</p> <ul style="list-style-type: none"> (a) take all reasonable and feasible measures to ensure that the exceedance ceases and does not recur; (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and (c) implement remediation measures as directed by the Secretary; to the satisfaction of the Secretary. 	<p>Hy-Tec had samples analysed by University of Queensland, which identified high levels of polysaccharide slime and fungi, insect debris, and plant debris. Noted that insoluble solids exceeded criterion, while ash content was less than criterion. Dust resulting from quarry activities would be expected remain as ash. Groundwater level at one location dropped below the trigger level in October 2018. Report provided to DPI&E in December 2018.</p>	
Management Plan Requirements			
51.	<p>3 The Applicant shall ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <ul style="list-style-type: none"> (a) detailed baseline data; (b) a description of: <ul style="list-style-type: none"> o the relevant statutory requirements (including any relevant approval, licence or lease conditions); o any relevant limits or performance measures/criteria; and o 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; (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; (d) a program to monitor and report on the: <ul style="list-style-type: none"> o impacts and environmental performance of the development; and o effectiveness of any management measures (see (c) above); 	<p>Management plans have been prepared and submitted to DPI&E for approval. Plans approved 17/05/2017, with the exception of the Water Management Plan, which was eventually approved in August 2019.</p>	Compliant

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	<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"> o incidents; o complaints; o non-compliances with statutory requirements; and o exceedances of the impact assessment criteria and/or performance criteria; and <p>(h) a protocol for periodic review of the plan.</p>			
Annual Review				
52.	<p>4</p> <p>By the end of December 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.</p> <p>This review must:</p> <p>(a) describe the development (including rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;</p> <p>(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:</p> <ul style="list-style-type: none"> • the relevant statutory requirements, limits or performance measures/criteria; • the monitoring results of previous years; and • the relevant predictions in the EIS; <p>(c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the development;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p>	<p>2016 – Submitted 31/03/19.</p> <p>2017 – Extension provided to submit by 6/04/18;</p> <p>2018 – Submitted 29/03/18. No feedback</p>	Compliant	

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		(f) describe what measures will be implemented over the current calendar year to improve the environmental performance of the development.			
Revision of Strategies, Plans and Programs					
53.	5	<p>Within 3 months of a modification to this consent or following the submission of an:</p> <ul style="list-style-type: none"> (a) annual review under condition 4 above; (b) incident report under condition 7 below; or (c) audit report under condition 9 below, <p>the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</i></p>	<p>Letter showing evidence of internal review of management plans sighted:</p> <p>12/06/19; 22/06/18 31/07/17 (plans approved 17/05/17, Independent Environmental Audit submitted 15/05/17).</p>	Compliant	
Community Consultative Committee					
54.	6	<p>The Applicant shall establish and 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 Developments</i> (Department of Planning, 2007, or its latest version), and be operating within 6 months of the date of this consent.</p>	<p>Consultative committee had been established. Meetings twice per year (May and October). Meeting records available on website.</p>	Compliant	
Reporting					
55.	7	<p>The Applicant shall immediately notify 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. 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>	<p>Exceedances of the dust deposition criteria had been recorded in 2017 and 2018. The Secretary had not been notified within 7 days of identification of the exceedance. Groundwater level at one location dropped below the trigger level in October 2018. Report provided to DPI&E in December 2018. The Secretary had not been notified within 7 days of identification of the exceedance.</p>	Non-Compliant	05
56.	8	<p>The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the</p>	<p>Annual reports are provided on the company website.</p>	Compliant	

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		reporting arrangements in any plans or programs approved under the conditions of this consent.			
Independent Environmental Audit					
57.	9	<p>Within a year of the date of this consent, 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, Council and the CCC; (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 Licence (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>	<p>Date of consent 10/04/15.</p> <p>Noted that the previous DA was not surrendered until 10/12/15.</p> <p>Previous audit conducted 24/01/17 (Raised as non-compliance in the previous audit). Auditor approval for current audit obtained 11/07/19.</p> <p>Audit conducted 9-10/10/19</p>	Compliant	
58.	10	<p>Within 6 weeks of the completion of this audit, unless the Secretary agrees otherwise, 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, including a timetable for the implementation of any measures proposed to address the recommendations in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.</p>	<p>Audit conducted 24/01/17.</p> <p>Report provided to DPI&E 15/05/17.</p> <p>Report had not been provided within 6 weeks of completion of the audit.</p>	Non-Compliant	06
Access to Information					
59.	11	<p>Within 6 months of the date of this consent, the Applicant shall:</p> <ul style="list-style-type: none"> (a) make copies of the following publicly available on its website: <ul style="list-style-type: none"> • the EIS; • current statutory approvals for the development; 	<p>The following information was available on the company website:</p> <ul style="list-style-type: none"> • EIS Documents; • Tinda Creek Annual Review Jan-Dec 2015 • Tinda Creek Annual Review Jan-Dec 2016 	Compliant	

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	<ul style="list-style-type: none"> • approved strategies, plans and programs required under the conditions of this consent; • a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; • a complaints register, which is to be updated monthly; • minutes of CCC meetings; • the annual reviews of the development (for the last 5 years); • any independent environmental audit of the development, and the Applicant's response to the recommendations in any audit; • any other matter required by the Secretary; and <p>(b) keep this information up-to-date, to the satisfaction of the Secretary.</p>	<ul style="list-style-type: none"> • Tinda Creek 2017 Annual Review • Tinda Creek 2017 Annual Review- Appendices • Tinda Creek Audit Report Jan 2017 • Tinda Creek Audit Report Jan 2017 Response • Tinda Creek EPC 2013-2018 Review of Compliance • EPBC 2013-7028 Compliance Audit 2017 • EPL Tinda Creek 3/3/2017 • Tinda Creek Sand Project Development Consent 10/4/2015 • EPBC Approval 2013-7028 • 2019 Average Truck Movements Tinda Creek • 2018 Average Truck Movements Tinda Creek • 2017 Average Truck Movements Tinda Creek • 2016 Average Truck Movements Tinda Creek • Committee Members Contact List • Draft Minutes_CCC Meeting Tinda Creek 9-5-2016 • Draft Minutes_CCC Meeting Tinda Creek 17-10-2016 • Draft Minutes_CCC Meeting Tinda Creek 8-5-2017 • Draft Minutes_CCC Meeting Tinda Creek 16-10-17 • Final Minutes_CCC Meeting Tinda Creek 14-5-2018 • Final Minutes_CCC Meeting Tinda Creek 15-10-2018 • Final Minutes_CCC Meeting Tinda Creek 13 May 2019 • Complaints Register • Dust Monitoring • Tinda Creek Noise Monitoring - Aug 2016 • Tinda Creek Noise Monitoring - May 2017 	
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			<ul style="list-style-type: none">• Tinda Creek Noise Monitoring - May 2018• Tinda Creek Noise Monitoring - April 2019• Water Monitoring• Air Quality Management Plan• Environmental Management Strategy• Heritage Management Plan• Landscape Management Plan (pt 1-3)• Landscape Management Plan (pt 4-12)• Noise Management Plan• Transport Management Plan• Water Management Plan	

AUDIT CHECKLIST: EPL 12007

Project: AQ1253

Company: Hy-Tec ~ Tinda Creek Quarry

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7 Audit Checklist – Environmental Protection Licence 12007

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #												
ENVIRONMENTAL PROTECTION LICENCE 12007																	
1.	L3	<p>Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2.</p> <p>period Measurement</p> <table border="1"> <thead> <tr> <th>Time period</th> <th>Measurement parameter</th> <th>Measurement frequency</th> <th>Noise level dB(A)</th> </tr> </thead> <tbody> <tr> <td>All hours</td> <td>LAeq (15 minute)</td> <td></td> <td>35</td> </tr> <tr> <td>Night</td> <td>Lmax OR LA1,1min</td> <td></td> <td>45</td> </tr> </tbody> </table>	Time period	Measurement parameter	Measurement frequency	Noise level dB(A)	All hours	LAeq (15 minute)		35	Night	Lmax OR LA1,1min		45	<p>Noise monitoring conducted in 21 March 2017, 18 April 2018, and 4 April 2019. Noise monitoring was conducted at two locations close to the quarry operations and at the nearest residential receiver. Report found that noise levels at were below the noise limits stipulated in the EPL.</p>	Compliant	
Time period	Measurement parameter	Measurement frequency	Noise level dB(A)														
All hours	LAeq (15 minute)		35														
Night	Lmax OR LA1,1min		45														
2.	L4	<p>Unless permitted by another condition of this licence, activities at the premises must:</p> <ul style="list-style-type: none"> a) only be undertaken between 7:00 am and 6:00 pm Monday to Friday; b) only be undertaken between 7:00 am and 3:00 pm Saturday; and c) not be undertaken on Sundays or public holidays. <p>In addition to the limitations imposed by Condition L4.1, construction activities must not be undertaken:</p> <ul style="list-style-type: none"> a) between 7:00 am and 8:00 am Saturdays; and b) between 1:00 pm and 3:00 pm Saturdays. <p>In addition to the hours of operation specified in Condition L4.1, dispatch activities may be undertaken:</p> <ul style="list-style-type: none"> a) between 5:00 am and 10:00 pm Monday to Friday; and b) between 6:00 am and 3:00 pm Saturdays. 	<p>Hours are included in induction Truck drivers cannot load prior to 7am. TBT at 6.00am. Loading permitted. No production before 7am. Work commence at 7am. Finish production at 3.30pm. Weighbridge system locked out before 5am and after 10pm. Records reviewed for September 2019 -- Showed first load ~6.01 am with loading completed before 6.30. Site induction includes site.</p>	Compliant													

3.	O2.1	<p>Maintenance activities may be undertaken at any time if those activities are inaudible at all residential premises.</p> <p>All plant and equipment installed at the premises or used in connection with the licensed activity:</p> <ul style="list-style-type: none"> a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner 	<p>73 vehicles for the month. Maximum 5 loads per days in October</p> <p>Maintained electronically in 'Gearbox'. Hardcopy records of service and repairs also maintained on site. (Moving across to electronic system - 'Gearbox'). Records available for dozer, dump truck, Dredge, fuel trailer, generators, etc. Records for service of excavator sighted – 500hr service 26/08/19. Repair 30368 26/09/19. Water tanker used for dust suppression. Wet screening process.</p>	Compliant	
4.	O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.		Compliant	
5.	O3.2	The licensee must ensure that all laden vehicles exiting the site have their loads covered.	<p>Instigated a code of conduct for truck drivers. Note Code of conduct states no trucks to queue at the entrance before 5am. Driver- Vehicle Check inspection sheets completed. – e.g. 8/10/19, 9/10/19</p>	Compliant	
Monitoring Conditions					
6.	M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Records of monitoring were maintained on site.	Compliant	
7.	M1.2	<p>All records required to be kept by this licence must be:</p> <ul style="list-style-type: none"> a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them 	Records were maintained in both electronic format and hard copy. Records were legible and readily available on site.	Compliant	
8.	M1.3	<p>The following records must be kept in respect of any samples required to be collected for the purposes of this licence:</p> <ul style="list-style-type: none"> a) the date(s) on which the sample was taken; 	Chain of Custody forms completed for water monitoring which include required details.	Compliant	

9.		<p>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.</p>			
10.	M2.1	<p>a) The licensee must undertake monthly inspections of the surface water system at the premises. b) The monthly inspections must: (i) be undertaken immediately upstream and downstream of the quarry disturbance area; (ii) include visual inspection of litter, oil and grease and sediment levels within the surface water system, including diversion channels; (iii) include visual inspection of the physical integrity of the surface water system, including any signs of erosion; and (iv) include visual inspection of the water level/ flow in Tinda Creek.</p>	<p>Quarry Delineation, Drainage and Pond Depth inspection conducted monthly. Sighted 1/10/19, 2/09/19. Any issues raised in the CA/PA action system – Cintellate e.g. 31/05/19 – Thistles identified at old house – action to spray. Closed out 20/05/19. Quarterly Weed and Boundary Inspections and 6 monthly Drainage, completed monthly as well. Extraction and Water Management inspections (1/8/19)</p>	Compliant	
Environmental Monitoring Conditions					
11.	M3.1	<p>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. 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.</p>	<p>Complaints register maintained on website. Details of complainant, times and other details available (complaints book and Cintellate). One complaint (on several occasions) from a complainant. Reported that actions taken were maintained by the Hy-Tec legal team.</p>	Compliant	
12.	M4.1	<p>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.</p>	<p>A complaints line has been established.</p>	Compliant	

13.	M4.2	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	Telephone number displayed on site entry.	Compliant
Environmental Monitoring Conditions				
14.	5.1	To assess compliance with the noise limits specified within this licence, the licensee must undertake operator attended noise monitoring at each specified noise monitoring point in accordance with the table below.	Noise monitoring report completed showing attended monitoring was conducted. e.g. Noise Monitoring Report April 2019 shows attended monitoring conducted at R1 during the day and morning shoulder periods.	Compliant
Reporting Conditions				
Annual Return Documents				
15.	R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: a) a Statement of Compliance; and b) a Monitoring and Complaints Summary. 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.		Compliant
16.	R1.5	The Annual Return for the reporting period must be supplied to the EPA 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').	Response for submission of the 2019 return provided on 12/07/19.	Compliant
17.	R1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.		Compliant
R2 Notification of environmental harm				
18.	R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	No incidents or exceedances resulting in environmental harm have occurred.	Not triggered
19.	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. (The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment)		Not triggered

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20.	<p>immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act).</p> <p>R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:</p> <ul style="list-style-type: none"> 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, <p>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.</p>		Not triggered	
21.	<p>R3.3 The request may require a report which includes any or all of the following information:</p> <ul style="list-style-type: none"> 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. 		Not triggered	
22.	<p>R4.1(a) The licensee must submit the results of any noise monitoring undertaken in accordance with the requirements of Condition M5.1 or Condition M5.2 to the EPA within three weeks of the noise monitoring being undertaken.</p>	<p>Monitoring conducted 4 April 2019. Report received 23 April 2019, submitted 24/04/19.</p> <p>18/04/18, report provided 8/05/18.</p>	Compliant	
23.	<p>R4.1 (b) The noise monitoring results submitted to the EPA must include:</p>	<p>(i) Locality Plan</p> <p>(ii) Section 4.1 -- Results</p>	Compliant	

24.	<p>R4.2</p> <p>(i) a map of each noise monitoring location in relation to the noise source, including relevant distances; (ii) an analysis of the noise monitoring results; (iii) any detected exceedance of the noise limits specified in Condition L4.1; (iv) details of any remedial action taken or proposed to be taken in relation to any exceedance of the noise limits specified in Condition L4.1; (v) details of the prevailing meteorological conditions during the period when the noise monitoring was undertaken; and (vi) confirmation that noise monitoring was/was not undertaken in accordance with Condition M5.3</p> <p>The licensee must submit a report to the EPA detailing the results of the surface water system inspection required under Condition M2.1.</p> <p>b) The report must:</p> <p>(i) include written details and photographic records of the results of the visual inspections required under Condition M2.1 b); (ii) include details of any actions undertaken or proposed to be undertaken by the licensee in response to the findings of the visual inspections, including no action; (iii) be submitted to the EPA within three weeks of the inspection being undertaken; and (iv) be submitted to:</p> <p>Manager Sydney Industry NSW Environment Protection Authority PO Box 668 Parramatta NSW 2124</p>	<p>(iii) Section 5 – Noise Compliance Assessment (iv) No remedial actions required. (v) Included in Section 4 – Results (vi) Section 1 - Introduction</p>	Not triggered	
25.	<p>G1.3</p> <p>A copy of this licence must be kept at the premises to which the licence applies</p>	<p>Hard copy was readily available in the site office.</p>	Compliant	

AUDIT CHECKLIST: Water Access Licence

Project: AQ1253

Company: Hy-Tec -- Tinda Creek Quarry

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8 Audit Checklist – Water Access Licence 24367 and 42446

AQUAS Ref No	Condition Number	Condition	Findings and Recommendations	Compliance Rating	Assessment Issue #
Take of Water					
1	MW0929-00001	From 1 July 2018, if the water supply work nominated on this access licence is located at or less than 40 m from the top of the high bank of a river then: A. water must not be taken in this groundwater source when flows are in the Very Low Flow Class for an unregulated river access licence in that river. B. This restriction will only apply when the system that confirms when water can be taken is available on the relevant licensor website. C. the relevant licensor will inform the licence holder in writing of the applicable restrictions and how to access the information on its website when this system becomes operative.		Not triggered	
2	MW0919-00001	A maximum water allocation of 0.1 ML/unit share may be carried over in the account for this access licence from one water year to the next water year if a water meter is installed on each water supply work nominated on this licence and each meter is maintained in working order.	Water usage has not exceeded the maximum water allocation for the year.	Not triggered	
3	MW0605-00001	Water must be taken in compliance with the conditions of the approval for the nominated work on this access licence through which water is to be taken.		Compliant	
4	MW0547-00001	The total volume of water taken under this licence in any water year must not exceed a volume equal to: A the sum of water in the account from the available water determination for the current year, plus	42446 – 60 units 12.294 in 2017 14.99 in 2018	Compliant	

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AQUAS Ref No	Condition Number	Condition	Findings and Recommendations	Compliance Rating	Assessment Issue #
		<p>B. the water carried over in the account from the previous water year, plus</p> <p>C. the net amount of water assigned to or from the account under a water allocation assignment, plus</p> <p>D. any water re-credited by the Minister to the account.</p>	9.335 in 2019 to date.		
		Monitoring and recording			
5	MW2338-00001	The completed logbook must be retained for five (5) years from the last date recorded in the logbook.	Logbook maintained electronically.	Compliant	
6	MW2336-00001	The purpose or purposes for which water is taken, as well as details of the type of crop, area cropped, and dates of planting and harvesting, must be recorded in the logbook each time water is taken.	Water taken for production purposes only.	Compliant	
7	MW2337-00001	<p>The following information must be recorded in the logbook for each period of time that water is taken:</p> <p>A. date, volume of water, start and end time when water was taken as well as the pump capacity per unit of time, and</p> <p>B. the access licence number under which the water is taken, and</p> <p>C. the approval number under which the water is taken, and</p> <p>D. the volume of water taken for domestic consumption and/or stock watering.</p>	<p>Excel spreadsheet maintained</p> <p>Meter readings.</p> <p>Volume</p> <p>Date included</p> <p>Time not included</p> <p>Access licence number or approval number not recorded.</p>	Non-Compliant	07
		WATER ACCESS LICENCE CONDITIONS (Cont'd)			
		Monitoring and recording (Cont'd)			
8	MW0606-00001	The volume of water taken in the water year must be recorded in the logbook at the end of each water year. The maximum volume of water	<p>12.294ML in 2017</p> <p>14.99ML in 2018</p>	Compliant	

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AQUAS Ref No	Condition Number	Condition	Findings and Recommendations	Compliance Rating	Assessment Issue #
9	MW2339-00001	permitted to be taken in that water year must also be recorded in the logbook. A logbook must be kept, unless the work is metered and fitted with a data logger. The logbook must be produced for inspection when requested by the relevant licensor.	9.335ML in 2019 to date. Logbook maintained electronically. Readily available.	Compliant	
Reporting					
10	MW0051-00002	Once the licence holder becomes aware of a breach of any condition on this access licence, the licence holder must notify the Minister as soon as practicable. The Minister must be notified by: A. email: water.enquiries@dpi.nsw.gov.au , or B. telephone: 1800 353 104. Any notification by telephone must also be confirmed in writing within seven (7) business days of the telephone call.	No breaches have been identified.	Not triggered	
WATER SUPPLY WORKS APPROVAL CONDITIONS					
Take of water					
11	MW0655-00001	Any water supply work authorised by this approval must take water in compliance with the conditions of the access licence under which water is being taken.			
Water Management Works					
12	MW0097-00001	If contaminated water is found above the production aquifer during the construction of the water supply work authorised by this approval, the licensed driller must: A. notify the relevant licensor in writing within 48 hours of becoming aware of the contaminated water, and B. adhere to the Minimum Construction Requirements for Water Bores in Australia (2012), as amended or replaced from time to time.	No contaminated water has been encountered	Not triggered	

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AQJAS Ref No	Condition Number	Condition	Findings and Recommendations	Compliance Rating	Assessment Issue #
13	MW0487-00001	The water supply work authorised by this approval must be constructed within three (3) years from the date this approval is granted.	Water supplied works have been installed.	Compliant	
14	MW0044-00001	<p>A. When a water supply work authorised by this approval is to be abandoned or replaced, the approval holder must contact the relevant licensor in writing to verify whether the work must be decommissioned.</p> <p>B. The work is to be decommissioned, unless the approval holder receives notice from the Minister not to do so.</p> <p>C. When decommissioning the work the approval holder must:</p> <ul style="list-style-type: none"> i. comply with the minimum requirements for decommissioning bores prescribed in the Minimum Construction Requirements for Water Bores in Australia (2012), as amended or replaced from time to time, and ii. notify the relevant licensor in writing within sixty (60) days of decommissioning that the work has been decommissioned. 	Water supply works have not been abandoned.	Not triggered	
Monitoring and recording					
	MW0484-00001	<p>Before water is taken through the water supply work authorised by this approval, confirmation must be recorded in the logbook that cease to take conditions do not apply and water may be taken.</p> <p>The method of confirming that water may be taken, such as visual inspection, internet search, must also be recorded in the logbook.</p> <p>If water may be taken, the:</p> <ul style="list-style-type: none"> A. date, and B. time of the confirmation, and C. flow rate or water level at the reference point in the water source must be recorded in the logbook. <p>The completed logbook must be retained for five (5) years from the last date recorded in the logbook.</p>	No cease to take conditions have applied to the water source.	Not triggered	
	MW2338-00001		Excel spreadsheet maintained	Compliant	

AUDIT CHECKLIST: Water Access Licence

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AQUAS Ref No	Condition Number	Condition	Findings and Recommendations	Compliance Rating	Assessment Issue #
	MW2336-00001	The purpose or purposes for which water is taken, as well as details of the type of crop, area cropped, and dates of planting and harvesting, must be recorded in the logbook each time water is taken.	Meter readings. Maintained indefinitely. Water is only taken for quarry production purposes.	Compliant	
	MW2337-00001	The following information must be recorded in the logbook for each period of time that water is taken: A. date, volume of water, start and end time when water was taken as well as the pump capacity per unit of time, and B. the access licence number under which the water is taken, and C. the approval number under which the water is taken, and D. the volume of water taken for domestic consumption and/or stock watering.	Date included Time not included Access licence number or approval number not recorded.	Non-compliant	07
	MW0482-00001	Where a water meter is installed on a water supply work authorised by this approval, the meter reading must be recorded in the logbook before taking water. This reading must be recorded every time water is to be taken.	Excel spreadsheet maintained Meter readings. Maintained indefinitely.	Compliant	
	MW2339-00001	A logbook must be kept, unless the work is metered and fitted with a data logger. The logbook must be produced for inspection when requested by the relevant licensor.	Excel spreadsheet maintained Meter readings. Maintained indefinitely.	Compliant	
Reporting					
	MW0051-00001	Once the approval holder becomes aware of a breach of any condition on this approval, the approval holder must notify the Minister as soon as practicable. The Minister must be notified by: A. email: water.enquiries@dpi.nsw.gov.au , or		Not triggered	

AUDIT CHECKLIST: Water Access Licence

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AQUAS Ref No	Condition Number	Condition	Findings and Recommendations	Compliance Rating	Assessment Issue #
		B. telephone: 1800 353 104. Any notification by telephone must also be confirmed in writing within seven (7) business days of the telephone call.			

AUDIT CHECKLIST: Water Access Licence

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9 Audit Checklist – Water Access Licence 24381

AQUAS Ref No	Condition Number	Condition	Findings and Recommendations	Compliance Rating	Assessment Issue #
1	Take of water MW0929-00001	From 1 July 2018, if the water supply work nominated on this access licence is located at or less than 40 m from the top of the high bank of a river then: A. water must not be taken in this groundwater source when flows are in the Very Low Flow Class for an unregulated river access licence in that river. B. This restriction will only apply when the system that confirms when water can be taken is available on the relevant licensor website. C. the relevant licensor will inform the licence holder in writing of the applicable restrictions and how to access the information on its website when this system becomes operative.		Not Triggered	
2	MW0919-00001	A maximum water allocation of 0.1 ML/unit share may be carried over in the account for this access licence from one water year to the next water year if a water meter is installed on each water supply work nominated on this licence and each meter is maintained in working order.	Water usage has not exceeded the maximum water allocation for the year.	Not Triggered	
3	MW0605-00001	Water must be taken in compliance with the conditions of the approval for the nominated work on this access licence through which water is to be taken.	Records of water extracted not available.	Non-compliant	08
4	MW0547-00001	The total volume of water taken under this licence in any water year must not exceed a volume equal to: A the sum of water in the account from the available water determination for the current year, plus B. the water carried over in the account from the previous water year, plus C. the net amount of water assigned to or from the account under a water allocation assignment, plus D. any water re-credited by the Minister to the account.	40ML/ year allocated. Licence is for water accessed from the groundwater setting through extraction activities. The licence accounts for seepage/ evaporation. No record of water taken. Water is not extracted, but is recirculated through the production system.	Non-compliant	08

AUDIT CHECKLIST: Water Access Licence

Project: AQ1253

Company: Hy-Tec – Tinda Creek Quarry

Date: 9-10 October 2019



AQAS Ref No	Condition Number	Condition	Findings and Recommendations	Compliance Rating	Assessment Issue #
	Monitoring and recording				
5	MW2338-00001	The completed logbook must be retained for five (5) years from the last date recorded in the logbook.	No logbook maintained for water extraction under licence 24381.	Non-compliant	08
6	MW2336-00001	The purpose or purposes for which water is taken, as well as details of the type of crop, area cropped, and dates of planting and harvesting, must be recorded in the logbook each time water is taken.	Water taken for production purposes only.	Compliant	
7	MW2337-00001	The following information must be recorded in the logbook for each period of time that water is taken: A. date, volume of water, start and end time when water was taken as well as the pump capacity per unit of time, and B. the access licence number under which the water is taken, and C. the approval number under which the water is taken, and D. the volume of water taken for domestic consumption and/or stock watering.	No logbook maintained for water extraction under licence 24381.	Non-compliant	08
	WATER ACCESS LICENCE CONDITIONS (Cont'd)				
	Monitoring and recording (Cont'd)				
8	MW0606-00001	The volume of water taken in the water year must be recorded in the logbook at the end of each water year. The maximum volume of water permitted to be taken in that water year must also be recorded in the logbook.	No logbook maintained for water extraction under licence 24381.	Compliant	
9	MW2339-00001	A logbook must be kept, unless the work is metered and fitted with a data logger. The logbook must be produced for inspection when requested by the relevant licensor.	No logbook maintained for water extraction under licence 24381.	Compliant	
	Reporting				
10	MW0051-00002	Once the licence holder becomes aware of a breach of any condition on this access licence, the licence holder must notify the Minister as soon as practicable. The Minister must be notified by: A. email: water.enquiries@dpi.nsw.gov.au , or	No breaches have been identified.	Not Triggered	

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AQUAS Ref No	Condition Number	Condition	Findings and Recommendations	Compliance Rating	Assessment Issue #
		B. telephone: 1800 353 104. Any notification by telephone must also be confirmed in writing within seven (7) business days of the telephone call.			
WATER SUPPLY WORKS APPROVAL CONDITIONS					
Take of water					
11	MW0655-00001	Any water supply work authorised by this approval must take water in compliance with the conditions of the access licence under which water is being taken.	Records of water extracted not available.	Non-compliant	08
Water Management Works					
12	MW0097-00001	If contaminated water is found above the production aquifer during the construction of the water supply work authorised by this approval, the licensed driller must: A. notify the relevant licensor in writing within 48 hours of becoming aware of the contaminated water, and B. adhere to the Minimum Construction Requirements for Water Bores in Australia (2012), as amended or replaced from time to time.	No contaminated water has been encountered	Not Triggered	
13	MW0487-00001	The water supply work authorised by this approval must be constructed within three (3) years from the date this approval is granted.	Licence applies to groundwater interception due to production activities.	Compliant	
14	MW0044-00001	A. When a water supply work authorised by this approval is to be abandoned or replaced, the approval holder must contact the relevant licensor in writing to verify whether the work must be decommissioned. B. The work is to be decommissioned, unless the approval holder receives notice from the Minister not to do so. C. When decommissioning the work the approval holder must: i. comply with the minimum requirements for decommissioning bores prescribed in the Minimum Construction Requirements for Water Bores in Australia (2012), as amended or replaced from time to time, and ii. notify the relevant licensor in writing within sixty (60) days of decommissioning that the work has been decommissioned.	Water supply works have not been abandoned.	Not Triggered	

AUDIT CHECKLIST: Water Access Licence

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AQUAS Ref No	Condition Number	Condition	Findings and Recommendations	Compliance Rating	Assessment Issue #
		Monitoring and recording			
15	MW0484-00001	<p>Before water is taken through the water supply work authorised by this approval, confirmation must be recorded in the logbook that cease to take conditions do not apply and water may be taken.</p> <p>The method of confirming that water may be taken, such as visual inspection, internet search, must also be recorded in the logbook.</p> <p>If water may be taken, the:</p> <ul style="list-style-type: none"> A. date, and B. time of the confirmation, and C. flow rate or water level at the reference point in the water source <p>must be recorded in the logbook.</p>	No cease to take conditions have applied to the water source.	Not Triggered	
16	MW2338-00001	The completed logbook must be retained for five (5) years from the last date recorded in the logbook.	No logbook maintained for water extraction under licence 24381.	Non-compliant	08
17	MW2336-00001	The purpose or purposes for which water is taken, as well as details of the type of crop, area cropped, and dates of planting and harvesting, must be recorded in the logbook each time water is taken.	Water taken for production purposes only.	Compliant	
18	MW2337-00001	<p>The following information must be recorded in the logbook for each period of time that water is taken:</p> <ul style="list-style-type: none"> A. date, volume of water, start and end time when water was taken as well as the pump capacity per unit of time, and B. the access licence number under which the water is taken, and C. the approval number under which the water is taken, and D. the volume of water taken for domestic consumption and/or stock watering. 	No logbook maintained for water extraction under licence 24381.	Non-compliant	08
19	MW0482-00001	Where a water meter is installed on a water supply work authorised by this approval, the meter reading must be recorded in the logbook before taking water. This reading must be recorded every time water is to be taken.	No water meter installed.	Not Triggered	

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AQUAS Ref No	Condition Number	Condition	Findings and Recommendations	Compliance Rating	Assessment Issue #
20	MW2339-00001	A logbook must be kept, unless the work is metered and fitted with a data logger. The logbook must be produced for inspection when requested by the relevant licensor.	No logbook maintained for water extraction under licence 24381.	Non-compliant	08
21	Reporting MW0051-00001	Once the approval holder becomes aware of a breach of any condition on this approval, the approval holder must notify the Minister as soon as practicable. The Minister must be notified by: A. email: water.enquiries@dpi.nsw.gov.au , or B. telephone: 1800 353 104. Any notification by telephone must also be confirmed in writing within seven (7) business days of the telephone call.	The approval holder has not become aware of any breach of the conditions of this approval.	Not Triggered	

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10 Audit Checklist – Statement of Commitments

AQUAS Ref No	Condition No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Compliance with the EIS					
198.	5.1.1	To carry out the development for the Project generally in accordance with the Development Application and this EIS.	Results of this audit show that the development had generally been carried out in accordance with the DA and EIS. Where deviations have occurred, these have been raised as non-compliances or administrative non-compliances in this report.	Compliant	
Life of Operation, Production and Hours of Operations					
199.	5.2.1	The Project approval life will be for an additional 30 years from the date of commencement of operations under the Project Approval. Closure and rehabilitation activities will be undertaken in accordance with a detailed Quarry Closure Plan at the time of closure. These works may extend beyond the 30 year operational approval period.	Approved life up to 2045.	Not Triggered	
200.	5.2.2	A maximum of 300.000 tonnes per year of sand products will be transported from the quarry	38,952T extracted in 2019 to date. 116,000T for Calendar year 2018. 183,714T for calendar year 2017 152,745T for calendar year 2016 Current extraction depth 10.38m. Survey report completed 16 August 2019.	Compliant	

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AQUAS Ref No	Condition No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
201.	5.2.3	Quarry operations will be undertaken between the hours of 5.00 am and 10.00 pm Monday to Friday and 5.00 am and 3.00 pm on Saturdays	Hours are included in induction Truck drivers cannot load prior to 7am. TBT at 6.00am. Loading permitted. No production before 7am. Work commence at 7am. Finish production at 3.30pm. Weighbridge system locked out before 5am and after 10pm. Records reviewed for September 2019 – Showed first load ~6.01 am with loading completed before 6.30.	Compliant	
202.	5.2.4	The following activities may occur on Sundays and public holidays: <ul style="list-style-type: none"> • maintenance of fixed plant and mobile plant; • product stockpile management; • water cart operations for stockpile area and plant area; and • pumping for dewatering activities. 	Quarry operations were not conducted on Sundays and public holidays	Compliant	
Environmental Management, Monitoring and Reporting					
203.	5.3.1	Within six months of development consent, Hy-Tec will revise its existing Environmental Management Plan (EMP) as part of the implementation of the Project. The EMP will include details of all of the management and monitoring commitments outlined in the EIS (specifically those outlined in this Statement of Commitments).	Environmental Management Strategy prepared	Compliant	
204.	5.3.2	Hy-Tec will prepare an Annual Review of the environmental performance of the Project and will make this available to the public, Hawkesbury City Council and relevant government agencies as required.	Annual Review completed for Jan-Dec 2016,2017, 2018.	Compliant	
Ecology					
205.	5.4.1	Implement a robust weed management program to be documented in the revised EMP.	Weed management program included in the Landscape Management Plan. Weed inspections conducted	Compliant	

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AQUAS Ref No	Condition No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
206.	5.4.2	Conduct rehabilitation progressively over the life of the quarry. All rehabilitation works will be scheduled to commence as soon as practicable after disturbance and reformation of the landscape	Rehabilitation of the former silt pond has continued with vegetation establishment and minor reshaping around the perimeters of the site are ongoing. Rehabilitation of areas where equipment and other materials had been removed from the southeast corner of the site had been conducted.	Compliant	
207.	5.4.3	A robust tree felling procedure will be implemented at Tinda Creek Quarry to minimise the potential for impacts on native fauna species (including threatened species) as a result of the clearing of hollow-bearing trees.	Tree felling procedure included in Section 3.1.3 of the Landscape Management Plan.	Compliant	
208.	5.4.4	Nest boxes will be established in retained vegetation in proximity to area impacted as a result of the Project to mitigate the loss of hollow-bearing trees. An assessment of the number of tree hollows lost during clearing will be made as part of the tree felling activities and nest boxes will be established to compensate for this loss, where appropriate. Suitably designed nest boxes will be established for the range of hollow-dependent species that are known to occur in the Project area	No nest boxes have been installed. No tree hollows have been removed as a result of quarry activities during the period covered by this audit	Not Triggered	
209.	5.4.5	A pre-clearance survey of the proposed disturbance areas will be undertaken prior to ground disturbance (within seven days of the planned disturbance) to ensure that no Rosenberg's Goanna burrows are present. The assessment should be undertaken by a suitably qualified and licensed ecologist. If burrows are present, the ecologist will provide advice on how to ensure that no goannas remain within the burrows during the clearing process	Preclearance survey completed by Umwelt	Compliant	

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210.	5.4.7	A comprehensive biodiversity offset strategy is to be implemented for the Project as described in Appendix 7 to ensure the development maintains or improves the terrestrial and aquatic biodiversity values of the region in the medium to long-term	In continued discussions with OEH and DPI&E regarding the offset area. Consent date 10/04/2015. Currently in discussion to transfer the area to a NPWS. Letter sent to DPI&E 29/02/18. Response 21/12/18 identifying timeframes for establishment of the deed (by 30/06/19) and transfer of the BOA (within 5 years of transfer). Response provided 24/06/19 suggesting restrictive covenant and Section 88B instrument. Response provided by DPI&E in July 2019.	Compliant	
Aboriginal Heritage					
211.	5.5.1	In consultation with the registered Aboriginal parties, prepare an Aboriginal Cultural Heritage Management Plan (ACHMP) for the proposed Project. The ACHMP will allow for management (collection) of the artefacts located in the Tinda Creek Artefact Scatter 1 site in Domain 3 (if Domain 3 is to be quarried) and to provide for future management of Aboriginal cultural heritage issues should they arise across the broader Project area. The ACHMP will form part of the revised EMP for the project.	Aboriginal Heritage Plan prepared.	Compliant	
212.	5.5.2	If Domain 3 is to be quarried, the artefacts located within the Tinda Creek Artefact Scatter 1 site are collected using the methodology set out in the protocols and procedures of the approved ACHMP.	No quarrying has been conducted in Domain 3.	Not Triggered	

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AQUAS Ref No	Condition No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
213.	5.5.3	<p>The EMP is to be updated to contain provisions to address management of the following issues, as detailed in the Aboriginal Cultural Heritage and Archaeological Assessment (Appendix 9):</p> <ul style="list-style-type: none"> • exposure of previously unrecorded artefactual material during ground • disturbance works within the Project area; • exposure of human/possible human skeletal material during ground disturbance works within the Project area; • exposure of sandstone with evidence of Aboriginal engravings or grinding grooves; and • development of an Aboriginal Cultural Heritage Training Package for all Hy-Tec • employees/contractors working on the Project to be provided as part of the quarry induction process 	Provisions to address management of the issues identified were included in the Aboriginal Heritage Plan.	Compliant	
Historic Heritage					
214.	5.6.1	In the unlikely event that unexpected archaeological remains or potential heritage items not identified as part of this assessment are discovered during the Project and are likely to be disturbed by the Project, all work in the immediate area should cease, the remains and potential impacts should be assessed by a qualified archaeologist or heritage consultant and, if necessary, the Heritage Branch, Department of Planning notified.	No unexpected finds have occurred.	Not Triggered	
Traffic and Access					
215.	5.7.1	The site access will be upgraded to comply with the minor road standard access as detailed in AS2890.2	Records sighted to demonstrate site access was designed with consideration of AS2890.2.	Compliant	

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Noise					
216.	5.8.1	Hy-Tec will undertake an attended noise monitoring program (as detailed in Section 4.7.6.1) in order to assess ongoing compliance with relevant noise impact assessment criteria over the life of the Project. Details of the Noise Management Plan will be provided in the revised EMP	Annual attended noise monitoring conducted in 2017, 2018, and 2019. No exceedances had been identified.	Compliant	
217.	5.8.2	The monitoring results will be reviewed by the Hy-Tec environmental representative to assess compliance with the Noise Impact Assessment (NIA) predictions and with the relevant NIA criteria. The results will be reported in accordance with the requirements of the Project approval and EPL	Noise monitoring report showed that noise levels from the quarry were in compliance with noise criteria for the operations.	Compliant	
Air Quality					
218.	5.9.1	The existing dust control measures will continue to be implemented on site, including: <ul style="list-style-type: none"> • minimisation of the total disturbed working areas at any one time; and • watering of unsealed roads, working areas and stockpiles as required. 	Dust control measures had been implemented.	Compliant	
Surface Water and Groundwater					
219.	5.10.1	Hy-Tec will continue to undertake monitoring of groundwater bores in accordance with existing licence conditions.			
220.	5.10.2	All diversion drains will continue to be maintained in good condition	During the site inspection, it was noted that diversion drains were maintained in good condition.	Compliant	
221.	5.10.3	The water management system will remain as a closed system	Diversion drains had been installed to divert stormwater around the site. All water on site was collected and reused for dust suppression.	Compliant	

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AQUAS Ref No	Condition No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Greenhouse Gas and Energy					
222.	5.11.1	Hy-Tec will continue to participate in the Energy Efficiency Opportunities (EEO) Program and undertake the following activities to improve energy use efficiency: <ul style="list-style-type: none"> • develop an EEO project and communication plan; • evaluate energy use for the Project; • identify and investigate potential EEO; and • implement, track, communicate and report on EEO. 	New 22KVA generator purchased to reduce fuel usage of the 550KVA generator during non-operational times. Reduce fuel usage from 43 -6 l/hr. Hy-Tec are reviewing the use of solar power for offices, bores. ABL Sustainability Framework - % year objectives	Compliant	
223.	5.11.2	Hy-Tec will continue to improve on-site diesel use efficiency based on the range of measures outlined in Section 4.11	New 22KVA generator purchased to reduce fuel usage of the 550KVA generator during non-operational times.	Compliant	
224.	5.11.3	Hy-Tec will explore the use of lower GHG emission energy sources as soon as practical based on the range of measures outlined in Section 4.11	As above	Compliant	
Hazards					
225.	5.12.1	Hy-Tec will store all dangerous goods in accordance with dangerous goods storage requirements and relevant Australian Standards	Dangerous goods were stored in appropriately banded containers.	Compliant	
226.	5.12.2	Hy-Tec will continue to implement the appropriate measures to reduce the risk of fire ignition and the spread of bushfire across the site in consultation with the Rural Fire Services (RFS).	The site had been maintained to minimise the risk of spread of bushfire across the site.	Compliant	
Rehabilitation and Closure					
227.	5.13.1	The revised EMP will detail the approach to rehabilitation of the Project, including the species to be used in revegetation works.	The Landscape Management Plan Section 4.0 provides the approach to rehabilitation of the site.	Compliant	

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228.	5.13.2	Wherever possible, rehabilitation will be completed progressively as part of the ongoing development of the quarry	Minor rehabilitation had commenced.	Compliant	
229.	5.13.3	A detailed Quarry Closure Plan will be developed approximately three years prior to cessation of quarrying activities.		Not Triggered	

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11 Audit Checklist – EPBC Approval 2013/7028

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Tinda Creek Quarry (EPBC Approval 2013/7028)					
1.	1	The approval holder must undertake the action within a maximum area of 46.8 hectares (ha) and only within the footprint of the action.	Extraction activities have been undertaken in Domain 6 and have not occurred outside approved extraction boundaries. The total disturbance was reported to be 12.4ha, well less than the 46.8ha approved by the EPBC approval.	Compliant	
2.	2	To minimise impacts to the Koala, the approval holder must clear no more than 25.4 ha of potential Koala habitat on the project site.	No clearing of potential Koala habitat has been undertaken.	Compliant	
3.	3	To minimise impacts to the Small-flower Grevillea, the approval holder must remove no more than 3 individuals of Small-flower Grevillea, located within the Revised Domain 3 extraction area and identified at Annexure 2.	No Small-flower Grevillea has been removed. Extraction activities have not commenced within the Revised Domain 3 extraction area.	Compliant	
4.	4	To reduce indirect impacts on Small-flower Grevillea, the approval holder must maintain a buffer distance of at least 40 metres (m) between the footprint and known locations of the species as identified at Annexure 2, except for the 3 individuals of Small-flower Grevillea, located within the Domain 3 extraction area.	It is noted that the 40m buffer applies predominantly to activities in Domain 7. Extraction activities have remained within Domain 6 over the past 12 months and therefore occurred at a distance greater than the required 40m buffer over the period and to date.	Compliant	
5.	5	To prevent impacts to Small-flower Grevillea, the 40 m buffer zones for Small-flower Grevillea must be clearly marked out by a suitably qualified person prior to any clearing occurring. Buffer zones must be maintained for the life of the approval.	The boundary of each extraction domain has been marked by a surveyor and in doing so have defined the disturbance footprint and 40 metre buffer zones. Boundary limits have been surveyed and pegged by Degotardi Smith and Partners 30/06/15. Submitted 30/11/16. Pegs were verified during the site inspection.	Compliant	

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AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
6.	6	To reduce indirect impacts on World and National Heritage values of the Greater Blue Mountains Area, the approval holder must maintain buffer zones between the impact area and the Greater Blue Mountains Area as identified at Annexure 1, and in accordance with the minimum buffer distances identified at Annexure 1, for the life of the approval.		Compliant	
7.	7	To minimise impacts to the Small-flower Grevillea and the World and National Heritage values of the Greater Blue Mountains Area, the approval holder must not undertake activities other than conservation management activities within the buffer zones.	No extraction activities have occurred within the buffer zones to the Greater Blue Mountains World Heritage Area. Extraction has been undertaken in Domain 6.	Compliant	
8.	8	To minimise indirect impacts on World and National Heritage values of the Greater Blue Mountains Area, Small-flower Grevillea and the Koala, the approval holder must implement the Tinda Creek Quarry Final Landscape Management Plan dated August 2016 or as revised under condition 19.	Requirements of the Landscape Management Plan have been implemented. No non-compliances with the Landscape Management Plan were identified during the audit. Reporting on landscape and rehabilitation management was included in the Annual Review for the Quarry.	Compliant	
9.	9	In order to maintain the quantity and quality of water entering the Greater Blue Mountains Area, the approval holder must implement the Tinda Creek Quarry Final Water Management Plan dated August 2016 or as revised under condition 19.	Requirements of the Water Management Plan have generally been implemented. One non-compliance with the Water Management Plan had been identified. Two improvements notices had been issued by DPI&E during a site inspection in 2017, as surface water management systems had not been maintained to ensure the separation of clean and dirty water management systems and minimise sediment in water discharged from site. The site had addressed the improvement notices and no further non-compliances had been identified.	Compliant	

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AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
10.	10	To minimise impacts to water quantity and quality within the Greater Blue Mountains Area, the approval holder must comply with Operating Conditions provided by NSW approval condition 12.	EPL 12007 provides criteria for water discharge. Water Management Plan – Section 2.5 provides calculations for 1 in 100 year ARI storm event. Required to main at least 1 metre of freeboard in the dredge pond to maintain sufficient capacity. Based on 29 January 2017 LiDAR captured over the site, the closed water management system had an area of 20.6 ha or approximately 50% of the maximum allowed (see Figure 6.2 of WMP). Closed water management system had been modified, increased to 35.6 Ha as a result of extensions to the working area of Domain 6 and modifications to the diversion area.	Compliant	
11.	11	In addition to complying with the rehabilitation objectives for the final void in NSW approval condition 17, the approval holder must ensure that water discharging from the project site into the Greater Blue Mountains Area is of equal or better quality to the quality of water upstream of the project site.	No water discharge from the site has occurred during the period covered by this audit.	Compliant	

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12.	12	In order to compensate for impacts on the Koala and Small-flower Grevillea, the approval holder must: a) Prior to commencement of the action within the Revised Domains 3 and 7 and Domains 1 and 2, provide written confirmation from the NSW Office of Environment and Heritage or the NSW National Parks and Wildlife Service (OEH/NPWS) to the Department that confirms their agreement to include the offset area, as identified at Annexure 3, within Yengo National Park. If this cannot be provided, then, prior to commencement of the action within the Revised Domains 3 and 7 and Domains 1 and 2, the approval holder must provide an alternative protection mechanism that provides an equal level of protection, including written confirmation from NSW OEH/NPWS that this protection mechanism will be accepted. The approval holder must not commence the action until the Minister has approved the use of the proposed mechanism in writing; Provide protection of the offset area, through registration on the title of the offset area of a mechanism in accordance with condition 12a, before commencement of the action within the Revised Domains 3 and 7 and Domains 1 and 2.	No activities have been undertaken within Domains 3, 7, 1 or 2. Hy-Tec has continued negotiation with the DPI&E and the NSW National Parks and Wildlife Service regarding transfer of the approximately 106ha biodiversity offset area to Yengo National Park.	Compliant	
13.	13	The approval holder must provide the Department with details of the offset area as identified at Annexure 3, including offset attributes, shapefiles, textual descriptions and maps to clearly define the location and boundaries of the offset area, prior to the commencement of the action within the Revised Domains 3 and 7 and Domains 1 and 2.	No activities have been undertaken within Domains 3, 7, 1 or 2 to date.	Compliant	
14.	14	Within 14 days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement of the action.	DoEE advised 6 October 2016 of the commencement of the action.	Compliant	

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15.	15	The approval holder must maintain accurate records substantiating all activities and outcomes associated with or relevant to the conditions of approval, including measures taken to implement the management plans required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be published through the general media.	Records were available during the audit to verify implementation of the requirements of management plans.	Compliant	
16.	16	Within three months of every 12 month anniversary of the commencement of the action, the approval holder must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published. The approval holder must continue to publish this report until such time as agreed to in writing by the Minister	The compliance report has been published on the company's website (www.hy-tec.com.au/quarry-documentation), with supporting documentary evidence provided to DoEE provided on 4 January 2019, prior to the 6 January 2019 deadline.	Compliant	
17.	17	The approval holder must notify any non-compliance with this approval to the Department in writing within five business days of becoming aware of the non-compliance.	No non-compliances with the EPBC conditions of approval have been identified.	Not Triggered	
18.	18	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	The Commonwealth Minister for the EPBC Act has not directed that an independent audit of compliance be undertaken.	Not Triggered	

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Date: 9-10 October 2019



AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
19.	19	<p>The approval holder may choose to revise a management plan approved by the Minister under conditions 8 and 9 without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the revised management plan would not be likely to have a new or increased impact. If the approval holder makes this choice they must:</p> <ul style="list-style-type: none"> i) notify the Department in writing that the approved management plan has been revised and provide the Department with an electronic copy of the revised management plan; ii) implement the revised management plan from the date that the management plan is submitted to the Department; and iii) for the life of this approval, maintain a record of the reasons the approval holder considers that taking the action in accordance with the revised management plan would not be likely to have a new or increased impact. 	<p>Hy-Tec has updated the Water Management Plan for the operation, however this update is not considered likely to cause new or increased impact.</p>	Not Triggered	
20.	19a	<p>The approval holder may revoke their choice under condition 19 at any time by notice to the Department. If the approval holder revokes the choice to implement a revised management plan without approval under section 143A of the Act, the management plan approved by the Minister must be implemented.</p>	<p>Hy-Tec have not revoked their choice under condition 19.</p>	Not Triggered	
21.	19b	<p>Condition 19 does not apply if the revisions to the approved management plan include changes to environmental offsets provided under the management plan in relation to a matter protected by a controlling provision for the action, unless otherwise agreed in writing by the Minister. This does not otherwise limit the circumstances in which the taking of the action in accordance with a revised management plan would, or would not, be likely to have new or increased impacts.</p>		Not Triggered	

AUDIT CHECKLIST: Statement of Commitments

Project: AQ1253

Company: Hy-Tec – Tinda Creek Quarry

Date: 9-10 October 2019



AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
22.	19c	<p>If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the revised management plan would be likely to have a new or increased impact, then:</p> <ul style="list-style-type: none"> i) Condition 19 does not apply, or ceases to apply, in relation to the revised management plan; and ii) The person taking the action must implement the management plan approved by the Minister. To avoid any doubt, this condition does not affect any operation of conditions 19, 19A and 19B in the period before the day the notice is given. At the time of giving the notice the Minister may also notify that for a specified period of time that condition 19 does not apply for one or more specified management plans required under the approval. 	No notices have been given to the approval holder by the Minister.	Not Triggered	
23.	19d	<p>Conditions 19, 19A, 19B and 19C are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised management plan to the Minister for approval.</p>		Not Triggered	
24.	20	<p>If the Minister believes that it is necessary or convenient for the better protection of the World Heritage property, National Heritage place or listed threatened species and communities to do so, the Minister may request that the approval holder make specified revisions to the management plan specified in the conditions and submit the revised management plan for the Minister's written approval. The approval holder must comply with any such request. The revised approved management plan must be implemented. Unless the Minister has approved the revised management plan, then the approval holder must continue to implement the management plan originally approved, as specified in the conditions.</p>	The Minister has not requested Hy-Tec to modify any management plans.	Not Triggered	

Appendix D. Consultation Records

From: [Lisa Andrews](#)
To: [Hart, James](#)
Subject: Re: Independent Environmental Audit - Tinda Creek Sand Quarry
Date: Tuesday, 8 October 2019 3:41:20 PM

Hi James

Usually with all sand quarries, transport movements are the biggest concern, however, in Tinda Creek's instance everything appears to be running smoothly, with no complaints from the community.

Due to the dry conditions, water use and possible impacts on groundwater are always a concern in rural areas.

The CCC is aware of the rehabilitation that Tinda Creek has undertaken and appears to be satisfied with works undertaken to date.

Best of luck with the audit and I'll come back to you next Tuesday.

Kind regards
Lisa

Lisa Andrews
Independent Chairperson &
Director
Articulate Solutions Pty Ltd
t: 0401 609 693
e: lisaandrews.ic@gmail.com

On Tue, Oct 8, 2019 at 12:49 PM Hart, James <james.hart@aquas.com.au> wrote:

Hi Lisa,

Thanks for the quick response.

I will be onsite tomorrow, so if there is any specific issues that you know of, please let me know today. If there are further issues raised next week, I will follow up post audit.

Regards

James Hart | Management Consultant

Certified Exemplar Global Lead OHS Auditor

From: [Andrew Helman](#)
To: [Hed. James](#)
Cc: [DRG GSNW Landate Minerals Helman; Matthew Green](#)
Subject: Independent Environmental Audit - Tinda Creek Sand Quarry
Date: Tuesday, 1 October 2019 9:52:52 AM

Good morning James,

The Division of Resources & Geoscience don't have any issues or concerns, however will review production data under schedule 2(15) of consent SSD4978.

Regards,

Andrew

Andrew Helman

Senior Geoscientist – Landuse Assessment

Geological Survey of NSW

Division of Resources & Geoscience | Department of Planning, Industry and Environment

T 02 4063 6066 | M 0413 281040 | E andrew.helman@planning.nsw.gov.au

516 High Street, Maitland NSW 2320 | PO Box 344 Hunter Region Mail Centre NSW 2310

www.dpie.nsw.gov.au



Planning,
Industry &
Environment

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

From: [Gen Seed](#)
To: [Mark James](#)
Subject: RE: Independent Environmental Audit - Tinda Creek Sand Quarry
Date: Friday, 11 October 2019 1:44:57 PM

Hi James:

I do apologise for the slow response on this. I have just returned from leave.

The assessment or compliance branch of the Department has no specific requests or requirements in relation to the Tinda Creek IEA.

Kind regards,

Gen

From: Hart, James <james.hart@aquas.com.au>
Sent: Friday, 27 September 2019 2:29 PM
To: Gen Seed <genevieve.seed@planning.nsw.gov.au>
Cc: Matthew Spratt <Matthew.Spratt@planning.nsw.gov.au>
Subject: Independent Environmental Audit - Tinda Creek Sand Quarry

Hi Genevieve,

I have been given your contact details in relation to the Tinda Creek Community Consultative Committee.

AQUAS has been engaged to undertake an Independent Environmental Audit of the Tinda Creek Sand Quarry on 9th and 10th October 2019. As a requirement of the Independent Environmental Audit process I am seeking feedback from various agencies in regard to any issues that may have arisen or concerns which you may have in relation to the quarry operations. These will be included in the audit.

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

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

Regards

James Hart | Management Consultant

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

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

From: [Lisa Crambrook](#)
To: [Hart, James](#)
Subject: RE: Independent Environmental Audit - Tinda Creek Sand Quarry
Date: Thursday, 17 October 2019 1:41:42 PM

Good Afternoon James,

Apologies for the delay, I have been on holidays. It appears that no one has responded in my absence.

I note that the audit has now been undertaken. The EPA doesn't have any comments to contribute to the audit of Tinda Creek.

Regards Lisa

Lisa Crambrook

Operations Officer, Sydney Industry North
Metropolitan Branch, NSW Environment Protection Authority
+61 2 8837 6079

lisa.crambrook@epa.nsw.gov.au www.epa.nsw.gov.au [@NSW_EPA](#)

Report pollution and environmental incidents 131 888 (NSW only) or
+61 2 9995 5885



From: Hart, James <james.hart@aquas.com.au>
Sent: Friday, 27 September 2019 2:30 PM
To: Lisa Crambrook <Lisa.Crambrook@epa.nsw.gov.au>
Subject: Independent Environmental Audit - Tinda Creek Sand Quarry

Hi,

AQUAS has been engaged to undertake an Independent Environmental Audit of the Tinda Creek Sand Quarry on 9th and 10th October 2019. As a requirement of the Independent Environmental Audit process I am seeking feedback from various agencies in regard to any issues that may have arisen or concerns which you may have in relation to the quarry operations. These will be included in the audit.

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

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

Regards

James Hart | Management Consultant

Independent Environmental Audit – Tinda Creek Sand Quarry
Commercial in Confidence



From: sofhot@hawkesbury.nsw.gov.au
To: [Mark James](#)
Subject: Independent Environmental Audit - Tinda Creek Sand Quarry
Date: Friday, 27 September 2019 2:31:08 PM
Attachments: [Independent Environmental Audit - Tinda Creek Sand Quarry.pdf](#)

Thank you for contacting Hawkesbury City Council.

If required, Council will respond to your email within 10 Working days. Some complex enquiries may take longer than this.

If your request can not be replied to within this timeframe, a Council Officer will contact you to advise when your request is likely to be completed.



TINDA CREEK SSD 4978 - INDEPENDENT ENVIRONMENTAL AUDIT – 9 – 10 October 2019
 RESPONSE to ITEMS RAISED as NON-COMPLIANCES

Issue No.	Condition	Requirement	Issue sighted	Response
01	Schedule 3-13	<p>The Applicant shall prepare and implement a Water Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by suitably qualified person/s approved by the Secretary; (b) be prepared in consultation with the EPA and NOW, and be submitted to the Secretary for approval within 6 months of the date of this consent, unless the Secretary agrees otherwise; (c) include a: <ul style="list-style-type: none"> Site Water Balance that includes: <ul style="list-style-type: none"> • details of: <ul style="list-style-type: none"> ▪ Quantity of water required to support operations; ▪ sources and security of water supply, clearly differentiating between surface water and groundwater, and taking into account rainfall variability; ▪ water use and management on site; ▪ reporting procedures; and ▪ measures to minimise clean water use on site; (d) 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 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; ▪ dirty water management system; and ▪ water storages; and • performance criteria, including trigger levels for investigating any potentially adverse surface water quality impacts; 	<p>In June 2017, an inspection of the site was conducted by DPIE. As a result, two provisional improvement notices were issued for:</p> <ul style="list-style-type: none"> • Insufficient grassing of drainage channels; and • Breach in surface water drain. <p>Surface water management systems had not been maintained to ensure the separation of clean and dirty water management systems and minimise sediment in water discharged from site.</p> <p>The site had implemented measures to address the provisional improvements notices. No further issues had been identified in relation to site water management.</p> <p>Recommendation: Hy-Tec need to ensure that surface water management systems are maintained to ensure the separation of clean and dirty water management systems and minimise sediment in water discharged from site.</p>	<p>Hy-Tec has resolved this non-compliance in consultation with DPIE. The outcomes were reported in the Annual Review 2017.</p>



		<ul style="list-style-type: none"> • the measures that would be implemented to ensure compliance with the surface water performance criteria and relevant operating conditions of this consent; • a program to monitor and report on: <ul style="list-style-type: none"> ▪ any surface water discharges; ▪ the effectiveness of the water management system; ▪ surface water flows and quality in local watercourses; ▪ A comparison of monitoring results with modelled predictions; (e) Groundwater Management Plan, that includes: include a Groundwater Monitoring Program, that includes: <ul style="list-style-type: none"> • detailed baseline data on groundwater levels, yield and quality in local aquifers and privately-owned groundwater bores; • performance criteria for surrounding aquifers, privately-owned groundwater bores, including trigger levels for investigating any potentially adverse groundwater impacts; • the measures that would be implemented to ensure compliance with the groundwater performance criteria and relevant operating conditions of this consent; • a program to monitor and report on: <ul style="list-style-type: none"> ○ groundwater inflows to the quarry pit (quarterly monitoring is required, unless otherwise agreed with the Secretary); ○ the impacts of the development on surrounding aquifers, privately-owned groundwater bores and Tinda Creek; and ○ a program to validate the groundwater model for the development, and compare monitoring results with modelled predictions; and (f) include a Surface and Groundwater Contingency Strategy, that includes: <ul style="list-style-type: none"> • a protocol for the investigation, notification and mitigation of identified exceedances of the surface water and groundwater impact assessment criteria; 		
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TINDA CREEK SSD 4978 - INDEPENDENT ENVIRONMENTAL AUDIT – 9 – 10 October 2019
 RESPONSE to ITEMS RAISED as NON-COMPLIANCES

02		<ul style="list-style-type: none"> measures to mitigate and/or compensate potentially affected landowners of privately owned land, including provision of alternative long-term supply of water to the affected landowner that is equivalent to the loss attributed to the development; and the procedures that would be followed if any unforeseen impacts are detected during the development. 		
Schedule 3-30		<p>The Applicant shall:</p> <ul style="list-style-type: none"> minimise the waste generated by the development; ensure that the waste generated by the development is appropriately stored, handled, and disposed of; and report on waste management and minimisation in the Annual Review, to the satisfaction of the secretary 	<p>Hy-Tec had not ensured that the appropriate storage and disposal of waste.</p> <p>Equipment and other materials stored in the south-eastern corner of the site by previous operator.</p> <p>Noted that Hy-Tec had entered into a voluntary undertaking in June 2017 to remove the material. Material had been removed and the area was being revegetated.</p> <p>Recommendation: No further action required.</p>	<p>Hy-Tec considers that it has satisfied the requirements of the Voluntary Undertaking. However, DPIE has requested additional information be presented on the need for direct seeding and monitoring outcomes for the <i>Grevillea parviflora</i> for Spring 2019. It is advised that the Gospers Mountain Bushfire has burnt through the area during the period of the audit response preparation.</p> <p>The land the subject of the Voluntary Undertaking would be transferred to Yengo National Park in satisfaction of the offsetting obligations of the operation.</p> <p>Officers from National Parks have visited and reviewed the location and were satisfied that in its current condition it was satisfactory for inclusion in Yengo National Park.</p>



TINDA CREEK SSD 4978 - INDEPENDENT ENVIRONMENTAL AUDIT – 9 – 10 October 2019
 RESPONSE to ITEMS RAISED as NON-COMPLIANCES

03	Schedule 4 -1	<p>As soon as practicable after obtaining monitoring results showing an exceedance of any relevant criteria in schedule 3, the Applicant shall notify 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.</p>	<p>Hy-Tec had not notified affected landowners in writing of dust exceedance, and provided regular monitoring results to each affected landowner until the development is again complying with the dust criteria.</p> <p>Exceedances of the deposited dust criteria at DG1 in 2017 as a result of organic matter.</p> <p>No notification to landowners.</p> <p>Review of monitoring data undertaken, which identified contamination of the sample through organic matter as the cause of elevated results.</p> <p>Low ash content of samples vindicate decision that high results were not the result of Quarry activities and therefore believed to be not reportable.</p> <p>Hy-Tec has installed bird deterrence devices on the dust gauges at the Quarry which has significantly decreased the level of dust recorded in the dust gauges (From January 2019).</p> <p>Results since January 2019 reflect that very little dust is generated from the dredging and predominantly wet-processing activities.</p> <p>Hy-Tec will ensure where dust exceedances that are attributable to the quarry occur, that affected landowners are notified.</p>	<p>Review of monitoring data undertaken, which identified contamination of the sample through organic matter as the cause of elevated results.</p> <p>Low ash content of samples vindicate decision that high results were not the result of Quarry activities and therefore believed to be not reportable.</p> <p>Hy-Tec has installed bird deterrence devices on the dust gauges at the Quarry which has significantly decreased the level of dust recorded in the dust gauges (From January 2019).</p> <p>Results since January 2019 reflect that very little dust is generated from the dredging and predominantly wet-processing activities.</p> <p>Hy-Tec will ensure where dust exceedances that are attributable to the quarry occur, that affected landowners are notified.</p> <p>Refer to above response.</p>
04	Schedule 5-2	<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>	<p>Exceedance of the annual dust deposition criterion occurred in 2017.</p> <p>Hy-Tec had samples analysed by University of Queensland, which identified high levels of polysaccharide slime and fungi, insect debris, and plant debris.</p> <p>Noted that insoluble solids exceeded criterion, while ash</p>	



TINDA CREEK SSD 4978 - INDEPENDENT ENVIRONMENTAL AUDIT – 9 – 10 October 2019
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05	Schedule 5-7	<p>(a) take all reasonable and feasible measures to ensure that the exceedance ceases and does not recur;</p> <p>(b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and</p> <p>(c) implement remediation measures as directed by the Secretary;</p> <p>to the satisfaction of the Secretary.</p> <p>The Applicant shall immediately notify 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. 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>	<p>content was less than criterion. Dust resulting from quarry activities would be expected remain as ash.</p> <p>Recommendation: Investigations identified that the dust exceedance was not the result of quarry activities. No further action required.</p>	
		<p>• Exceedances of the dust deposition criteria had been recorded in 2017 and 2018.</p> <p>• Groundwater level at one location dropped below the trigger level in October 2018. Report provided to DPI&E in December 2018.</p> <p>The Secretary had not been notified within 7 days of identification of the exceedance.</p> <p>Recommendation: Hy-Tec should ensure that the Secretary is notified within 7 days of any incidents as defined in management plans.</p>		<p>Annual deposited dust levels are reported in the Annual Review documentation.</p> <p>As activities at the Quarry involve mostly dredging and predominantly wet-processing activities, it was not considered likely that high dust level results were caused by Quarry operations. Low ash content of samples vindicate decision that high results were not the result of Quarry activities. Therefore, notification to DPI&E was not considered necessary. However, all future exceedances would be notified in accordance with this condition.</p> <p>Hy-Tec commissions monthly manual groundwater level monitoring and has installed continuous data loggers in most monitoring bores to provide detailed data on fluctuations in groundwater levels at the Quarry. The trend in groundwater levels has been decreasing across the</p>



TINDA CREEK SSD 4978 - INDEPENDENT ENVIRONMENTAL AUDIT – 9 – 10 October 2019
 RESPONSE to ITEMS RAISED as NON-COMPLIANCES

06	Schedule 5-10	<p>Within 6 weeks of the completion of this audit, unless the Secretary agrees otherwise, 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, including a timetable for the implementation of any measures proposed to address the recommendations in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.</p>	<p>Audit conducted 24/01/17. Report provided to DPI&E 15/05/17. Report had not been provided within 6 weeks of completion of the audit. Recommendation: Hy-Tec should ensure that reports are provided to the DPI&E within required timeframes. Where circumstances outside the control of Hy-Tec prevent the report from being provided within the required timeframe, Hy-Tec should seek an extension of time for submission of the report.</p>	<p>Quarry and in bores outside the Quarry over the last few years (with some minor uplift in response to rainfall events). This is considered to be due to drought conditions. Hy-Tec is yet to receive a formal response from DPIE on the groundwater level investigation.</p> <p>Independent auditor faced personal health issues that prevented the completion the report within the timeframe. This was reported to the department at the time and agreed for a later completion date. This administration delay did not cause environmental harm.</p> <p>Audit report was completed and sent to DP&E.</p>
07	WAL 24367 MW2337-00001	<p>The following information must be recorded in the logbook for each period of time that water is taken: A. date, volume of water, start and end time when water was taken as well as the pump capacity per unit of time, and B. the access licence number under which the water is taken, and C. the approval number under which the water is taken, and D. the volume of water taken for domestic consumption and/or stock watering.</p>	<p>Excel spreadsheet maintained which records dates, meter reading and volume. Access licence number, approval number and time water taken not recorded. Recommendation: Hy-Tec should ensure that all information required by the Water licence is recorded in the logbook.</p>	<p>Hy-Tec maintained sufficient records to ensure the water usage was compliant with the licence. Hy-Tec will modify the excel spreadsheet to ensure additional information required by the Water Access licence is recorded.</p>



TINDA CREEK SSD 4978 - INDEPENDENT ENVIRONMENTAL AUDIT -- 9 -- 10 October 2019
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08	WAL 24381 MW/2337- 00001	<p>The following information must be recorded in the logbook for each period of time that water is taken:</p> <p>A. date, volume of water, start and end time when water was taken as well as the pump capacity per unit of time, and</p> <p>B. the access licence number under which the water is taken, and</p> <p>C. the approval number under which the water is taken, and</p> <p>D. the volume of water taken for domestic consumption and/or stock watering.</p>	<p>No logbook maintained for water extraction under licence 24381.</p> <p>Recommendation: Hy-Tec should ensure that a logbook is maintained for Water Access Licence 24381.</p>	<p>Water Access Licence 24381 incorporates an allowance of 40ML/year to account for groundwater that has seeped into the active extraction area and/or ponds and is lost through evaporative processes. Given the minor volumes of water that seep into the surface water management system (through the walls of the active extraction domain), this allocation is deliberately over-estimated and is considered more than sufficient to cover requirements. It is not physically possible to record groundwater seepage, therefore the conditional requirement to maintain a logbook is not possible to comply with.</p>
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