

**Independent Environmental Audit:
Austen Quarry
Development Consent SSD-6084**



Audit Organisation:	Hy-Tec Industries Pty Ltd
Auditors:	James Hart
Date of Audit:	17 July 2023
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Version Control and Distribution

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Draft	8 August 2023	Draft issued to Hy-Tec for Review	Darryl Thiedeke
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01	28 August 2023	Minor grammatical corrections	Darryl Thiedeke

Independent Audit Declaration Form

Project Name: Austen Quarry
Consent Number: SSD-6084
Description of Project: Hard Rock Quarry
Project Address: 391 Jenolan Caves Road Hartley NSW
Proponent: Hy-Tec Industries Pty Ltd (Hy-Tec)
Date: 28 August 2023

I declare that:

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

Notes:

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

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

Name of Auditor: James Hart

Signature: 

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

Company: James Hart Consulting

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Abbreviations

AQMP	Air Quality Management Plan
BOMP	Biodiversity Offset Management Plan
BMP	Blast Management Plan
DA	Development Approval
DPIE	Department of Planning Industry and Environment
EMS	Environmental Management Strategy
EPA	Environment Protection Authority
EPL	Environment Protection Licence
IEA	Independent Environmental Audit
LRMP	Landscape and Rehabilitation Management Plan
NMP	Noise Management Plan
NOW	NSW Office of Water
OEH	Office of Environment and Heritage
PIRMP	Pollution Incident Response Management Plan
POEO	Protection of the Environment Operations
RMS	Roads and Maritime Services (Now Transport for NSW - TfNSW)
SLMGMP	Silver Leaved Mountain Gum Management Plan
TMP	Transport Management Plan
WAL	Water Access Licence
WMP	Water Management Plan

1 INTRODUCTION

1.1 Overview

Hy-Tec Industries Pty Ltd (Hy-Tec) operate the Austen Quarry, an existing hard rock quarry located at 391 Jenolan Caves Road Hartley NSW. The quarry is located within Lots 1, 2 DP 1000511, Lot 31 DP 1009967 and Lot 4 DP 876394, and is surrounded by agricultural land holdings.

Hy-Tec was granted Development Approval on 15 July 2015 for the Austen Quarry Extension (SSD_6084). The previous approval (DA103/94) was surrendered on 15 September 2016, with operations under SSD_6084 formally commencing on this date. An application to modify the consent was approved with modified conditions (SSD 6084 MOD 1) on 15 August 2018. A second modification was approved with modified conditions (SSD 6084 MOD 2) on 15 July 2019.

The conditions of approval require Hy-Tec Industries Pty Ltd to appoint an independent auditor to assess compliance with the Minister’s Conditions of Approval obtained for the quarry operations.

Schedule 5, condition 8 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 Secretary of the DPE 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.

Project Details

Project Name	Austen Quarry
Project Application Number	Development Consent PA SSD-6084
Project Address	391 Jenolan Caves Road Hartley NSW
Project Phase	Operational.
Project Description	The approved activities at the Quarry comprise the following. <ul style="list-style-type: none"> • Development and use of an extraction area to process Rhyolite rock using standard drill, blast, load and haul techniques. • Crushing and processing of hard rock material to produce quarry products. • Transportation of up to 1,600 000t per year of quarry products. • Progressive rehabilitation and construction of the final landform.

1.2 Audit Team

The audit was conducted by the following:

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

James Hart was endorsed by the Secretary of the Department of Planning and Environment on 17 May 2023.

The independent audit declaration form is attached as Appendix C.

1.3 Audit Objectives

The objective of this audit was to undertake the independent environmental audit of the project in compliance with the Development Consent SSD-6084 to assess compliance with the conditions of consent, environmental protection licence, water access licence, Statement of Commitments and relevant management plans. The audit was conducted with consideration of the Department of Planning Industry and Environment Independent Audit Post Approval Requirements June 2020 (DPAR 2020).

1.4 Audit Scope

The scope of this audit comprised of the following:

- Consultation with stakeholders to obtain their input into the scope of the audit;
- Review of compliance against Development Consent SSD-6084;
- Review of requirements of EPL 12323;
- Review of requirements of Water Access Licences 25616 and 37423;
- Review of implementation of the following management plans:
 - Environmental Management Strategy – Austen Quarry, Version 2.1, approved 23/08/2019;
 - Air Quality Management Plan – Austen Quarry, Version 4, approved 23/08/2019;
 - Blasting Management Plan– Austen Quarry, Version 3, approved 23/08/2019;
 - Noise Management Plan – Austen Quarry, Version 3, approved 23/08/2019;
 - Transport Management Plan – Austen Quarry, Version 3, approved 23/08/2019;
 - Water Management Plan – Austen Quarry, Version 11, approved 23/08/2019;
 - Landscape and Rehabilitation Management Plan – Austen Quarry, Version 2.2, approved 6/09/2019;
 - Silver Leaved Mountain Gum Management Plan - Austen Quarry, Rev 3,19/08/2016;
- the performance of the operation;
- results from previous audits;
- any incidents or community complaints;
- Site inspection of the development area.

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

1.5 Audit Period

This was the third independent environmental audit carried out on the project, which covered the period August 2020 to July 2023.

2 Methodology

2.1 Approval of Auditors

Hy-Tec engaged James Hart as the independent environmental auditor to conduct this audit. The auditor details and certification were discussed in Section 1.2 of this report. Auditor's approval letter from DPE is attached as Appendix C.

2.2 Audit scope development

The audit scope and a checklist was developed based on the Development Consent SSD-6084, statement of commitments, requirements of Environment Protection License (EPL) 12323, requirements of Water Licences 25616 and 37423 and feedback from agencies consulted.

2.3 Audit Process

The audit commenced with an Opening Meeting to confirm the scope, purpose, and timeline of the audit. The Opening Meeting was held at 08.30am on 17 July 2023.

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.

The audit activities included the following:

- A site walk to review implementation of mitigation measures and environmental controls on 17 July 2023 accompanied by Darryl Thiedeke, Craig McDonald, Jilu John and Michael Greenwood
- Desktop review of the project documentation (EMS and its sub-plans) to verify compliance with the Project Approval, EPL and WAL requirements;
- Review of available records on the project website and records provided during the site audit and records provided subsequently as evidence of compliance; and
- Submission of draft report to Hy-Tec for review prior to finalisation of report and submission to DPE.

A closing meeting was held at 4.30pm on 17 July 2023 where the preliminary audit findings were presented. Where aspects of the audit remained unresolved, Hy-Tec was requested to provide additional information. This information was provided between the 17/07/2023 and 4/08/2023.

2.4 Interviewed Persons

Name and position of persons interviewed:

Name	Organisation	Position
Darryl Thiedeke	National Planning and Development Manager	Hy-Tec
Craig McDonald	Quarry Manager	Hy-Tec
Ethan Pettiford	Operations Manager	Hy-Tec
Jili John	Project Manager	Hy-Tec

2.5 Details of Site Inspection

A site inspection of the quarry was conducted with focus on the following controls:

- Rehabilitation areas;
- Erosion and sedimentation controls;
- Water storage;
- access/egress;
- Roads surrounding the site for dust/mud tracking;
- Dust management;
- Waste management;
- Site fence and vegetation screening;
- Boundary markers;
- Chemical storage;
- Site signage; and
- General housekeeping.

2.6 Agency and Community Consultation

Consultation with the following was undertaken prior to the audit to obtain feedback and to focus the audit criteria on key issues.

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

Contact	Agency	Comments
Jessie Evans Director, Resource Assessments, Planning and Assessment	Department of Planning and Environment	The department would be interested in your findings on the retirement of biodiversity offset requirements.
Liz Mazzer A/Senior Team Leader, Planning, Northwest Biodiversity, Conservation and Science Directorate	Department of Planning and Environment	I am most interested in how the proponent is progressing with meeting: Condition 25: Biodiversity Offset Strategy implementation Condition 26: Securing biodiversity offsets Condition 29: Implementing the landscape and rehabilitation plan.
Samantha Hayes Operations Officer Regulatory Operations	NSW Environment Protection Authority	The EPA has recently been in discussion with Aust -10 water management of the premises. As previously advised by the EPA, discharge to waters should be avoided in the first instance.

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		<p>The EPA considers that there may be alternative measures available to you to avoid the need for a discharge. In that regard, the EPA recommends that you consider, if you haven't done so already:</p> <ol style="list-style-type: none"> 1. Improved dam capacity via either: <ol style="list-style-type: none"> a) Pumping water between basins to balance capacity during wet weather b) Consider installation of additional basins to increase wet weather capacity 2. Implementing proactive pre and post-rain procedures to manage excess water. <p>For license conditions, the EPA understands that during rainfall events, where water levels in the Coxs River are elevated, accessing Licence point 3 poses a safety issue meaning monitoring required by licence condition M2.4 cannot be undertaken.</p> <p>Regarding monitoring point 3, licence condition M2.4 states, "For the purposes of the table(s) above, Special Frequency 1 means the collection of samples monthly, with the exception of when a discharge is occurring from Point 1, where samples must be collected daily."</p> <p>The Licence must be consistent with the monitoring undertaken at the Premises and therefore would consider the wording from condition M2.4 "with the exception of when a discharge is occurring from Point 1, where samples must be collected daily" with appropriate justification.</p> <p>Required Action To progress these changes, the EPA advised that Aust-10 submit a licence variation application via the EPA's online eConnect portal for this.</p> <p>To date, the application to vary the licence has not happened.</p> <p>This is not an issue though it was a concern addressed in the discussions.</p>
<p>Lauren Stevens Development Planner</p>	<p>Lithgow City Council</p>	<p>No Response</p>
<p>Liz Rogers DPIE Water Assessments</p>	<p>Department of Planning and Environment</p>	<p>Response notifying Liz Rogers was no longer with the department. No response from general email mailbox.</p>

Issues raised during the agency consultation process were considered in development of the audit checklist and checked and reviewed during the site inspection and review of records.

2.7 Audit Compliance Status Descriptors

Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Not Compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered	A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.

2.8 Approvals and Documents Audited

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

- Project Approval – SSD_6084 Mod 2, 15/07/2019;
- Air Quality Management Plan – Austen Quarry, Version 4, approved 23/08/2019;
- Blasting Management Plan– Austen Quarry, Version 3, approved 23/08/2019;
- Noise Management Plan – Austen Quarry, Version 3, approved 23/08/2019;
- Transport Management Plan – Austen Quarry, Version 3, approved 23/08/2019;
- Water Management Plan – Austen Quarry, Version 11, approved 23/08/2019;
- Landscape and Rehabilitation Management Plan – Austen Quarry, Version 2.2, approved 6/09/2019;
- Environmental Management Strategy – Austen Quarry, Version 2.1, approved 23/08/2019;
- Silver Leaved Mountain Gum Management Plan - Austen Quarry, Rev 3,19/08/2016;
- Environmental Protection Licence No 12323, NSW EPA, 5/11/2020;
- Austen Quarry Annual Review, 1 July 2020 to 30 June 2021;
- Austen Quarry Annual Review, 1 July 2021 to 30 June 2022;
- Austen Quarry Complaints Register, July 2015 to June 2023; and
- Water Access Licences 25616 and 37423.
- EPL Reporting Summary 2020-2021
- EPL Reporting Summary 2021-2022
- EPL Reporting Summary 2022-2023
- Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2020
- Noise Monitoring Assessment Austen Quarry, Hartley, NSW April 2021
- Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2021
- Noise Monitoring Assessment Austen Quarry, Hartley, NSW March 2022
- Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2022
- Noise Monitoring Assessment Austen Quarry, Hartley, NSW March 2023
- Austen Quarry Site Specific Training package
- Hy-Tec Austen Quarry Spring Revegetation, 2020, Skillset Land Works.
- Hy-Tec Quarry Tree Planting Day 2021 Report by Land Works
- Aquatic Monitoring Report, Spring 2020, Niche Environment and Heritage, 27/08/2021
- Austen Quarry Traffic Monitoring at The Jenolan Caves Road and Great Western Highway Intersection Report, No 22051, 15 June 2022.

2.9 Issues to be considered in reviewing this report

This audit was based on a review of compliance with the approval conditions for the operation of the Austen 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:

- Extraction and crushing of material;
- Screening and stockpiling of material; and
- Loading of trucks for dispatch.

The attached checklists record the outcomes of the audit process.

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	Requirements	Findings
Schedule 2 – Administrative Controls	31	Compliant – 25
		Non-Compliant – 1
		Not Triggered – 5
<hr/>		
Schedule 3 – Environmental Performance Conditions	32	Compliant – 35
		Non-Compliant – 5
		Not Triggered – 2
<hr/>		
Schedule 4 – Additional Procedures	2	Compliant – 1
		Non-Compliant – 0
		Not Triggered – 1
<hr/>		
Schedule 5 – Additional Procedures	11	Compliant – 8
		Non-Compliant – 1
		Not Triggered – 2
<hr/>		
EPL 12323	44	Compliant – 31
		Non-Compliant – 4
		Not Triggered – 9
<hr/>		
WAL 25616	17	Compliant – 14
		Non-Compliant – 0
		Not Triggered – 3
<hr/>		
WAL 37423	22	Compliant – 5
		Non-Compliant – 0
		Not Triggered – 17
<hr/>		
Statement of Commitments	77	Compliant – 62
		Non-Compliant – 3
		Not Triggered – 12

3.2 Assessment of Compliance

Overall, the project had implemented processes to generally manage compliance with Development Consent SSD-6084 (Mod 2), EPL 12323, Water Access Licences 25616 and WAL37423.

Quarrying activities have been undertaken within the approved boundaries, which have been clearly identified on site. The conditions of consent permit quarrying operation to a depth of 685m AHD. Extraction operations had not extended below 706m AHD at the time of the current audit.

The attached checklists record the outcomes of the audit process. Seven non-compliances have been raised where compliance with the conditions of consent, EPL, WAL or management plans could not be verified.

3.2.1 Air Quality

An Air Quality Management Plan, which included controls to minimise air quality impacts and monitoring requirements, had been developed, approved and implemented for the project.

Controls had been implemented to minimise the impact of the project on air quality. The site was progressively cleared and rehabilitated. Irrigation sprays had been installed on the conveyors and along the haul road to minimise dust generation, and a water cart used for dust suppression within the quarry. Water was added to material at the pug mill to reduce dust generation.

Deposited dust monitoring had been conducted, with no exceedances of the site annual average deposited dust criteria occurring. It was noted that ash content on three samples collected (two in May 2022, one in January 2023) was not determined due to the samples being lost when the crucible broke at 850°C. However, results for insoluble matter were provided as required by the EPL, and hence failure to report on ash content was not considered a non-compliance.

In accordance with the approved Air Quality Management Plan, PM₁₀ dust monitoring is conducted at the nearest residential receiver. No exceedances of particulate matter criteria had been recorded.

During the audit, evidence was sighted to verify that controls identified in the AQMP had been implemented. Monitoring results verify that controls implemented were effective in managing air quality impacts of the project.

3.2.2 Noise Management

A Noise Management Plan – Austen Quarry, Version 3, approved 23/08/2019, had been developed, approved and implemented in accordance with Schedule 3 Condition 5, which identified noise management and monitoring requirements.

Noise monitoring was conducted on a six monthly basis in accordance with the requirements of the Noise Management Plan and EPL. Noise monitoring had not identified any exceedances of the noise criteria.

One complaint had been received during the period covered by this audit in relation to noise from trucks travelling over a local bridge (public road). While the complaint was not directly attributable to quarry operations, the complaint was subsequently investigated, including additional monitoring at the residential property and installation of additional signage to remind heavy vehicles to minimize speed over the bridge near the property. Results of the investigation were provided to the complainant. No other noise complaints had been received.

3.2.3 Traffic Management

A Transport Management Plan and Driver Code of Conduct (TMP) had been updated to address the requirements of Conditions of Consent MOD2 and approved on 23/08/2019.

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.

The audit found general compliance with the requirements of the TMP. Records of truck movements were maintained from weighbridge information and provided on the company website.

One non-compliance was identified in relation to transport management. One truck had left the site after 10pm. **Refer NC-03** The incident was investigated and weighbridge operations modified to prevent dockets being issued after 10pm. No further incidents had been recorded.

3.2.4 Water Management

The Water Management Plan (WMP) has been updated to comply with the requirements of Conditions of Consent MOD2. The WMP was submitted to and approved by DPIE (V11, approved 23/08/19).

Records were available to demonstrate that water monitoring had been conducted in compliance with the requirements of the consent conditions and EPL12323.

Two exceedances of water quality criteria had been recorded for surface water discharges from site. The pH of surface water discharged on 8/12/2021 and 16/12/2021 had exceeded the site criteria. The pH recorded on both occasions was 8.6, which was outside of the range identified in the EPL (6.5-8.5). As a result of the non-compliance, the site purchased a pH meter and trained site staff to measure pH prior to discharge. All subsequent surface water discharges were compliant with EPL and WMP requirements. **Refer NC-04.**

In addition, two non-compliances were as a result of samples not being collected from EPL Point 3 in March 2021, July and October 2022. Samples were unable to be collected from the nominated location, with samples being collected at a nearby location which was safely accessible. **Refer NC-05.**

Records were available to verify that the non-compliances had been reported to DPE and the EPA. No further additional measurement measures were required to be implemented in relation to monitoring of discharge water quality. Hy-Tec may consider requesting a modification to the EPL to allow for an alternate locate to be sampled where safe access to the nominated location is not available.

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

During the audit, evidence was sighted to verify that controls identified in the Water Management Plan had been implemented and were effective in managing impacts of the project on water quality.

3.2.5 Blast Management

A Blast Management Plan (BMP) had been developed and had been updated to comply with the requirements of Conditions of Consent MOD2. The BMP was submitted to and approved by DPIE (V11, approved 23/08/19). The audit found that the site was in compliance with requirements of the Blast Management Plan. Blasting had been undertaken in accordance with the requirements of the management plan, including monitoring of blasts. Blast records were available, and no exceedances of blast criteria had been recorded.

Controls identified in the Blast Management Plan had been implemented. The Blast Management Plan requires all personnel and contractors working at the Quarry undergo an induction which includes information on the blast management while working on the site. Records of inductions were available.

One non-compliance was raised in relation to blast management. One blast had been conducted on 18/01/2023 outside the operating hours for blasting as identified in the conditions of consent, EPL and the Blast Management Plan (10am to 3pm) due to a breakdown of the mixer truck causing it to stop loading holes. The blast was conducted after all product was loaded (4.24pm) as storms were forecasted in the area and it was considered too dangerous to leave a half-loaded shot. It is noted that blasting outside of operating hours is permitted under the EPL and Blast Management Plan where blasting is required to ensure the safety of the Quarry or Quarry personnel and visitors. Both EPA and DPE were informed of the delayed blast. **Refer NC-02.**

3.2.6 Waste Management

Facilities had been provided for the segregation, storage and disposal of waste on site. Records were available to verify that, where applicable, waste had been collected by an approved waste contractor and disposed of at an appropriate facility. Septic waste was disposed of collected in tanks and disposed of offsite by a licenced wastewater contractors. Records of waste disposal were verified.

3.2.7 Biodiversity Management

The Quarry has been operating under a Biodiversity Offset Management Plan (BOMP, Rev 03, 19 August 2016). No changes to the BOMP had occurred during the period covered by the current audit. The BOMP identifies actions for the management of the biodiversity offset area including performance and evaluation criteria.

Hy-Tec has submitted a modification to the approval conditions to modify the biodiversity offset conditions. The modification to Schedule 3 Condition 25 will reduce the species credit obligations associated with planted individual Silver-Leaved Mountain Gum - *Eucalyptus pulverulenta* (SLMG) and to permit the staging of offsetting obligations to align with the progressive schedule of native vegetation clearing. The modification was being processed at the time of audit.

One non-compliance was raised in relation to biodiversity offset management. Biodiversity offset credits had not been retired by 31/12/2021. This non-compliance has been reported in each Annual Review. Hy-Tec has purchased the necessary ecosystem credits required to satisfy its entire offsetting obligations and in the process of completing the relevant application forms to retire the credits. Hy-Tec has also paid the required amount to the NSW Biodiversity Conservation Trust to account for the species credit requirements of naturally occurring Silver Leaved Mountain Gum. The planted Silver Leaved Mountain Gum are the subject of the current modification application for the Project. **Refer NC-06.**

Annual Biodiversity monitoring was conducted by EMM which assessed changes to flora and fauna on site. The monitoring did not identify any significant changes to species and community composition throughout the monitoring program. While some increase in weeds was found following periods of higher rainfall, the monitoring found that controls employed at the quarry are effective in controlling weeds which are a major cause of habitat degradation.

Skillset had been engaged to conduct rehabilitation planting and maintenance for the site. Tree planting had been conducted on the Yorkies stockpile and western boundary in November 2020 and 2021. No planting was undertaken in Spring 2022 period due to an extended period of wet weather.

Training in weed identification had been provided to quarry staff, and quarterly weed monitoring had been conducted and recorded in the AQ Environmental Inspection Checklist.

Spot spraying of weeds was undertaken in December 2021 and June 2022. Targeted aerial spraying was conducted in October 2020 and again in April 2022 for Serrated Tussock Control of Management of feral animals (goats, pigs, wild dogs) was undertaken by the property owner.

No non-compliances had been identified in relation to biodiversity and rehabilitation management.

3.2.8 Heritage Management

Requirements for the management of heritage items were communicated in inductions and through targeted training packages (e.g. Aboriginal Cultural Heritage training).

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

No unexpected heritage finds had been identified during the period covered by the current audit.

3.3 Silver Leaved Mountain Gum Management Plan

A Silver Leaved Mountain Gum Management Plan had been approved by the Commonwealth Department of Energy and the Environment. Planting of Silver Leaved Mountain Gum by Skillset had occurred in November 2020, February 2021 and August 2021. No planting occurred in 2022 due to wet conditions restricting access.

Monitoring of existing trees was undertaken in conjunction with the annual biodiversity monitoring conducted by Niche and during planting events by Skillset. Monthly weed inspections were conducted by the Quarry Manager. Seeds had been collected and stored for future use.

The audit found that the site was in compliance with requirements of the Silver Leaved Mountain Gum Management Plan.

3.4 Previous Audit Findings

Previous audit findings were reviewed as part of the current audit to assess implementation of actions identified to address issues. Actions to address previous audit findings had been identified and previous non-compliances had generally been closed out. Where non-conformances had not been closed out, a new non-compliance was raised in the current audit. A summary of previous findings and status is provided in Appendix A.

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

No Orders or Penalty Notices have been issued to Hy-Tec in relation to Austen Quarry operations.

Austen Quarry has not been prosecuted during the period covered by the current audit.

3.6 Complaints

A Complaints Register is available where information regarding complaints was recorded, including the relevant resolution. A summary of complaints was published on the company website. Five complaints had been received during the period covered by the current audit. Records were sighted to verify that complaints had been actioned and closed out.

Date	Complaint Details	Quarry Response
March 2021	Community member advised quarry of a near miss with a tipper truck on Jenolan Caves Rd.	Matter followed up and community member advised. An internal investigation was undertaken, and the driver was suspended for one week from the quarry. The community member was pleased with the outcome.
January 2022	Complaint registered at EPA re possible discharge in Cox's River over Christmas period.	Investigated by Quarry and found not to be from Austen Quarry. EPA advised accordingly
April 2022	Community member advised quarry of a truck he believed was travelling fast on Jenolan Caves Rd.	Community member thanked for his notification. Matter notified internally.

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January 2023	Due to delayed blast, Neighbour called the quarry as he was home and felt the blast. Neighbour advised it was a courtesy call.	Quarry staff advised blast was late due to operational issues on site and that the monitors showed that there had been no trigger at the existing monitoring sites, however a monitor would be located at his property for the next blast. Monitor placed next blast (24.02.2023) - no trigger recorded for the monitor at the property.
March 2023	Complaint raised by local resident re early morning truck noise. Road is 24 hour truck route.	Quarry Manager met with resident and advised that next round of the quarry's noise monitoring would include additional monitoring at the property + the quarry will install additional signage at the quarry to remind heavy vehicles to minimize speed over the bridge near the property.

3.7 Reportable Incidents

Date	Incident	Quarry Response
No reportable incidents had occurred		

3.8 Additional Matters Raised During Consultation

Agency	Comments	Finding
Department of Planning and Environment	The department would be interested in your findings on the retirement of biodiversity offset requirements.	Refer NC-06 and Section 3.2.7 of this report.
Biodiversity, Conservation and Science Directorate Department of Planning and Environment	I am most interested in how the proponent is progressing with meeting: Condition 25: Biodiversity Offset Strategy implementation Condition 26: Securing biodiversity offsets Condition 29: Implementing the landscape and rehabilitation plan.	Refer NC-06 and Section 3.2.7 of this report.
NSW Environment Protection Authority	The EPA has recently been in discussion with Aust -10 water management of the premises.	Austen Quarry has cleaned out dams EPL1 and EPL 8 to increase capacity with the water storage system.

	<p>As previously advised by the EPA, discharge to waters should be avoided in the first instance.</p> <p>The EPA considers that there may be alternative measures available to you to avoid the need for a discharge. In that regard, the EPA recommends that you consider, if you haven't done so already:</p> <ol style="list-style-type: none"> 1. Improved dam capacity via either: <ol style="list-style-type: none"> a) Pumping water between basins to balance capacity during wet weather b) Consider installation of additional basins to increase wet weather capacity 2. Implementing proactive pre and post-rain procedures to manage excess water. <p>For license conditions, the EPA understands that during rainfall events, where water levels in the Coxs River are elevated, accessing Licence point 3 poses a safety issue meaning monitoring required by licence condition M2.4 cannot be undertaken.</p> <p>Regarding monitoring point 3, licence condition M2.4 states, "For the purposes of the table(s) above, Special Frequency 1 means the collection of samples monthly, with the exception of when a discharge is occurring from Point 1, where samples must be collected daily."</p> <p>The Licence must be consistent with the monitoring undertaken at the Premises and therefore would consider the wording from condition M2.4</p> <p>"with the exception of when a discharge is occurring from Point 1, where samples must be collected daily" with appropriate justification.</p> <p>Required Action To progress these changes, the EPA advised that Aust-10 submit a licence variation application via the EPA's online eConnect portal for this.</p>	<p>Daily inspections were undertaken, which include inspection of dams storage capacities. It was reported that pumping between storage areas was regularly undertaken to maintain storage capacity in for wet weather events and sufficient storage for on site use.</p> <p>Hy-Tec have yet to submit a licence variation to modify licence condition M2.4. Refer Section 4.2 Opportunities for Improvement.</p>
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	<p>To date, the application to vary the licence has not happened.</p> <p>This is not an issue though it was a concern addressed in the discussions.</p>	
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3.9 Audit Site Inspection

The site inspection was conducted on 17 July 2023 by the Lead Auditor James Hart accompanied by Craig McDonald, Michael Greenwood and Darryl Thiedeke. Specific activities being undertaken at the time of audit were:

- Loading and haulage of material from the quarry to the processing plant;
- Operation of quarry earthmoving equipment, including front end loader;
- Screening and stockpiling of material; and
- Loading of trucks for dispatch.

The site environmental controls and mitigation measures were verified including:

- Sealed road had been provided for access/ egress to the site,
- The site gate had been moved to allow for queueing of trucks off the main road,
- Water cart and sprays had been provided along roads to reduce dust generation during periods of dry weather,
- No significant air borne dust was being generated at the time of site inspection,
- Dedicated storage areas had been provided for oils and chemicals on site,
- Receptacles were provided for segregation and storage of wastes,
- Spill kits were available on site,
- Erosion and sediment controls had been implemented,
- Trees in rehabilitation areas were in generally good condition,
- A new oil water separation unit had been installed for collection and treatment of oily water from the refuelling bay,
- Water sampling locations were clearly identified,
- Water storage ponds were in good condition, and
- Site was generally clean and tidy.

3.10 Suitability and Adequacy of Plans and the EMS

An assessment of the general adequacy and compliance against Project Approval conditions of key management plans was undertaken and is provided in Appendix A. It should be noted, however, that a detailed or technical assessment of these management plans was not undertaken.

Overall, the EMS, sub-plans and compliance were found to be adequate, had been provided by appropriately qualified and experienced personnel, received the appropriate approval and had been satisfactorily implemented. Commentary on individual management plans is provided in Section 3.2.

The Environmental Management Strategy (EMS) was robust with strengths in communication processes, documentation and record keeping, induction, training and competence, environmental controls and non-conformance/corrective action processes.

Management plans have been reviewed and revised where required. Management plans have been updated and submitted to DPE for approval within the timeframe as per the approval conditions. Hy-Tec maintained a register of review and submission of management plans.

Where compliance with requirements of the requirements of management plans could not be demonstrated, non-compliances were raised. Details of non-compliances are provided in Section 4.

3.11 Actual verses predicted environment impacts

Review of monitoring data identified that the impacts on air, water and noise quality was consistent with predicted impacts.

Groundwater monitoring did not identify any significant change in groundwater levels or quality as the result of quarrying operations. Changes in groundwater levels identified were the result of increased rainfall. Surface water quality monitoring in the Cox's River does not identify any impact from the quarrying operations. Results showed that water quality exceedances recorded for water discharged from site (pH 8.6) did not adversely affect downstream water quality.

Noise impacts from Quarrying operations were consistent with the predicted levels and generally inaudible at monitoring locations.

Impacts on biodiversity were consistent with predicted impacts. Clearing had been conducted within the approved project limits, and controls had been implemented to minimise the impact on fauna and protect endangered flora.

3.12 Key Strengths

Overall, the project environmental performance in compliance with Development Consent SSD 6084 was satisfactorily met with the following key strengths noted:

- The process for managing complaints and non-conformances has been implemented and recorded. Prompt response to complaints was noted.
- Prompt response to non-compliances/ issues identified.
- Implementation of environmental control, including:
 - rehabilitation of disturbed areas;
 - dust management; and
 - the site was maintained in a clean and tidy condition.

4 Non-compliances and Recommendations

The table following outlines the identified non-compliances as well the auditor's recommendations. Auditor's notes are detailed in the attached **Appendix A – Audit Table**.

4.1 Areas of Non-compliance

Issue No.	Condition	Requirement	Issue sighted	Recommendation
NC-01	Schedule 2 Condition 2A Statement of Commitments 1.1, 1.2	The Applicant must carry out the development in accordance with the conditions of this consent.	Non-compliances has been recorded against Conditions of Approval Schedule 3 (Conditions 4,26,30), Schedule 5 (Condition 1,10,11).	It is recommended that all non-compliances identified are addressed and closed out. Consider implementing a process to track compliance requirements and status.
NC-02	Schedule 3 Condition 1 EPL L5.1	The Applicant must comply with the operating hours set out in Table 1. Blasting in or on the premises must only be carried out between 1000 hours and 1500 hours Monday to Friday.	One blast had been conducted after 3pm on 18/01/2023.	Blast was conducted after 3pm due to safety concerns as permitted in the Blast Management Plan. No further action required.
NC-03	Schedule 3 Condition 1 EPL 12323 Condition L2 Statement of Commitments 11.3	The Applicant must comply with the operating hours set out in Table 1.	One truck had been despatched after 10pm on 15/10/2021.	Hy-Tec had modified weighbridge software to prevent the issuing of dockets after 10pm. No further non-compliances with site operating hours had occurred. No further action required.
NC-04	Schedule 3 Condition 16 EPL 12323 Condition O4.3	The Applicant must comply with the discharge limits in any EPL, or Section 120 of the POEO Act.	pH levels in water released from site exceeded the EPL criteria on two occasions,	Hy-Tec had purchased a pH meter for use on site, and trained workers in the use of the meter. No further exceedances had occurred. No further action required.
NC-05	Schedule 3 Condition 20 EPL 12323 Condition M2.3	The Applicant must implement the Water Management Plan as approved by the Secretary.	Collection of water samples from EPL Point 3 could not be undertaken on two days in March 2021, 4 days in July 2022 and 3 days in October 2022 due to high flow in the river. Sampled at nearest safely accessible location.	Hy-Tec should seek a modification to EPL12323 for water sampling during flood events.

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Issue No.	Condition	Requirement	Issue sighted	Recommendation
NC-06	Schedule 3 Condition 25	Within 12 months of the approval of Modification 1, or other timeframe agreed by the Secretary, the Applicant must retire the biodiversity credits specified in Table 4A below.	Extensions of time to 31/12/2021 for retiring of biodiversity offset credits had been provided. biodiversity offset credits had not been retired by 31/12/2021.	Arrangements for the retirement of biodiversity offset credits should be finalised and implemented
NC-07	Schedule 5 Condition 3	The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.	<p>Four exceedances of the criteria and/or performance measures had been recorded during the period covered by the current audit.</p> <ul style="list-style-type: none"> • Loading hours exceeded 2021 - Weighbridge operation modified to prevent dockets being provided after 10pm. • pH range exceeded 2022. pH meter purchased and employees trained in its use • EPL Point 3 unable to be sampled on two days in March 2021, 4 days in July 2022 and 3 days in October 2022. Sampled at nearest safely accessible location • Blast occurred outside of approved hours in January 2023 	Hy-Tec should ensure that adequate controls are identified and implemented to ensure no exceedances of project criteria or performance measures occur.

4.2 Opportunities for Improvement

One opportunity for improvement was identified during the audit:

- Hy-Tec should consider seeking a modification to EPL 12323 to allow for alternate sampling arrangements during flood or high water flow events.

4.3 Areas of compliance

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

5 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, seven non-compliances were raised where compliance with requirements of the conditions of consent, EPL, WAL, or management plans prepared for the site was not demonstrated.

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**

a. Substantive Changes.

No substantive changes were made to the draft audit report.

Appendix A. - Previous Audit Findings

Issue No.	Condition	Requirement	Issue sighted	Hy-Tec Response	2023 Status
01	Schedule 3 2A	The Applicant must carry out the development in accordance with the conditions of this consent.	The site was not compliant with the requirements of Schedule 3-11, Schedule 3-16, Schedule 5-3 or Schedule 5-6. As such, the site was considered non-compliant with Condition Schedule 3-2A.	This is noted. While Hy-Tec aims to achieve compliance with all conditional requirements, it is noted that the mostly administrative non-compliance issues have not threatened environmental harm. The improvement in compliance issues raised since the last audit (7 issues here versus 26 in 2017) is testament to the efforts of personnel to operate in an environmentally responsible manner.	Non-compliances have been identified during the current audit. Refer NC-01
02	Schedule 3 11	<p>The Applicant must:</p> <ul style="list-style-type: none"> • implement best practice management to minimise the dust emissions of the development; • regularly assess meteorological and air quality monitoring data and relocate, modify and/or stop operations on site to ensure compliance with the air quality criteria in this consent; • minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note under Table 4); • monitor and report on compliance with the relevant air quality conditions in this consent; • (f) minimise the area of surface disturbance and undertake progressive rehabilitation of the site, <p>to the satisfaction of the Secretary.</p>	<p>Monitoring was not conducted for PM10/ TSP during the period 24/10/17 to 2/01/18, due to equipment failure.</p> <p>Recommendation: Consider providing alternative monitoring equipment during periods when equipment is under repair.</p>	<p>Hy-Tec will discuss the feasibility of installing replacement equipment during periods when the equipment on site is being repaired with our contracted supplier.</p> <p>The long history of compliance (with high particulate matter readings only occurring during periods when there are local bushfire) indicates that it is unlikely that exceedances of the criteria were missed during this period.</p>	No further action required. Closed

<p>N-03</p>	<p>Schedule 3 16 EPL12323 L2.4</p>	<p>The Applicant must comply with the discharge limits in any EPL, or Section 120 of the POEO Act.</p>	<p>Monitoring results for surface water discharges on 24/10/2017 reported a pH reading of 8.6, which was outside of the range specified in the environmental protection licence (6.5 to 8.5). Subsequent to the incident, a pH meter has been purchased and used for measuring pH prior to discharge. Recommendation: No further action required.</p>	<p>Water had been tested the previous day by a laboratory with a pH reading of 8.3. The following day during discharge it registered at 8.6. The results of testing during discharge were not received until the day after the water was discharged. As noted, this issue was immediately rectified by the purchase of a pH tester when it was identified. The pH meter permits personnel to measure pH at the point and time of the discharge.</p>	<p>Field pH range of 6.7-8.3 used for discharge purposes. New pH meter purchased and training provided to Quarry Manager and Supervisor. Two instances during the period covered by the current audit where the pH of water discharged exceeded the upper limit of 8.5. OPEN – Refer NC-04</p>
<p>N-04</p>	<p>Schedule 5 3 EPL12323 L2.4 EPL12323 M2.3</p>	<p>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation. Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity:</p> <ul style="list-style-type: none"> • take all reasonable and feasible steps to ensure that the exceedance ceases and does not reoccur; • consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and • implement remediation measures as directed by the Secretary; <p>to the satisfaction of the Secretary.</p>	<p>The site had provided a report to the Department for the following occurrences:</p> <ul style="list-style-type: none"> • pH of water discharged on 24/10/2017 did not comply with the limits identified in the EPL (L2.4) • air quality monitoring was not conducted during the period 24/10/2017 to 2/01/2018 (equipment breakdown) • Water quality monitoring was not conducted at Points 2 and 3 during the discharge event on 10/02/2020 (due to safety concerns - river in flood). <p>Recommendation: Where an exceedance of the criteria and/or performance measures in Schedule 3 has occurred, Hy-Tec should provide a report to the Department describing preferred remediation measures or other</p>	<p>Hy-Tec acknowledge the omission in not notifying the regulator of the non-compliance issues. The company is aware of this responsibility and regularly notifies issues for this site and other operations. In this instance the failure to notify regulators following the pH exceedance was caused by the delay in results being returned from the laboratory and the minor nature of the exceedance. Failure to notify regulators of omitted monitoring and equipment repair resulted from a misunderstanding of the requirements. These issues were not considered an exceedance of the conditional requirements and therefore not considered an incident. It is understood that these are non-</p>	<p>Exceedances of the criteria and/or performance measures have been reported in accordance with Schedule 5 Condition 3. Closed</p>

			course of action.	compliances with the performance criteria for the operation and should have been notified to the relevant regulators. All issues that are exceedances of criteria or non-compliances with performance criteria will be notified to the relevant regulators with a summary of intended remediation measures or alternative courses of action.	
N-05	Schedule 5 6 EPL 12323 M2.3	<p>The Applicant must immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.</p> <p>Water monitoring at Points 2 and 3 conducted monthly and daily during discharge from Point 1 for:</p> <ul style="list-style-type: none"> Oil and Grease / PH / Total suspended solids 	<p>The following non-compliances with EPL conditions had not been immediately reported to the Department:</p> <ul style="list-style-type: none"> pH of water discharged on 24/10/2017 did not comply with the limits identified in the EPL (L2.4) air quality monitoring was not conducted during the period 24/10/2017 to 2/01/2018 (equipment breakdown) Water quality monitoring was not conducted at Points 2 and 3 during the discharge event on 10/02/2020 (due to safety concerns - river in flood). <p>Recommendation: Incidents, including noncompliance with EPL conditions, should be reported to the Secretary in accordance with the requirements of Condition Schedule 5-6.</p>	See response to Non-Compliance issue 04 above.	<p>Incidents occurring during the period covered by the current audit have been reported to the Secretary in accordance with the requirements of Condition Schedule 5-6.</p> <p>Closed</p>

<p>N-06</p>	<p>Water Access Licence 25615 MW0036-00002</p>	<p>The volume of water taken in any three (3) consecutive water years from 1 July 2012 must be recorded in the logbook at the end of those three water years. The maximum volume of water taken in any three (3) consecutive water years permitted to be taken in those years must also be recorded in the logbook.</p>	<p>While a logbook was maintained, The 3 year cumulative average and the maximum volume of water permitted to be taken in those years was not recorded in the logbook. Recommendation: Amend the logbook to include recording of the 3 year cumulative volume and the maximum volume of water permitted to be taken.</p>	<p>This is an administrative omission. It is noted that Hy-Tec has never exceeded the annual volume of water provided under licence and therefore the 3-year cumulative volume would be much less than that permitted to be taken. Regardless, the logbook records have been updated to provide a running 3-year cumulative total (at the end of every water year (30 June).</p>	<p>Logbook has been updated to include recording of the 3 year cumulative volume and the maximum volume of water permitted to be taken. Closed</p>
<p>N-07</p>	<p>Schedule 5 1 Environmental Management Strategy 3.4</p>	<p>Update Material Safety Data Sheet Register – Event based or annually.</p>	<p>During the audit inspection it was noted that the hard copy files of the MSDSs stored at the site had not been updated recently. Some of the records were greater than 5 years old. This non-compliance issue was raised in the previous audit and remains open. Recommendation: Safety data sheets should be updated whenever changes occur or at least every 5 years. The most recent version of safety data sheets should be retained.</p>	<p>As noted in response to this issue at the previous audit, personnel principally rely on online MSDS records. However, it is accepted that having two different sources available on site may be confusing, especially if one is no longer up to date. Following the previous audit all hard copy MSDS records were updated, however the older records were retained under what the Quarry Manager mistakenly believed was required for internal record keeping. Hy-Tec has reviewed the hard copy MSDS records held at the Quarry and updated these to include the most recent and relevant version of the relevant sheet.</p>	<p>All SDS viewed during the current audit were current. Closed</p>

Appendix B. – Auditor Approval



Department of Planning and Environment

AUS - 10 RHYOLITE PTY LIMITED
Mr Darryl Thiedeke
63-79 PARRAMATTA ROAD
Silverwater NSW 2128
17/05/2023

Dear MrThiedeke

**Austen Quarry Extension (SSD-6084)
IEA Auditor Update Request**

I refer to your request submitted to the Department of Planning and Environment (the Department), dated 12 May 2023, requesting the Department to update the Independent Environmental Audit (IEA) Auditor approval letter to reflect the correct company of the Auditor, that was endorsed by Secretary on 5 May 2023, in accordance with Schedule 5 Condition 8 for the Austen Quarry Project SSD-6084 (the consent)

On 5 May 2023 the Department approved Mr. James Hart of Australian Quality Assurance & Superintendence Pty Ltd (AQUAS), however the incorrect company was referenced in the initial auditor request documentation and should have referred to Mr. James Hart of James Hart Consulting.

The Department has reviewed the updated information provided and is satisfied that Mr. James Hart of James Hart Consulting is suitably qualified and experienced. Therefore, in accordance with Schedule 5 Condition 8(a) of the Consent and the Independent Audit Post Approval Requirements, the Secretary agrees to Mr. James Hart to undertake the IEA and prepare the IEA Report.

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken and finalised in accordance with the Independent Audit Post Approval Requirements. Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate auditor or audit team for future audits. Notwithstanding the agreement for the above listed audit team for this Project, each respective project approval or consent requires a request for the agreement to the auditor or audit team be submitted to the Department, for consideration of the Secretary. Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

Prior to submitting the IEA report, it is recommended that you review the report to ensure it complies with all relevant consent condition and the Independent Audit Post Approval Requirements.

Should you wish to discuss the matter further, please contact Jennifer Rowe (Senior Compliance Officer) on 0242471851 or compliance@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K O'Reilly'.

Katrina O'Reilly
Team Leader - Compliance
Compliance
As nominee of the Planning Secretary

Appendix C. – Audit Tables

a. Audit Checklist – Development Consent SSD-6084

CONDITIONS OF APPROVAL

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Schedule 3– Administrative Conditions						
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 must 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 Consent						
2.	2	The Applicant must carry out the development generally in accordance with the: (a) EIS, SEE (Mod 1) and SEE (Mod 2); and (b) Statement of Commitments. Note: The statement of commitments is reproduced in Appendix 3.		Results of this audit show that the development has been carried out in general accordance with requirements.	Compliant	
3.	2A	The Applicant must carry out the development in accordance with the conditions of this consent.		Seven non-compliance have been raised in relation to the conditions of approval. Hence, the development is not considered to have been carried out in accordance with the conditions of consent.	Not Compliant	NC-01
4.	3	If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.		No inconsistencies have been identified.	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
5.	4	The Applicant must 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.	Compliant	
Lapsing of Consent						
6.	5	If the development has not been physically commenced within 5 years of the date of this consent, then this development consent must lapse.	Independent Environmental Audit: Austen Quarry SSD-6084, NSW, AQUAS November 2017	Current development commenced on 16/09/16 (Council approval surrendered 15/09/16). Letter to Lithgow City Council sighted 15/09/16. Verified previous audit.	Compliant	
Limits of Consent						
7.	6	The Applicant must not extract extractive materials below a level of 685 m AHD.	Site Survey September 2022	The lowest depth within the extracted pit was 706.0 m AHD, 21 metres above the limit of 685 M AHD. No further work in Stage 1. Current works in Stage 2 – 715 m AHD.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
8.	7	Quarrying operations may take place on site until 30 August 2050. <i>Note: Under this consent, the Applicant is required to rehabilitate the site and carry out additional undertakings to the satisfaction of the Secretary. Consequently, this consent will continue to apply in all other respects other than the right to conduct quarrying operations until the rehabilitation of the site and those undertakings have been carried out to a satisfactory standard.</i>		Current year 2023.	Compliant	
9.	8	The Applicant must not: (a) transport more than 1.6 million tonnes of quarry products from the site during any financial year;	Adelaide Brighton Depot: 2801 - Austen Quarry Product Summary reports 1 July 2020 to 30 June 2021, 1 July 2021 to 30 June 2022, 1 July 2022 to 30 June 2023	2020 – 2021 – 0.926 million tonnes 2021 - 2022 - 1.026 million tonnes 2022 - 2023 – 1.432 million tonnes	Compliant	
10.		(b) dispatch more than 300 laden trucks from the site on weekdays and 167 laden trucks from the site on Saturdays; and	2020-2021 Summary of Truck Movements 2021-2022 Summary of Truck Movements 2022-2023 Summary of Truck Movements Austen Quarry Reporting Dashboard	Maximum weekday truck movements – 17/05/2022 – 251 Maximum Saturday truck movements – 11/02/2023 – 111	Compliant	
11.		(c) dispatch more than 200 laden trucks from the site per weekday, averaged over the total number of dispatch weekdays in any calendar month.	2020-2021 Summary of Truck Movements 2021-2022 Summary of Truck Movements 2022-2023 Summary of Truck Movements	Maximum monthly average daily truck movements – 189 in March 2023.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
12.	9	<p>Within 12 months of the date of this consent, or as otherwise agreed by the Secretary, the Applicant must surrender the development consent (DA 103/94) for the existing operations on the site in accordance with Section 4.63 of the EP&A Act.</p> <p><i>Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 4A of the EP&A Act. Surrendering of consent should not be understood as implying that works legally constructed under a valid consent can no longer be legally maintained or used.</i></p>	Independent Environmental Audit: Austen Quarry SSD-6084, NSW, AQUAS November 2017	<p>Consent date 15/07/15. DA103/94 surrendered 15/09/16.</p> <p>Two month extension granted to surrender the existing consent by 15/09/2016.</p> <p>Verified previous audit.</p>	Compliant	
13.	10	Prior to the surrender of the development consent DA 103/94, the conditions of this consent must prevail to the extent of any inconsistency with the conditions of development consent DA 103/94.		Development consent DA 103/94 surrendered prior to the period covered by this audit.	Compliant	
Structural Adequacy						
14.	11	<p>The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> • Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works; and • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development or project. 		No new buildings have been erected on site since commencement of work under the current consent	Not Triggered	
Demolition						
15.	12	The Applicant must ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.		No demolition works has been conducted	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Protection of Public Infrastructure						
16.	13	<p>The Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.</p> <p>Note: This condition does not apply to damage to roads caused as a result of general road usage.</p>		No public infrastructure has been relocated or required repair as a result of the current development	Not Triggered	
Operation of Plant and Equipment						
17.	14	<p>The Applicant must ensure that all the plant and equipment used at the site is:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	<p>GEARBOX Maintenance System records</p> <p>e.g. R-37484 – Repairs to conveyors and belts</p> <p>R-37495 – Damage to Chutes</p> <p>F-1271 – Visual inspection of the pan feeder 2 (PRC Tunnel)</p> <p>Daily Prestart hard copy records in office</p>	<p>Maintenance records are available. Maintenance undertaken by Manufacturer Komatsu. e.g. Machine 2801-EX05 (PC850). Service records sighted for</p> <p>Replace globes 21/06/2023</p> <p>6000hr service, 29/06/2023,</p> <p>19/05/2023 5,500 hr service</p> <p>20/02/2023 – Mechanical repairs (increase protection around fittings, change out steel lines to flexible lines</p> <p>Truck 2801-DU6 –B 13/07/2023 Remove Straighten step.</p> <p>2/06/2023 – 12 month fire suppression services</p> <p>30/03/2023 – 2000 hr service</p> <p>Daily prestart records sighted in office.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Updating and staging of strategies, plans or programs						
18.	15	<p>To ensure that strategies, plans and programs required under this consent are updated on a regular basis, and that they incorporate any appropriate additional measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis.</p> <p>With the agreement of the Secretary, the Applicant may prepare a revision of or a stage of a strategy, plan or program without undertaking consultation with all parties nominated under the applicable condition in this consent.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> • While any strategy, plan or program may be submitted on a staged basis, the Applicant will need to ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times. • If the submission of any strategy, plan or program is to be staged; then the relevant strategy, plan or program must clearly describe the specific stage/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program. 		<p>Management plans have been prepared and submitted to DPE.</p> <p>Plans have been updated where required.</p>	Compliant	
19.	16	<p>Until they are replaced by an equivalent strategy, plan or program approved under this consent, the Applicant must implement the existing strategies, plans or programs for the site that have been approved under DA 103/94.</p>	<p>Independent Environmental Audit: Austen Quarry SSD-6084, NSW, AQUAS 29 July 2020</p>	<p>Management plans been updated and approved prior to the period covered by the current audit.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
20.	17	The Applicant must: (a) provide annual quarry production data to DRG using the standard form for that purpose; and (b) include a copy of this data in the Annual Review (see condition 4 of Schedule 5).	Annual Review for Austen Quarry Extension Hy-Tec Industries Pty Ltd, Year Ending 30th June 2021 Annual Review for Austen Quarry Extension Hy-Tec Industries Pty Ltd, Year Ending 30th June 2022	Included in Appendix P of the Annual review. Submitted on Form S1 – Return for Extractive Materials.	Compliant	
Identification of Approved Extraction Limits						
21.	18	By 30 September 2015, unless otherwise agreed with the Secretary, the Applicant must: (a) engage a registered surveyor to mark out the boundaries of the approved limits of extraction within the development area; and (b) submit a survey plan of these boundaries with applicable GPS coordinates to the Secretary.	Independent Environmental Audit: Austen Quarry SSD-6084, NSW, AQUAS November 2017	Survey completed 27/11/15. Updated 15/09/16. Completed prior to previous audit.	Compliant	
22.	19	While quarrying operations are being carried out, the Applicant must ensure that these boundaries are clearly marked at all times in a manner that allows operating staff to clearly identify the approved limits of extraction.	Site Inspection	Markings have been provided to show boundaries. Survey mark with steel post inside the boundary. It was reported that, where works were nearing boundaries, additional hi visibility tape was provided to highlight the boundary.	Compliant	
Community Enhancement						
23.	20	Within 6 months of the date of this consent, unless otherwise agreed by the Secretary, the Applicant must enter into a planning agreement with the Council in accordance with division <ul style="list-style-type: none"> Division 7.1 of Part 7 of the EP&A Act; and the terms specified in Appendix 7. If there is any dispute between the Applicant and Council on the planning agreement, then either party may refer the matter to the Secretary for resolution.	Letter from Lithgow City Council 16/012/2015 providing endorsement of Draft Voluntary Planning Agreement	Signed VPA sighted (10/08/16). Verified previous audit	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Evidence of Consultation						
24.	21	Where conditions of this consent require consultation with an identified party, the Applicant must; (a) consult with the relevant party prior to submitting the subject document to the Secretary for approval; and (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Email to DPE 30/07/2019	Evidence of consultation on preparation of management plans included in management plans. Commentary on consultation with EPA included in Section 1 Noise Management Plan. Regulatory Agency Consultation Log included in Water Management Plan (Attachment 1). Landscape and Rehabilitation Management Plan – Section 5 – Stakeholder Identification and Consultation. No consultation on updates to plans in 2019 as changes were only minor updates (clerical) and did not impact measurement measures.	Compliant	
25.	22	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as the date of this consent.		Noted	Compliant	
26.	23	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.		The Secretary has not issued any directions to comply with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
27.	24	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Hy-tec Quarries – Site Safety Inductions (SharePoint) Austen Quarry Site Specific Training package Checklist SG, 30/05/2023	Item 19 of the Site Specific Induction includes reference to the site being a state significant development. Specific requirements are communicated based on the activities being conducted, e.g. Landscape Stage 2 Clearing 30/05/2023.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #																
Schedule 3 - ENVIRONMENTAL PERFORMANCE CONDITIONS																						
Noise																						
28.	1	<p>The Applicant must comply with the operating hours set out in Table 1.</p> <p>Table 1 : Operating Hours</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Permissible Hours</th> </tr> </thead> <tbody> <tr> <td>• Extraction Operations</td> <td>• 6 am to 10 pm Monday to Friday;</td> </tr> <tr> <td>• Processing Operations</td> <td>• 6 am to 3 pm Saturday; and</td> </tr> <tr> <td>• Overburden Management</td> <td>• At no time on Sundays or public holidays.</td> </tr> <tr> <td>• Stockpile Management</td> <td></td> </tr> <tr> <td>Blasting</td> <td>10 am to 3 pm Monday to Friday (except public holidays).</td> </tr> <tr> <td>Loading And Dispatch</td> <td>• 4 am to 10 pm Monday to Friday; • 5 am to 3 pm Saturdays; and • At no time on Sundays or public holidays.</td> </tr> <tr> <td>Maintenance</td> <td>Anytime</td> </tr> </tbody> </table>	Activity	Permissible Hours	• Extraction Operations	• 6 am to 10 pm Monday to Friday;	• Processing Operations	• 6 am to 3 pm Saturday; and	• Overburden Management	• At no time on Sundays or public holidays.	• Stockpile Management		Blasting	10 am to 3 pm Monday to Friday (except public holidays).	Loading And Dispatch	• 4 am to 10 pm Monday to Friday; • 5 am to 3 pm Saturdays; and • At no time on Sundays or public holidays.	Maintenance	Anytime	<p>Email to EPA and DPE 18/01/2023 @ 1.37pm notifying of possible delay to blast and response from EPA 18/01/2023 @ 2.33pm.</p> <p>Email to EPA @ 3.35 pm providing update on blast delay.</p> <p>Email to EPA 18/01/2023 @ 4.32pm informing that the blast had been completed.</p> <p>Letter from Premier Drill and Blast informing of blast delay and weather conditions.</p> <p>Transaction list (From CAS) 10/07/2023 to 24/07/2023</p> <p>Austen Truck Movements 2020-2021</p> <p>Austen Truck Movements 2021-2022</p> <p>Austen Truck Movements 2022-2023</p>	<p>Crusher/ feeder has a lock down which prevents use between 9.45pm and 6.00am.</p> <p>Work hours are 6am to 5pm, with a back shift working to 9pm.</p> <p>Working hours are communicated at induction.</p> <p>All truck loading managed by the CAS weighbridge system does not allow tare in of trucks before 4 am. System shuts down at 9.30pm to prevent movements out after 10pm.</p> <p>Blasting on 18/01/2023 after 3pm. Delayed blast due to breakdown of the mixer truck. Blasting was conducted after 3pm due to safety concerns as storms were forecasted in the area and it was considered too dangerous to leave a half-loaded shot. The delayed blast was reported to EPA and DPE at the time of the event.</p> <p>Recommendation No further action required.</p> <p>Noted that one truck had been despatched after 10pm (15/10/2021). Investigation by the Quarry identified that shutting down at 9.30pm (truck checked in at 9.26pm) still allowed trucks to be loaded and despatched after 10pm. Changes to weighbridge software undertaken to prevent</p>	<p>Not Compliant</p>	<p>NC-02</p>
Activity	Permissible Hours																					
• Extraction Operations	• 6 am to 10 pm Monday to Friday;																					
• Processing Operations	• 6 am to 3 pm Saturday; and																					
• Overburden Management	• At no time on Sundays or public holidays.																					
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Maintenance	Anytime																					

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
				trucks being weighed after 10pm. No further instances of trucks being dispatched after 10pm have occurred. Recommendation: No further action required.	Not Compliant	NC-03
29.	2	The following activities may be carried out on the site outside the hours specified in condition 1: (a) delivery or dispatch of materials as requested by Police or other authorities; and (b) emergency work to avoid the loss of lives, property and/or to prevent environmental harm. In such circumstances, the Applicant must notify the Secretary and affected residents prior to undertaking the activities, or as soon as is practical thereafter.		No work outside of approved hours was reported to have been undertaken.	Not triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #										
Noise Impact Assessment Criteria																
30.	3	<p>The Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 2 at any residence on privately-owned land.</p> <p>Table 2: Noise Criteria dB(A)</p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Day dB(A) LAeq(15 min)</th> <th>Evening dB(A) LAeq(15 min)</th> <th>Morning Shoulder dB(A) LAeq(15 min)</th> <th>Morning Shoulder (Sleep Disturbance) LA max</th> </tr> </thead> <tbody> <tr> <td>All privately-owned residences</td> <td>35</td> <td>35</td> <td>35</td> <td>52</td> </tr> </tbody> </table> <p>Noise generated by the development must be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017).</p> <p>However, the noise criteria in Table 2 do not apply if the Applicant has an agreement with the relevant landowner to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.</p>	Receiver	Day dB(A) LAeq(15 min)	Evening dB(A) LAeq(15 min)	Morning Shoulder dB(A) LAeq(15 min)	Morning Shoulder (Sleep Disturbance) LA max	All privately-owned residences	35	35	35	52	<p>Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2020</p> <p>Noise Monitoring Assessment Austen Quarry, Hartley, NSW April 2021</p> <p>Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2021</p> <p>Noise Monitoring Assessment Austen Quarry, Hartley, NSW March 2022</p> <p>Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2022</p> <p>Noise Monitoring Assessment Austen Quarry, Hartley, NSW March 2023</p>	<p>6 monthly noise monitoring has been conducted by Muller Acoustic Consulting,</p> <p>Both unattended and attended noise monitoring conducted.</p> <p>Report concluded identified that noise emissions generated by Austen Quarry comply with relevant noise criteria specified in EPL#12323 and SSD-6084 at all assessed locations.</p>	Compliant	
Receiver	Day dB(A) LAeq(15 min)	Evening dB(A) LAeq(15 min)	Morning Shoulder dB(A) LAeq(15 min)	Morning Shoulder (Sleep Disturbance) LA max												
All privately-owned residences	35	35	35	52												

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Operating Conditions						
31.	4	The Applicant must: (a) implement best practice management to minimise the operational and road transportation noise of the development;	Noise Management Plan, Section 7 Noise Management System. Noise Monitoring Assessment Austen Quarry Hartley, April 2021] Noise Monitoring Assessment Austen Quarry Hartley, Sept 2021] Noise Monitoring Assessment Austen Quarry Hartley, March 2022] Noise Monitoring Assessment Austen Quarry Hartley, Sept 2022] Noise Monitoring Assessment Austen Quarry Hartley, March 2023	Controls have been identified in the Noise Management Plan and implemented for managing noise impacts during noise enhancing conditions. No complaints have been received in relation to operational noise, with noise monitoring showing noise emissions from the site were below site criteria. One noise complaint had been received in March 2023 related to a noise from a truck travelling over a bridge.	Compliant	
		(b) minimise the noise impacts of the development during noise-enhancing meteorological conditions when the noise criteria in this consent do not apply (see Appendix 5);	Site Interview Noise Management Plan Section 7.2.2	Controls have been identified in Section 7.2.2 of the NMP for managing noise impacts during noise enhancing conditions. Reported that no modifications to work activities have been required to minimise noise impacts during adverse weather conditions.		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		(c) carry out attended noise monitoring (at least every 6 months, unless otherwise approved by the Secretary) to determine whether the development is complying with the relevant conditions of this consent; and	Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2020 Noise Monitoring Assessment Austen Quarry, Hartley, NSW April 2021 Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2021 Noise Monitoring Assessment Austen Quarry, Hartley, NSW March 2022 Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2022 Noise Monitoring Assessment Austen Quarry, Hartley, NSW March 2023	6 monthly noise monitoring has been conducted by Muller Acoustic Consulting, Both unattended and attended noise monitoring conducted.		
		(d) regularly assess noise monitoring data and modify and/or stop operations on site to ensure compliance with the relevant conditions of this consent, to the satisfaction of the Secretary. <i>Note: Required frequency of noise monitoring may be reduced if approved by the Secretary.</i>	Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2020 Noise Monitoring Assessment Austen Quarry, Hartley, NSW April 2021 Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2021 Noise Monitoring Assessment Austen Quarry, Hartley, NSW March 2022 Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2022 Noise Monitoring Assessment Austen Quarry, Hartley, NSW March 2023	Noise monitoring conducted has not identified any exceedances of criteria.		
Noise Management Plan						
32.	5	The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Secretary. This plan must:	Noise Management Plan – Austen Quarry, Version 3, approved 23/08/2019	Noise Management Plan – Section 1	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		(a) be prepared in consultation with EPA;		Consultation undertaken on initial version of the NMP (verified previous audit). Consultation on updated plan not undertaken as only minor administrative changes were made to the plan.		
		(b) be submitted to the Secretary at least 3 months prior to the commencement of quarrying operations under this consent, unless otherwise agreed by the Secretary;	Noise Management Plan – Austen Quarry, Version 3, approved 23/08/2019	Noise management plan developed and submitted to the Secretary Version 1 15/06/16 submitted to DPE. Updated November 2018 to comply with requirements of MOD 1 conditions of approval. Approved 23/08/2019. Verified previous audit,		
		(c) describe the measures that would be implemented to ensure: <ul style="list-style-type: none"> • compliance with the noise criteria in this consent; • best practice management is being employed; and • the noise impacts of the development are minimised during noise-enhancing meteorological conditions; 	Noise Management Plan – Austen Quarry, Version 3, approved 23/08/2019	Noise Management Plan, Section 7 Noise Management System. 7.1 Proactive Management Measures 7.2 Reactive Management Measures		
		(d) describe the proposed noise management system; and	Noise Management Plan – Austen Quarry, Version 3, approved 23/08/2019	Noise Management Plan, Section 7 Noise Management System.		
		(e) include a monitoring program: <ul style="list-style-type: none"> • to be implemented to measure noise from the development against the noise criteria in Table 2; • that includes annual noise monitoring at R24A, unless otherwise agreed with the Secretary; and • which evaluates and reports on the effectiveness of the noise management system on site. 	Noise Management Plan – Austen Quarry, Version 3, approved 23/08/2019	Noise monitoring program included in Section 8.		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		The Applicant must implement the Noise Management Plan as approved by the Secretary.	Komatsu HM400-5 Technical Specifications Gearbox - Equipment service history Noise Monitoring reports	Replaced water cart and excavator with similar units. Replace Volvo A40 with Komatsu HM400-5 Truck movements generally within approved hours Equipment service at regular intervals. Operations at exposed locations and under unfavourable weather conditions will be modified All transportation contractors exiting the Quarry are requested to slow to 40km/hr on the approach to and when crossing the Glenroy Bridge, where it is safe and reasonable to do so. All transportation contractors must avoid unnecessary compression braking, unless required for safety reasons		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #											
Blasting Impact Criteria																	
33.	6	<p>The Applicant must ensure that blasting on site does not cause any exceedance of the criteria in Table 3.</p> <p>Table 3: Blasting Criteria</p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Any residence on privately-owned land</td> <td>120</td> <td>10</td> <td>0</td> </tr> <tr> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> </tbody> </table> <p>However, these criteria do not apply if the Applicant has a written agreement with the relevant landowner to exceed the limits in Table 3, and the Applicant has advised the Department in writing of the terms of this agreement.</p>	Receiver	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Any residence on privately-owned land	120	10	0	115	5	5% of the total number of blasts over a period of 12 months	<p>EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023 Premier Drill and Blast – Post Blast Report, Summary Hartley #243.</p>	<p>Blast monitoring results show no exceedances of blasting criteria. Results provided in Section 6.3 and Table 16 of the Annual Review.</p> <p>No complaints related to blasting have been received.</p>	Compliant	
Receiver	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance														
Any residence on privately-owned land	120	10	0														
	115	5	5% of the total number of blasts over a period of 12 months														

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Blasting Frequency						
34.	7	<p>The Applicant may carry out a maximum of 1 blast per calendar week, unless an additional blast is required following a blast misfire. This condition does not apply to blasts required to ensure the safety of the quarry or workers on site.</p> <p><i>Note: For the purposes of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the quarry.</i></p>	<p>EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023</p>	<p>Records show that a maximum of 1 blast per calendar week had been conducted during the period covered by the current audit.</p> <p>Noted that one blast had been conducted after 3pm on 18/01/2023. Delayed blast due to breakdown of the mixer truck. Blasting was conducted after 3pm due to safety concerns as storms were forecasted in the area and it was considered too dangerous to leave a half-loaded shot. The delayed blast was reported to EPA and DPE at the time of the event.</p>	Compliant	
Operating Conditions						
35.	8	<p>During blasting operations, the Applicant must:</p> <p>(a) implement best management practice to:</p> <ul style="list-style-type: none"> • protect the safety of people and livestock in areas surrounding blasting operations; • protect public or private infrastructure/property in the surrounding area from damage from blasting operations; and • minimise dust and fume emissions from blasting; 	<p>Blasting Management Plan– Austen Quarry, Version 3, approved 23/08/2019 EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023</p>	<p>Blast management addressed in Section 7 of the Blast Management Plan.</p> <p>Blasting conducted in accordance with the blast management plan.</p> <p>No exceedance of blast criteria had been recorded.</p> <p>No excessive dust or fume emissions from blasting have been recorded.</p>	Compliant	
36.		<p>(b) operate a suitable system to enable the local community to get up-to-date information on the proposed blasting schedule on site; and</p>	<p>Letter 24/08/2021 for blast to be conducted on 31/08/2021. Letter 26/06/2023 for blast to be conducted on 3/07/2023</p>	<p>Reported that a letter drop conducted at least one week prior to each blast - Sighted letter 20/07/2020 for blast to be conducted on 27/07/2020.</p>		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
37.		(c) carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent, to the satisfaction of the Secretary.	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023 Premier Drill and Blast – Post Blast Report, Summary Hartley #243.	Blast monitoring conducted for each blast. No exceedance of blast criteria had been recorded.		
Blast Management Plan						
38.	9	<p>The Applicant must prepare and implement a Blast Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be submitted to the Secretary for approval within 3 months of the commencement of quarrying operations under this consent, unless otherwise agreed by the Secretary;</p> <p>(b) describe the measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this consent;</p> <p>(c) include a monitoring program for evaluating and reporting on compliance with the blasting criteria in this consent;</p> <p>(d) include community notification procedures for the blasting schedule; and</p> <p>(e) include a protocol for investigating and responding to complaints.</p>	<p>Blasting Management Plan– Austen Quarry, Version 3, approved 23/08/2019</p> <p>Email to EPA and DPE 18/01/2023 @ 1.37pm notifying of possible delay to blast and response from EPA 18/01/2023 @ 2.33pm.</p> <p>Email to EPA @ 3.35 pm providing update on blast delay.</p> <p>Email to EPA 18/01/2023 @ 4.32pm informing that the blast had been completed.</p> <p>Letter from Premier Drill and Blast informing of blast delay and weather conditions.</p>	<p>Blast Management Plan submitted 15/06/16.</p> <p>Blast Management Plan updated November 2018 to comply with Conditions of Consent MOD 1. Version 3 approved 23/08/2019.</p> <p>Section 7 – Blast Management System</p> <p>Section 8 - Monitoring</p> <p>Section 7.1.1 Blasting Schedule Notification</p> <p>Section 9 Complaints Handling And Response</p> <p>No complaints had been received</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #																		
		The Applicant must implement the Blast Management Plan as approved by the Secretary.		<p>Evidence sighted demonstrates that blasting has been conducted in accordance with the Blast Management Plan.</p> <p>One blast event had occurred outside of the blasting hours identified in Section 6.2.1 of the Blast Management Plan.</p> <p>However, Section 6.2.1 permits blasts to occur after 3pm if leaving the charge presents a safety risk. The blast was completed due to safety concerns with leaving charged holes with thunderstorms forecast.</p>																				
Air Quality Impact Assessment Criteria																								
39.	10	<p>The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 4 at any residence on privately-owned land.</p> <p>Table 4: Air Quality Criteria</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>^{a,d} 25 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>^b 50 µg/m³</td> </tr> <tr> <td>Particulate matter < 2.5 µm (PM_{2.5})</td> <td>Annual</td> <td>^{a,d} 8 µg/m³</td> </tr> <tr> <td>Particulate matter < 2.5 µm (PM_{2.5})</td> <td>24 hour</td> <td>^b 25 µg/m³</td> </tr> <tr> <td>Total suspended particulates (TSP)</td> <td>Annual</td> <td>^{a,d} 90 µg/m³</td> </tr> </tbody> </table>	Pollutant	Averaging Period	Criterion	Particulate matter < 10 µm (PM ₁₀)	Annual	^{a,d} 25 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m ³	Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a,d} 8 µg/m ³	Particulate matter < 2.5 µm (PM _{2.5})	24 hour	^b 25 µg/m ³	Total suspended particulates (TSP)	Annual	^{a,d} 90 µg/m ³	<p>Air Quality Management Plan – Austen Quarry, Version 4, approved 23/08/2019</p> <p>EPL Reporting Summary 2020-2021</p> <p>EPL Reporting Summary 2021-2022</p> <p>EPL Reporting Summary 2022-2023</p>	<p>Avoidance and mitigation measures are identified in the Air Quality Management Plan, Sections 7.1.</p> <p>No complaints have been recorded.</p> <p>Deposited dust monitored at 3 locations in accordance with the Air Quality Management Plan and EPL. Annual average levels have been below criterion.</p> <p>Particulate matter is measured using a PM₁₀ through a real time E sampler, with TSP calculated from PM₁₀ results.</p>	Compliant	
Pollutant	Averaging Period	Criterion																						
Particulate matter < 10 µm (PM ₁₀)	Annual	^{a,d} 25 µg/m ³																						
Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m ³																						
Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a,d} 8 µg/m ³																						
Particulate matter < 2.5 µm (PM _{2.5})	24 hour	^b 25 µg/m ³																						
Total suspended particulates (TSP)	Annual	^{a,d} 90 µg/m ³																						

JHC Ref No	Cond. No.	Condition				Evidence	Finding and Recommendations	Compliance rating	Issue #
		^c Deposited dust	Annual	^b 2 g/m ² / month	^{a,d} 4 g/m ² / month				
<p><i>Notes to Table 4:</i></p> <p><i>a Cumulative impact (i.e. increase in concentrations due to the development plus background concentrations due to all other sources).</i></p> <p><i>b Incremental impact (i.e. increase in concentrations due to the development alone, with zero allowable exceedances of the criteria over the life of the development).</i></p> <p><i>c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.</i></p> <p><i>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.</i></p> <p><i>e "Reasonable and feasible avoidance measures" includes, but is not limited to, the operational requirements in conditions 11 and 12 to develop and implement an air quality management system that ensures operational responses to the risks of exceedance of the criteria.</i></p>									

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Operating Conditions						
40.	11	<p>The Applicant must:</p> <p>(a) implement best practice management to minimise the dust emissions of the development;</p> <p>(b) regularly assess meteorological and air quality monitoring data and relocate, modify and/or stop operations on site to ensure compliance with the air quality criteria in this consent;</p> <p>(c) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note under Table 4);</p> <p>(d) monitor and report on compliance with the relevant air quality conditions in this consent;</p> <p>(f) minimise the area of surface disturbance and undertake progressive rehabilitation of the site, to the satisfaction of the Secretary.</p>	<p>The following were verified during the site inspection:</p> <ul style="list-style-type: none"> Water cart in use on site Dust sprays on conveyors Water added at pug mill to minimise dust Haul road sprays <p>-75um material captured in pug mill sprays</p>	<p>Particulate matter is measured using a PM₁₀ through a real time E sampler, with TSP calculated from PM₁₀ results.</p> <p>3 dust gauges installed and monitored.</p> <p>PM₁₀ data available online.</p> <p>No exceedances of the annual dust deposition criteria have occurred.</p> <p>Noted that ash content on 3 dust deposition samples could not be determined as samples were destroyed during the ashing process in the laboratory. Not considered a non-compliance was reporting on deposited dust was still able to be undertaken (insoluble matter).</p> <p>Surface disturbance has been minimised, and progressive rehabilitation conducted.</p>	Compliant	
Air Quality Management Plan						
41.	12	<p>The Applicant must prepare and implement an Air Quality Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be submitted to the Secretary for approval within 3 months of the commencement of quarrying operations under this consent, unless otherwise agreed by the Secretary;</p> <p>(b) describe the measures that would be implemented to ensure</p>	<p>Air Quality Management Plan – Austen Quarry, Version 4, approved 23/08/2019</p>	<p>Air Quality Management Plan prepared.</p> <p>Air Quality Management Plan submitted 15/06/2016. Updated November 2018 to comply with Conditions of Consent MOD 1. Version 4 approved 23/08/2019.</p> <p>Section 7.1 Proactive Management Measures</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> compliance with the air quality criteria and operating conditions of this consent; best practice management is being employed; and the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events 		Section 7.2 – Reactive Management Measures		
		(c) describe the proposed air quality management system;		Section 7 Air Quality Management System		
		(d) include an air quality monitoring program that: <ul style="list-style-type: none"> is capable of evaluating the performance of the development; includes a protocol for determining any exceedances of the relevant conditions of consent; effectively supports the air quality management system; and evaluates and reports on the adequacy of the air quality management system. The Applicant must implement the Air Quality Management Plan as approved by the Secretary.		Section 8 – Air Quality Monitoring Program		
Meteorological Monitoring						
42.	13	For the life of the development, the Applicant must ensure that there is a suitable meteorological station operating in the vicinity of the site that complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline.	Site Inspection Hartley Weather Station 3490 Weekly Monitoring Data 10-17/07/2023.	Weather station provided on site. Monitors Wind speed, direction, temperature, Barometric Pressure, Rainfall, relative humidity.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Greenhouse Gas Emissions						
43.	14	The applicant must implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site.	Site Inspection. Equipment maintenance records in Gearbox	Greenhouse gas emission mitigations measures have been identified in the Air Quality Management Plan. e.g. - Primary Conveyor has regenerative braking to return power to the system, reducing electricity generations requirements. Periodic replacement of plant with improved technology to reduce emissions DPF filters on loaders. Solar panels used for haul road warning lights PM10 monitor solar powered. Front gate solar powered.	Compliant	
SOIL AND WATER						
Water Supply						
44.	15	The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of operations under the consent to match its available water supply, to the satisfaction of the Secretary. <i>Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development, including in respect of the extraction and/or interception of groundwater.</i>	WAL 25616 Water Management Plan – Austen Quarry, Version 11, approved 23/08/2019	Water balance had been included in the Water Management Plan. Water licence obtained for extraction of water from the Cox's River (Lic No WAL25616) and licence for groundwater extraction from the bottom of the pit (WAL37423).	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Water Discharges						
45.	16	The Applicant must comply with the discharge limits in any EPL, or Section 120 of the POEO Act.	pH meter training records for CM, MG Cintillate Report – 023885 EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023	2021-2022 – Two days where the laboratory measured pH exceeded the range specified in the EPL. (Range 6.5-8.5, pH recorded 8.6 on both occasions). Site pH meter purchased. Records showed operators had been trained in correct use of pH meter by ALS Laboratories. Recommendation: No further action required	Not Compliant	NC-04
Surface Water Audit and Water Management Improvement Program						
46.	17	Within 3 months of the commencement of quarrying operations under this consent, the Applicant must commission independent surface water expert/s, approved by the Secretary, to undertake an audit of current and proposed surface water management practices and infrastructure on the site. The audit must: (a) be undertaken in consultation with EPA and WaterNSW; (b) fully describe and audit existing site water management practices and consider the EIS's proposed water management practices; (c) identify all reasonable and feasible measures to improve surface water management on the site, with particular reference to opportunities to divert clean water away from the site; and (d) recommend design parameters for proposed water management systems on the site.	Letter from DPI 14/07/16 acknowledging acceptance of the audit report.	Surface Water Audit conducted by Groundwork Plus. Verified previous audit.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
47.	18	Unless otherwise agreed with the Secretary, the Applicant must submit the Surface Water Audit report to the Secretary within six months of commissioning the audit. The report must be accompanied by a Water Management Improvement Program, based on the report's recommendations, to improve surface water management practices on the site, including a program of proposed timeframes for implementation.		Surface audit report was provided to DPI on 15/07/16. Water Management Improvement Program included in submission with the audit report. Verified previous audit.	Compliant	
48.	19	The Applicant must implement the Water Management Improvement Program to the satisfaction of the Secretary	Water Management Plan – Austen Quarry, Version 11, approved 23/08/2019	Water Quality Improvement Program included in Section 10 of the Water Management Plan. 4 of 6 recommendations completed in 2017. Two remaining actions are ongoing and were being progressively implemented.	Compliant	
Water Management Plan						
49.	20	The Applicant must prepare and implement a Water Management Plan for the development to the satisfaction of the Secretary. This plan must:	Water Management Plan – Austen Quarry, Version 11, approved 23/08/2019	Water Quality Management Plan approved 16/10/17. Initial submission on 15/06/16. Verified previous audit.	Compliant	
		(a) be prepared by suitably qualified person/s approved by the Secretary;				
		(b) be prepared in consultation with the EPA, DoL and WaterNSW;	Water Management Plan – Austen Quarry, Version 11, approved 23/08/2019	Consultation log included in Water Management Plan Attachment 1.	Compliant	
		(c) be submitted to the Secretary for approval at least 3 months prior to the commencement of quarrying operations under this consent, unless otherwise agreed by the Secretary;		Water Quality Management Plan approved 16/10/17. Initial submission on 15/06/16. Quarrying operations commenced 16/09/16 under current consent.	Compliant	
		(d) include a: (i) Site Water Balance that includes: o details of:		Section 6 – Site Water Balance	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> • sources and security of water supply; • water use and management on site; • any off-site water transfers; and • reporting procedures. ○ measures that would be implemented to minimise clean water use on site; (ii) Surface Water Management Plan, that includes: <ul style="list-style-type: none"> ○ detailed baseline data on surface water flows and quality in water bodies that could potentially be affected by the development; ○ a detailed description of the surface water management system on site including the: <ul style="list-style-type: none"> • clean water diversion system; • erosion and sediment controls; • dirty water management system; and • water storages; and ○ a program to monitor and report on: <ul style="list-style-type: none"> • any surface water discharges; • the effectiveness of the water management system; and • surface water flows and quality in local watercourses; (iii) Groundwater Management Plan, that includes: <ul style="list-style-type: none"> ○ baseline data on groundwater levels, yield and quality in local aquifers and privately-owned groundwater bores that could be potentially affected by the development; ○ a program to monitor and report on groundwater inflows to the quarry pit and the impacts of the development on surrounding aquifers and privately-owned groundwater bores; and 		Section 7 Surface Water Management		
				Section 8 Groundwater Management		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> ○ an analysis of these monitoring results to predict long-term water levels within the quarry void; and (iv) Surface and Ground Water Contingency Strategy, that includes: <ul style="list-style-type: none"> ○ a protocol for the investigation, notification and mitigation of identified impacts on surface water flows and quality in water bodies and/or groundwater levels, yield and quality in local aquifers and privately-owned groundwater bores that could be potentially affected by the development; and ○ the procedures that would be followed if any unforeseen impacts are detected during the development. 				
		The Applicant must implement the Water Management Plan as approved by the Secretary.	Site Inspection EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023	Section 9 – Contingency Strategy Hy-Tec has implemented the Water Management Plan. Records of surface and groundwater monitoring were available. Controls had been implemented on site to manage surface water flows Water had been taken in accordance with the Water Access Licences Collection of water samples could not be undertaken from EPL Point 3 two days in March 2021, 4 days in July 2022 and 3 days in October 2022 due to high flow in the river. Sampled at nearest safely accessible location. Recommendation:	Not Compliant	05

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
				Hy-Tec should seek a modification to EPL12323 for water sampling during flood events.		
Transport						
Monitoring of Product Transport						
50.	21	The Applicant must keep accurate records of all 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.	CAS/SAP Quarries Weighbridge Records e.g. Product Summary Report – 30/01/2023 – 1/07/2023	Truck movement records up to April 2023 were published on the company website. CAS/SAP Quarries Weighbridge System used for monitoring truck movements to and from the site. Includes date and time, truck details, weight, time loaded, delivery address.	Compliant	
Operating Conditions						
51.	22	The Applicant must ensure that: (a) all reasonable measures are taken such that 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; and (d) no trucks queue at the entrance to the site before 4 am on weekdays and 5 am on Saturday.	Driver Vehicle Inspection in Cintillate e.g. 6/07/2023 XN86DS. CAS weighbridge records	Audit process implemented to verify trucks compliance with CoR, Driver Vehicle Inspection. Covered loads verified for trucks sighted on day of audit. Minimum of 4/mth required to be completed. Records reviewed audits conducted in accordance with the schedule.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
52.	22A	In 2022, and every 2 years thereafter, unless RMS directs otherwise, the Applicant must, in consultation with RMS, undertake monitoring of intersection performance at the Jenolan Caves Road and Great Western Highway intersection. Within 2 months of completing this monitoring, the results must be provided to RMS.	Austen Quarry Traffic Monitoring at The Jenolan Caves Road and Great Western Highway Intersection Report, No 22051, 15 June 2022. Letter from TfNSW 5/11/2022 - WST08/00023/18 SF2022/12017114	Monitoring completed 11 May 2022. Report provided to TfNSW 30/09/2022.	Compliant	
Transport Management Plan						
53.	23	The Applicant must prepare a Transport Management Plan for the development to the satisfaction of the Secretary. This plan must:	Transport Management Plan, Version 3, Approved 23/08/2019.	Traffic Management Plan prepared and submitted to DP&E 15/06/16. Version 3 approved November 2016.	Compliant	
		(a) be submitted to the Secretary for approval at least 3 months prior to the commencement of quarrying operations under this consent, unless otherwise agreed by the Secretary;		Quarrying operations commenced 16/09/16 under current consent. Traffic Management plan updated November 2018 to comply with Conditions of Consent MOD 1. Version 3 approved 23/08/2019.		
		(b) describe the measures that would be undertaken to monitor the intersection performance at the Jenolan Caves Road and Great Western Highway intersection and maintain an acceptable level of service at this intersection;		Section 8.3 – Intersection Performance		
		(c) include a Drivers' Code of Conduct that includes: <ul style="list-style-type: none"> • details of the safe and quiet driving practices that must be used by drivers travelling to and from the quarry, with a particular focus on the morning shoulder period; • a map of the primary haulage route; • safety initiatives for haulage during peak periods and along school bus routes; 	Driver induction records in ADBRI SharePoint.	Section 8 – Transport and Traffic Monitoring		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> • an induction process for vehicle operators and regular toolbox meetings; and • complaints resolution and disciplinary procedures 				
		(d) describe the measures that would be put in place to ensure compliance with the Drivers' Code of Conduct.		Section 8.2 Periodic Checks		
		The Applicant must implement the Transport Management Plan as approved by the Secretary.	Site inspection.	<p>Periodic checks conducted.</p> <p>Vehicle pass cards issued to transport drivers. Required to access weighbridge system.</p> <p>Transport hours – communicated at induction and managed through weighbridge CAS system, which limits times vehicles can be weighed.</p> <p>Trucks sighted entering and leaving the site on the day of audit were noted to be compliant with requirements of the TMP.</p>		
Aboriginal Heritage						
54.	24	<p>If any item or object of Aboriginal heritage significance is identified on site, the Applicant must ensure that: 24.</p> <p>(a) all work in the immediate vicinity of the suspected Aboriginal item or object ceases immediately;</p> <p>(b) a 10 m buffer area around the suspected item or object is cordoned off; and</p> <p>(c) the OEH is contacted immediately.</p> <p>Work in the vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the <i>National Parks and Wildlife Act 1974</i>.</p>	<p>Aboriginal Cultural Heritage training provided by Quarry Manager, 17/07/20,</p> <p>Cultural Awareness Training 28/09/2020</p> <p>NAIDOC Week 2023 1 July 2023 to 7 July "For our Elders Webinar.</p>	<p>Reported that no items or objects have been found.</p> <p>Requirements are communicated at training on site.</p> <p>Included in Annual site inductions.</p> <p>Not completed in 2022 due to COVID restrictions.</p>	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #															
LANDSCAPE AND REHABILITATION																					
Biodiversity Credits Required																					
55.	25	<p>Within 12 months of the approval of Modification 1, or other timeframe agreed by the Secretary, the Applicant must retire the biodiversity credits specified in Table 4A below.</p> <p><i>Table 4A: Biodiversity credits to be retired</i></p> <table border="1"> <thead> <tr> <th>Credit Type</th> <th>Offset Type</th> <th>Number of Credits</th> </tr> </thead> <tbody> <tr> <td>Ecosystem Credit</td> <td>PCT 1093 – Red Stringybark – Brittle Gum – Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion</td> <td>649</td> </tr> <tr> <td>Ecosystem Credit</td> <td>PCT 649 – Apple Box – Broad-leaved Peppermint dry open forest of the South Eastern Highlands Bioregion</td> <td>131</td> </tr> <tr> <td>Ecosystem Credit</td> <td>PCT 840 – Forest Red Gum – Yellow Box woodland of dry gorge slopes, southern Sydney Basin Bioregion and South-Eastern Highlands Bioregion</td> <td>60</td> </tr> <tr> <td>Species Credit</td> <td>Silver-leaved Mountain Gum (<i>Eucalyptus pulverulenta</i>)</td> <td>10,784</td> </tr> </tbody> </table> <p>The retirement of the credits in Table 4A must be carried out in consultation with OEH and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.</p> <p>Note: The credits in Table 4A were calculated in accordance with the Framework for Biodiversity Assessment of the NSW Biodiversity Offset Policy for</p>	Credit Type	Offset Type	Number of Credits	Ecosystem Credit	PCT 1093 – Red Stringybark – Brittle Gum – Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion	649	Ecosystem Credit	PCT 649 – Apple Box – Broad-leaved Peppermint dry open forest of the South Eastern Highlands Bioregion	131	Ecosystem Credit	PCT 840 – Forest Red Gum – Yellow Box woodland of dry gorge slopes, southern Sydney Basin Bioregion and South-Eastern Highlands Bioregion	60	Species Credit	Silver-leaved Mountain Gum (<i>Eucalyptus pulverulenta</i>)	10,784	<p>Letter from Niche Environment and Heritage 27/03/2023 - RE: Austen Quarry Stage 2 Project Modification - Biodiversity offset credits – variation approval request.</p> <p>Letter from DPE 28/06/2023 -Ref: SSD-6084-PA-22,Offset Variation Rules Request.</p> <p>Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation, 8/02/2023</p>	<p>Hy-Tec had received extensions of time up to 31/12/2021. No further extensions provided.</p> <p>Biodiversity credits have been obtained through the variation rules for PCT 1093, PCT 649 PCT 840 and the a payment made to the Biodiversity Conservation Trust for offsetting obligations associated with the naturally occurring Silver Leaved Mountain Gum.</p> <p>It was reported that a modification to the conditions of consent has been submitted, which includes requested changes to the biodiversity credits for the Silver Leaved Mountain Gum.</p> <p>Letter from Niche Environment and Heritage 27/03/2023 providing justification apply the variation rules under clause 6.4 of the Biodiversity Conservation Regulation 2017.</p> <p>Letter from DPE 28/06/2023 approving request to apply the variation rules for meeting the residual biodiversity credit obligations for the Project.</p> <p>Biodiversity Offset credits had not been retired by 31/12/2021.</p> <p>Recommendation:</p> <p>Arrangements for the retirement of biodiversity offset credits should be finalised and implemented.</p>	Not Compliant	NC-06
Credit Type	Offset Type	Number of Credits																			
Ecosystem Credit	PCT 1093 – Red Stringybark – Brittle Gum – Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion	649																			
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JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #												
		<i>Major Projects (OEHL, 2014) and may need to be converted to reasonably equivalent 'biodiversity credits', within the meaning of the BC Act, to facilitate retirement.</i>																
Security of Offsets																		
56.	26	Deleted																
Rehabilitation Objectives																		
57.	27	<p>The Applicant must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must be generally consistent with the rehabilitation strategy in the documents listed in condition 2 of Schedule 2 and the conceptual final landform in Appendix 4 and must comply with the objectives in Table 5.</p> <p><i>Table 5: Rehabilitation Objectives</i></p> <table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Site (as a whole)</td> <td> <ul style="list-style-type: none"> • Safe, stable and non-polluting • Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land </td> </tr> <tr> <td>Surface Infrastructure</td> <td>Decommissioned and removed, unless DRG agrees otherwise</td> </tr> <tr> <td>Quarry Benches</td> <td> <ul style="list-style-type: none"> • Landscaped and vegetated using native tree and understorey species </td> </tr> <tr> <td>Quarry Pit Floor</td> <td> <ul style="list-style-type: none"> • Landscaped and revegetated using native tree and understorey species </td> </tr> <tr> <td>Final Void</td> <td> <ul style="list-style-type: none"> • Minimise the size, depth and slope of the batters of the final void • Minimise the drainage catchment of the final void </td> </tr> </tbody> </table>	Feature	Objective	Site (as a whole)	<ul style="list-style-type: none"> • Safe, stable and non-polluting • Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land 	Surface Infrastructure	Decommissioned and removed, unless DRG agrees otherwise	Quarry Benches	<ul style="list-style-type: none"> • Landscaped and vegetated using native tree and understorey species 	Quarry Pit Floor	<ul style="list-style-type: none"> • Landscaped and revegetated using native tree and understorey species 	Final Void	<ul style="list-style-type: none"> • Minimise the size, depth and slope of the batters of the final void • Minimise the drainage catchment of the final void 	<p>Hy-Tec Austen Quarry Spring Revegetation, 2020, Skillset Land Works.</p> <p>Hy-Tec Quarry Tree Planting Day 2021 Report by Land Works</p>	<p>Rehabilitation conducted in August 2021, with 140 native plants planted on site across Yorkies Stockpile and Western Boundary revegetation zones</p> <p>Maintenance of regenerated areas by Skillset report sighted for works completed November 2020 and August 2021.</p> <p>No planting occurred in Spring 2022 Due the wet weather.</p>	Compliant	
Feature	Objective																	
Site (as a whole)	<ul style="list-style-type: none"> • Safe, stable and non-polluting • Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land 																	
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JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Progressive Rehabilitation						
58.	23	<p>The Applicant must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim stabilisation measures must be implemented where reasonable and feasible to control dust emissions in disturbed areas that are not active and which are not ready for final rehabilitation.</p> <p><i>Note: It is accepted that parts of the site that are progressively rehabilitated may be subject to further disturbance in future.</i></p>	<p>Hy-Tec Austen Quarry Spring Revegetation, 2020, Skillset Land Works.</p> <p>Hy-Tec Quarry Tree Planting Day 2021 Report by Land Works,</p>	<p>Rehabilitation has been progressively undertaken.</p> <p>Rehabilitation conducted in August 2021, with 140 native plants planted on site across Yorkies Stockpile and Western Boundary revegetation zones.</p> <p>Maintenance of regenerated areas by Skillset report sighted for works completed November 2020.</p>	Compliant	
Landscape and Rehabilitation Management Plan						
59.	29	<p>The Applicant must prepare a Landscape and Rehabilitation Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with OEH and be submitted to the Secretary for approval at least 3 months prior to the commencement of quarrying operations under this consent, unless the Secretary agrees otherwise;</p> <p>(b) provide details of the conceptual final landform and associated land uses for the site;</p> <p>(c) describe how the implementation of any land based offset (including Conservation Area H, shown in Appendix 2) would be integrated with the overall rehabilitation of the site;</p> <p>(d) include detailed performance and completion criteria for evaluating the performance of any land</p>	<p>Landscape and Rehabilitation Management Plan, Ver 2.2, August 2019.</p> <p>Ecological Pre-clearance Assessment, Austen Quarry Stage 2, Prepared by EMM, July 2023.</p> <p>Hy-Tec Austen Quarry Spring Revegetation 2020. Report of Works completed in November 2020. Prepared by Skillset Landworks,</p> <p>Hy-Tec Austen Quarry Autumn Revegetation 2021. Report of Works completed in late February 2021. Prepared by Skillset Landworks</p> <p>Hy-Tec Austen Quarry Tree Planting Day 2021, Report of Works completed in August. Prepared by Skillset Landworks,</p>	<p>Landscape and Rehabilitation Management Plan submitted 15/06/2016.</p> <p>Quarrying operations commenced 16/09/16 under current consent.</p> <p>Landscape and Rehabilitation Management Plan updated December 2018 to comply with Conditions of Consent MOD 1. Approved 6/09/2019.</p> <p>Section 7 – Final Landform and Land Use</p> <p>Section 8 - Austen Quarry Biodiversity Offset Strategy</p> <p>Section 8 - Austen Quarry Biodiversity Offset Strategy</p>	Compliant	



JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		based offset and rehabilitation of the site, including triggers for any necessary remedial action;		Section 9 - Landscape And Rehabilitation Management Measures		
		(e) describe the short, medium and long term measures that would be implemented to: <ul style="list-style-type: none"> • manage remnant vegetation and habitat on site, including within any land based offset; and • ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent; 		Section 9.6 Vegetation and Fauna Habitat Enhancement Section 9.11 Local Vegetation and Fauna Habitat Protection Section 9.5.2 Performance Management Section 10 Performance Indicators and Completion Criteria		
		(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 approval of the plan) including the procedures to be implemented for: <ul style="list-style-type: none"> • maximising the salvage of environmental resources within the approved disturbance area, including tree hollows, vegetative and soil resources, for beneficial reuse in the enhancement of the offset area or site rehabilitation; • restoring and enhancing the quality of native vegetation and fauna habitat in the biodiversity and rehabilitation areas through assisted natural regeneration, targeted vegetation establishment and the introduction of fauna habitat features; • protect, conserve, propagate, plant and/or regenerate Silver-leaved Mountain Gum (<i>Eucalyptus pulverulenta</i>) (including the propagation and planting of at least 1,000 individuals of this species); • protecting vegetation and fauna habitat outside the approved disturbance area on-site; • minimising the impacts on native fauna, including undertaking pre-clearance surveys; 		Section 9 Landscape And Rehabilitation Management Measures		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> • establishing vegetation screening to minimise the visual impacts of the site on surrounding receivers; • ensuring minimal environmental consequences for threatened species, populations and habitats; • collecting and propagating seed; • controlling weeds and feral pests; • controlling erosion; • controlling access; and • managing bushfire risk; 				
		(g) include a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria;		Section 11 Monitoring		
		(h) identify the potential risks to the successful implementation of any land based offset, and include a description of the contingency measures that would be implemented to mitigate these risks; and (i) include details of who would be responsible for monitoring, reviewing, and implementing the plan.		Section 12 Threats To Landscape And Rehabilitation Management And Contingency Plans Section 15 Roles and Responsibilities		
		The Applicant must implement the Landscape and Rehabilitation Management Plan as approved by the Secretary.		Requirements of the Landscape and Rehabilitation Management Plan have been implemented. Visual screening of the work areas has been implemented. Disturbance areas have been minimised, and measured implemented to reduce impacts on native fauna. Preclearance surveys had been conducted. Rehabilitation of areas has been undertaken as they become available, and monitoring of rehabilitated areas has been conducted.		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
				Fencing and signage has been provided to prevent uncontrolled access.		
Conservation and Rehabilitation Bond						
60.	30	<p>Within 6 months of the approval of the Landscape Management Plan, the Applicant must lodge a Conservation and Rehabilitation Bond with the Department to ensure that any land based offset and rehabilitation of the site are implemented in accordance with the performance and completion criteria set out in the plan and relevant conditions of this consent. The sum of the bond must be determined by:</p> <p>(a) calculating the full cost of implementing any land based offset over the next 3 years;</p> <p>(b) calculating the cost of rehabilitating the site, taking into account the likely surface disturbance over the next 3 years of quarrying operations; and</p> <p>(c) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs, to the satisfaction of the Secretary.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> • <i>Alternative funding arrangements for long term management of any land based offset, can be used to reduce the liability of the conservation and rehabilitation bond.</i> • <i>If capital and other expenditure required by the Landscape Management Plan is largely complete, the Secretary may waive the requirement for lodgement of a bond in respect of the remaining expenditure.</i> • <i>If any land based offset and rehabilitation of the site area are completed to the satisfaction of the Secretary, then the Secretary will release the bond. If any land based offset and rehabilitation of the site are not completed to the satisfaction of the Secretary, then the</i> 	<p>Letter sighted from DPIE 25/07/17 requiring the Rehabilitation bond to be lodged no later than the 22/08/2017.</p> <p>Email 5/02/2021 from DPE showing receipt of bank guarantee.</p>	<p>Rehabilitation bond submitted – DP&E approval of the Rehabilitation bond calculation was provided 25/07/17.</p> <p>Agreement for DPIE for Nick Warren of RW Corkery & Co Pty Ltd to complete the estimate of the bond.</p> <p>Bank guarantee showed Bond lodged 17/08/17.</p> <p>Acknowledgement of receipt by DPIE provided 23/08/17.</p> <p>Verified previous audits</p> <p>Bond reviewed and updated following audit in 2020. Update to bond received 18/12/2020.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<i>Secretary will call in all or part of the bond, and arrange for the completion of the relevant works.</i>				
61.	31	<p>Within 3 months of each Independent Environmental Audit (see condition 8 of Schedule 5), the Applicant must review, and if necessary revise, the sum of the Conservation and Rehabilitation Bond to the satisfaction of the Secretary. This review must consider the:</p> <p>(a) effects of inflation;</p> <p>(b) likely cost of implementing any land based offset and rehabilitating the site (taking into account the likely surface disturbance over the next 3 years of the development); and</p> <p>(c) performance of the implementation of any land based offset and rehabilitation of the site to date.</p>	Email 5/02/2021 from DPE showing receipt of bank guarantee.	Compliant. 2020 Bond recalculation approved 16/11/2020 and received 18/12/2020 by DPE,	Compliant	
Visual						
62.	32	The Applicant must implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development to the satisfaction of the Secretary.	Site Inspection	<p>Lights used on site are focussed to walking/ working areas to minimise light glow.</p> <p>No complaints have been received re lighting.</p>	Compliant	
Waste						
63.	33	The Applicant must:	Inv IV00000005722 3/07/2023 for pump out of septic tanks	Onsite sewage collected in a septic tank and disposed of offsite. Facilities for the management of waste on site were provided.	Compliant	
		(a) manage on-site sewage treatment and disposal in accordance with the requirements of its EPL, and to the satisfaction of the EPA and Council;				


JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		<p>(c) ensure that the waste generated by the development is appropriately stored, handled, and disposed of; and</p> 	<p>Inv IV00000005722 3/07/2023 for pump out of septic tanks</p> <p>Veolia Customer Request for collection of 3x3.0m³ bins 11/07/2023 and 27/06/2023.</p> <p>Collection advice Nos 0078556 (13/04/2023) and 0046661 (3/08/2022) for waste oil collection</p>	<p>Waste facilities provided.</p> <p>Waste collected by authorised Waste collection companies.</p> 		
		<p>(d) report on waste management and minimisation in the Annual Review, to the satisfaction of the Secretary.</p>	<p>Annual Review For Austen Quarry Extension Hy-Tec Industries Pty Ltd. Year Ending 30th June 2022, VGT.</p>	<p>Waste management included in Section 6.7 of the Annual Review.</p>		
64.	34	<p>Except as expressly permitted in an EPL, the Applicant must not receive waste at the site for storage, treatment, processing, reprocessing or disposal.</p>	<p>CAS Weighbridge report</p>	<p>Concrete waste has been received in accordance with EPL.</p> <p>3133.4 T received in the period 1/07/2020 to 17/07/2023.</p>	Compliant	
Liquid Storage						
65.	35	<p>The Applicant must ensure that all tanks and similar facilities for storage of liquids (other than for water) are protected by appropriate bunding, which must exceed 110% of the stored volume of the liquid.</p>	<p>Site Inspection</p>	<p>An enclosed storage shed was provided for storage of chemicals, oils and diesel on site.</p>	Compliant	
Dangerous Goods						
66.	36	<p>The Applicant must ensure that the storage, handling, and transport of dangerous goods is done in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the Dangerous Goods Code.</p>	<p>Site Inspection</p>	<p>Materials sighted were stored in general accordance with AS1940.</p> <p>No inappropriate storage of hazardous substances or dangerous goods were identified.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
						
Bushfire						
67.	37	<p>The Applicant must:</p> <p>(a) ensure that the development is suitably equipped to respond to any fires on site;</p> <p>(b) assist the Rural Fire Service and emergency services as much as possible if there is a fire in the vicinity of the site; and</p> <p>(c) prepare a Bush Fire Emergency Evacuation Plan in accordance with the NSW Rural Fire Service document, <i>Guide for Developing a Bush Fire Emergency Evacuation Plan</i>, to the satisfaction of the Secretary.</p>	<p>Site Inspection</p> 	<p>Bush Fire/ Flood Evacuation Plan prepared – HTQY-S-HSE-097 (Appendix 11J of the Safety Management Plan) updated Feb 2020.</p> <p>Water truck has a cannon for use in firefighting.</p> <p>Dedicated tank for firefighting purposes.</p> <p>Fire extinguishers provided at suitable locations</p> <p>Fire suppression installed on some vehicles.</p> <p>Electrical control room is fitted with fire suppression system.</p> <p>Quarry Manager reported that he was deputy captain of the Lowther Hampton Bushfire brigade.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Schedule 4 –Additional Procedures						
NOTIFICATION OF LANDOWNERS						
68.	1	<p>As soon as practicable after obtaining monitoring results showing:</p> <p>(a) an exceedance of any relevant criteria in Schedule 3, the Applicant must notify the affected landowners in writing of the exceedance, and provide regular monitoring results to each affected landowner until the development is again complying with the relevant criteria; and</p> <p>(b) an exceedance of any relevant air quality criteria in Schedule 3, the Applicant must send a copy of the NSW Health fact sheet entitled “Mine Dust and You” (as may be updated from time to time) to the affected landowners and current tenants of the land (including the tenants of land which is not privately-owned).</p>		No instances where landowners have been required to be notified of an exceedance.	Compliant	
INDEPENDENT REVIEW						
69.	2	<p>If an owner of privately-owned land considers the development to be exceeding the relevant criteria in Schedule 3, then he/she may ask the Secretary in writing for an independent review of the impacts of the development on his/her land.</p> <p>If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary’s decision, the Applicant must:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:</p> <ul style="list-style-type: none"> • consult with the landowner to determine his/her concerns; • conduct monitoring to determine whether the development is complying with the relevant criteria 		No requests for an independent review had been received.	Not Triggered	

		<p>in Schedule 3; and</p> <ul style="list-style-type: none">• if the development is not complying with these criteria, then identify measures that could be implemented to ensure compliance with the relevant criteria; and <p>(b) give the Secretary and landowner a copy of the independent review.</p>				
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JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Schedule 5- Environmental Management, Reporting and Auditing						
ENVIRONMENTAL MANAGEMENT STRATEGY						
70.	1	The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must: (a) be submitted to the Secretary for approval within 6 months of the date of this consent;		Environmental Management Strategy prepared. Initial version 1 submitted to DPE 14/12/18. Version 1.2 submitted 19/12/18. Current Version 2.1 approved 23/08/19.	Compliant	
		(b) provide the strategic framework for environmental management of the development;		Section 3 – Strategic Framework for Environmental Management		
		(c) identify the statutory approvals that apply to the development;		Section 2.3 Approvals, licences and permits		
		(d) set out the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;		3.4 – Responsibility for Environmental Management		
		(e) set out the procedures to 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, record, handle and respond to complaints; • resolve any disputes that may arise during the course of the development; • respond to any non-compliance and any incident; • respond to emergencies; and 		Section 6 – Community Consultation Section 7 – Environmental Complaints and Dispute Resolution Process. Section 8 Incidents, Non-compliance and Emergency Management		
		(f) include: <ul style="list-style-type: none"> • references to any strategies, plans and programs approved under the conditions of this consent; and • a clear plan depicting all the monitoring to be carried out under the conditions of this consent. 		Section 3.2 – Environmental Management System Section 4 – Environmental Monitoring Strategy Table 4: Overview of Environmental Monitoring		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		The Applicant must implement the Environmental Management Strategy as approved by the Secretary.	<p>Site inspection. Toolbox talks 7/07/2023, 31/05/2023 Aud-0050211 – Audit report for internal audit conducted 31/05/2023 Complaints Register 2015 – 2023</p> 	<p>Requirements of the Environmental Management Strategy have been implemented. Working hours were consistent with those identified in the EMS. A training and induction program had been implemented, and toolbox talks conducted. Monitoring and maintenance of environmental controls had been conducted, including monitoring requirements of individual management plans. A process had been implemented for the management of complaints and incidents, with a complaints register being maintained. Chemical storage and waste management controls identified in the EMS had been implemented.</p>		
Management Plan Requirements						
71.	2	The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include: (a) a summary of relevant background or baseline data;		<p>The Management Plans required under this Project Approval are consistent with the guidelines outlined in Project Approval Schedule 5 Condition 3. Examples of where management plans comply are shown below. NMP – Section 4.2 Ambient Background) and Predicted Noise</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
				WMP – Section 5.1 Physical Setting and Baseline Data AQMP Section 4.2 Ambient (Background) Conditions		
		(b) a description of: <ul style="list-style-type: none"> the relevant statutory requirements (including any relevant approval, licence or lease conditions); any relevant limits or performance measures/criteria; and the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; 		Statutory Requirements AQMP, TMP - Section 2 Legislative Requirements NMP, BMP Section 2 – Legal and Other Requirements Water Management Plan Section 3 - Legal and Other Regulatory Requirements Performance Measures/ Criteria TMP Section 6 - Transport And Traffic Limits and Requirements BMP Section 6 Blasting Criteria and Limits NMP Section 6 Noise Criteria Performance Indicators NMP Section 6 – Noise Criteria LRMP Section 10 – Performance Measures and Completion Criteria WMP Section 7.3 Water Monitoring		
		(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;		WMP – Section 7 – Surface Water Management LRMP AQMP Section 7 – Air Quality Management System and Section 8 Air Quality Monitoring Program BMP Section 7 Blast Management System Section 13 Publication of Monitoring Information		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
				Section 9 Rehabilitation Performance and Completion Criteria		
		(d) a program to monitor and report on the: <ul style="list-style-type: none"> • impacts and environmental performance of the development; and • effectiveness of any management measures (see (c) above); 		LRMP Section 11 – Monitoring BMP Section 8 Monitoring NMP Section 8 Noise Monitoring		
		(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;		LRMP Section 12.2 Contingency Management WMP Section 9 Surface and Groundwater Contingency Monitoring BMP Section 7.2.2 Response and Corrective Action		
		(f) a program to investigate and implement ways to improve the environmental performance of the development over time;		BMP, NMP, TMP Section 14 Plan Review and Continual Improvement Protocol		
		(g) a protocol for managing and reporting any: <ul style="list-style-type: none"> • incidents; • complaints; • non-compliances with statutory requirements; and • exceedances of the impact assessment criteria and/or performance criteria; and 		AQMP Section 10 Incident Management, Notification and Reporting Section 9 Complaints Handling, Complaints Response And Incident Reporting WMP - Section 11 Incident Management, Notification and Reporting LRMP - Section 14 Incident Management, Notification and Reporting		
		(h) a protocol for periodic review of the plan. <i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i>		LRMP Section 17 Plan Review and Continuous Improvement Protocol WMP – WMP Review and Continuous Improvement Protocol		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
				AQMP - Section 14 Plan Review and Continuous Improvement Protocol		
Adaptive Management						
72.	3	<p>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</p> <p>Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity:</p> <p>(a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not reoccur;</p>	<p>Site weighbridge records (CAS)</p> <p>Correspondence 25/10/201 notifying of non-compliance with operating hours (Truck movement after 10pm).</p> <p>Correspondence 20/12/2021 notifying EPA of pH exceedance</p>	<p>Four exceedances of the criteria and/or performance measures had been recorded during the period covered by the current audit.</p> <ul style="list-style-type: none"> Loading hours exceeded 2021 - Weighbridge operation modified to prevent dockets being provided after 10pm. pH range exceeded 2022. pH meter purchased and employees trained in its use EPL Point 3 unable to be sampled on two days in March 2021, 4 days in July 2022 and 3 days in October 2022. Sampled at nearest safely accessible location Blast occurred outside of approved hours in January 2023 	Not Compliant	06
73.		(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		No remediation was required for the exceedances of the criteria and/or performance measures identified.	Not Triggered	
74.		(c) implement remediation measures as directed by the Secretary; to the satisfaction of the Secretary.	<p>Correspondence from DPE 01/11/2021 and EPA 8/11/2021 re non-compliance with operating hours (Truck movement after 10pm).</p> <p>Correspondence from DPE 28/02/2022 re Austen Quarry Extension - (SSD-6084) Water Discharge Incident.</p>	No remediation measures directed by the Secretary.	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Annual Review						
75.	4	By the end of September each year, or other timing as may be agreed by the Secretary, the Applicant must review the environmental performance of the development to the satisfaction of the Secretary. This review must:	Annual Review for Austen Quarry Extension Hy-Tec Industries Pty Ltd, Year Ending 30th June 2021 Annual Review for Austen Quarry Extension Hy-Tec Industries Pty Ltd, Year Ending 30th June 2022	Annual Environmental Reviews completed by VGT on behalf of Hy-Tec.	Compliant	
		(a) describe the development (including any rehabilitation) that was carried out in the previous financial year, and the development that is proposed to be carried out over the current financial year;		Section 5 – Environmental Performance		
		(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous financial year, which includes a comparison of these results against the: <ul style="list-style-type: none"> • relevant statutory requirements, limits or performance measures/criteria; • requirements of any plan or program required under this consent; • monitoring results of previous years; and • relevant predictions in the documents listed in condition 2 of Schedule 2; 		2020-2021 – Section 1 2021-2022 – Section 2		
		(c) identify any non-compliance over the past financial year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence;				

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		(d) identify any trends in the monitoring data over the life of the development;	Aquatic Monitoring Report, Spring 2020, Niche Environment and Heritage, 27/08/2021	Aquatic Monitoring Report - 4.3 Spatial and temporal trends AMR Section 5 - Environmental Performance Graph 7 – Water monitoring trends Graph 8. Groundwater Monitoring Trends Graph 3. Deposited Dust Trends – Sawmill, AQD 1, EPL 4 Graph 4. Deposited Dust Trends – Baaners Lane, AQD 2, EPL 5 Graph 5. Deposited Dust Trends – Bald Hill, AQD 3, EPL 6		
		(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and		No significant discrepancies between the predicted and actual impacts of the development have been identified.		
		(f) describe what measures will be implemented over the current financial year to improve the environmental performance of the development.		Section 10 Activities Proposed in the Next AR Period		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Revision of Strategies, Plans and Programs						
76.	5	<p>Within 3 months of the submission of an:</p> <p>(a) incident report under condition 4 below;</p> <p>(b) annual review under condition 6 below;</p> <p>(c) audit report under condition 7 below; and</p> <p>(d) any modifications to this consent,</p> <p>the Applicant must review the strategies, plans and programs required under this consent, to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted for the approval of the Secretary.</p> <p><i>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve environmental performance of the development.</i></p>	Austen Quarry Management Plan Review Sheet	<p>The Management Plan Review Sheet shows that management plans had been reviewed following the previous audit and submission of annual reviews.</p> <p>No changes have been required since the previous independent environmental audit of the project.</p>	Compliant	
REPORTING						
Incident Reporting						
77.	6	<p>The Applicant must immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.</p>	<p>Letter to DPE 17/01/2022: RE: Austen Quarry (SSD 6084) – Water Quality Discharge – RFI-34114058</p> <p>Letter from EPA 31/01/2022 (Doc22/46303) Aus-10 Rhyolite Pty Ltd – EPL 12323 Aus-10 Quarry – Discharge to Waters</p> <p>Letter from DPE 28/02/2022 Austen Quarry Extension – (SSD6084) Water Discharge Incident</p>	<p>Two instances where the pH of water released from the site exceeded the EPA upper limit (limit 8.5, reading on both occasions 8.6). Sampled 12/12/2021 and 16/12/2021. Results received 20/12/2021.</p> <p>Reported to the EPA 20/12/2021 upon becoming aware of the incident.</p> <p>Detailed report provide to EPA (31/01/2022), and RFI – 34114058 submitted to DPE on 17 January 2022.</p> <p>No further action required.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Regular Reporting						
78.	7	The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	https://www.hy-tec.com.au/quarry-documentation	Monitoring records were available on the company website. 6 monthly Truck movement data EPL monitoring results include water, air and blast monitoring results. Noise reports available.	Compliant	
INDEPENDENT ENVIRONMENTAL AUDIT						
79.	8	<p>Within a year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; <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>(b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals);</p> <p>(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and</p>	<p>Independent Environmental Audit: Austen Quarry Development Consent SSD-6084, AQUAS, 29 July 2020.</p> <p>Letter from DPE to Hy-Tec Industries 16/09/2020 advising receipt of report.</p>	<p>Independent Environmental Audit conducted 17 October 2017 and 29 July 2020.</p> <p>Independent Audit Team Endorsement included in Appendix B.</p> <p>Independent Audit Team Endorsement provided by DPE for current audit 17/05/2023.</p>	Compliant	
				Section 2.6 Agency and Community Consultation Appendix D - Consultation		
				Section 3.2 - Assessment of Compliance		
				Section 3.9 - Suitability of Plans and the EMS		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		(e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and		Section 4 – Non-compliances and Recommendations		
		(f) be conducted and reported to the satisfaction of the Secretary.		Previous audit submitted and accepted by DPE.		
80.	9	Within 6 weeks of completion of this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.		Previous audit conducted 29/07/2020, submitted to DPE 9/09/2020		
Access To Information						
81.	10	<p>Within 6 months of the date of this consent, the Applicant must:</p> <p>(a) make the following information publicly available on its website:</p> <ul style="list-style-type: none"> • the documents listed in condition 2 of Schedule 2; • current statutory approvals for the development; • all approved strategies, plans and programs required under the conditions of this consent; • a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; • a complaints register, updated monthly; • the annual reviews of the development; • any independent environmental audit, and the Applicant's response to the recommendations in any audit; and • any other matter required by the Secretary; and <p>(b) keep this information up-to-date,</p>	https://www.hy-tec.com.au/quarry-documentation	<ul style="list-style-type: none"> • Website includes: • 2016 Environmental Management Report DA 103-94 • Austen Quarry Independent Audit Report Feb 2018 • Austen Quarry Independent Audit Report Feb 2018 - Response • Austen Quarry Independent Audit Report and Response - Sept 2020 • 2016-2017 Austen Quarry Annual Review • 2017-2018 Austen Quarry Annual Review • 2018-2019 Austen Quarry Annual Review • 2019-2020 Austen Quarry Annual Review • 2020-2021 Austen Quarry Annual Review 	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
		to the satisfaction of the Secretary.		<ul style="list-style-type: none"> • 2021-2022 Austen Quarry Annual Review SSD 6084 • Compliance Audit April 2019 • Austen Quarry EBPC Compliance Review 2019-2020 • Austen Quarry EPBC Compliance Review 2020/2021 • Austen Quarry EPBC Compliance Review 2021/2022 • Austen Quarry EPBC Compliance Review 2022/2023 • Tinda Creek 2021 Annual Review & Appendices • Austen Quarry Consent with S96 Update • Austen Quarry Development Consent SSD-6084 • Austen Quarry EBPC Approval 2013-6967 • Austen Quarry MOD 1 - Consolidated Consent - 15.08.2018 • Austen Quarry MOD SSD-6084 15.07.2019 • Aus-10 E.P.L. • Average truck movements from 2016 to 2023 • Complaints Register • Noise monitoring 2016 to March 2023 • Water Monitoring Results January 2018 to August 2022 • Austen Quarry Environmental Management Strategy and Plan 		

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
				<ul style="list-style-type: none"> • Air Quality Management Plan • Blasting Management Plan • Biodiversity Offset Management Plan • Landscape and Rehabilitation Management Plan • Noise Management Plan • Silver-leaved Mountain Gum Management Plan • Traffic Management Plan • Water Management Plan 		

b. Environmental Protection Licence No 12323

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
ENVIRONMENTAL PROTECTION LICENCE 12323						
82.	A.1.1	Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition. Extractive Activities Land-based extractive activity > 500000 - 2000000 T extracted, processed or stored.	Extractive Materials Return 2020-2021 Extractive Materials Return 2021-2022 product summary report 1/07/2022 to 1/07/2023	Total produced 2020-2021 924,278.03T Total produced 2021-2022 – 1,023,920T Total produced for 2022-2023 – 1,210,690T.	Compliant	
83.	L4.1	Noise from the premises must not exceed 35 dB(A) L _{Aeq} (15 minute) at any time.	Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2020 Noise Monitoring Assessment Austen Quarry, Hartley, NSW April 2021 Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2021 Noise Monitoring Assessment Austen Quarry, Hartley, NSW March 2022 Noise Monitoring Assessment Austen Quarry, Hartley, NSW September 2022 Noise Monitoring Assessment Austen Quarry, Hartley, NSW March 2023	Noise monitoring conducted has concluded that noise from the premises did not exceed criteria.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
84.	L5.1	Blasting in or on the premises must only be carried out between 1000 hours and 1500 hours Monday to Friday. Blasting in or on the premises must not take place on Saturdays, Sundays or Public Holidays without the prior approval of the EPA	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023 Premier Drill and Blast – Post Blast Report, Summary Hartley #243. Email to EPA and DPE 18/01/2023 @ 1.37pm notifying of possible delay to blast and response from EPA 18/01/2023 @ 2.33pm. Email to EPA @ 3.35 pm providing update on blast delay. Email to EPA 18/01/2023 @ 4.32pm informing that the blast had been completed. Letter from Premier Drill and Blast informing of blast delay and weather conditions.	Blast monitoring records show that blasting had only been conducted within the periods identified with the exception of one blast conducted on 18/01/2023, which occurred at 4.24pm. The delayed blast was due to breakdown of the mixer truck. Blasting was conducted after 3pm due to safety concerns as storms were forecasted in the area and it was considered too dangerous to leave a half-loaded shot. The delayed blast was reported to EPA and DPE at the time of the event. Recommendation No further action required.	Not Compliant	02
85.	L5.2	The airblast overpressure level from blasting operations in or on the premises must not exceed: a) 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; and b) 120 dB (Lin Peak) at any time. At the most affected noise-sensitive location not under the ownership or control of the licensee.	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023 Premier Drill and Blast – Post Blast Report, Summary Hartley #243.	No exceedances of the airblast overpressure level from blasting operations have been recorded.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
86.	L5.3	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: a) 5mm/s for more than 5% of the total number of blasts carried out on the premises during each reporting period; and b) 10 mm/s at any time At the most affected sensitive location not under the ownership or control of the licensee	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023 Premier Drill and Blast – Post Blast Report, Summary Hartley #243.	No exceedances of the ground vibration peak particle velocity overpressure level from blasting operations have been recorded.	Compliant	
87.	L5.4	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed 2 mm/s at the most sensitive location within Hartley Village	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023 Premier Drill and Blast – Post Blast Report, Summary Hartley #243.	No exceedances of the ground vibration peak particle velocity overpressure level from blasting operations have been recorded.	Compliant	
88.	L6.1	Activities covered by this licence must only be carried out between the hours of 06:00 to 22:00 hours Monday to Friday, and 06:00 to 15:00 hours Saturday, and at no time on Sundays and Public Holidays.		Crusher/ feeder has a lock down which prevents use between 9.45pm and 6.00am. Work hours are 6am to 5pm, with a back shift working to 9pm. Working hours are communicated at induction.	Compliant	


JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
89.	L6.2	The loading and dispatch of trucks at the Premises and transport to and from the Premises is permitted between 04:00 hours and 22:00 hours Monday to Friday and between 05:00 hours and 15:00 hours on Saturdays only.	Transaction list (From CAS) 10/07/2023 to 24/07/2023 Austen Truck Movements 2020-2021 Austen Truck Movements 2021-2022 Austen Truck Movements 2022-2023	All truck loading managed by the CAS weighbridge system does not allow tare in of trucks before 4 am. System shuts down at 9.30pm to prevent movements out after 10pm. Noted that one truck had been despatched after 10pm (15/10/2021). Investigation by the Quarry identified that shutting down at 9.30pm (truck checked in at 9.26pm) still allowed trucks to be loaded and despatched after 10pm. Changes to weighbridge software undertaken to prevent trucks being weighed after 10pm. No further instances of trucks being despatched after 10pm have occurred. Recommendation: No further action required.	Not Compliant	NC-03

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
90.	O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	GEARBOX Maintenance System records e.g. R-37484 – Repairs to conveyors and belts R-37495 – Damage to Chutes F-1271 – Visual inspection of the pan feeder 2 (PRC Tunnel) Daily Prestart hard copy records in office	Maintenance records are available. Maintenance undertaken by Manufacturer Komatsu. e.g. Machine 2801-EX05 (PC850). Service records sighted for Replace globes 21/06/2023 6000hr service, 29/06/2023, 19/05/2023 5,500 hr service 20/02/2023 – Mechanical repairs (increase protection around fittings, change out steel lines to flexible lines Truck 2801-DU6 –B 13/07/2023 Remove Straighten step. 2/06/2023 – 12 month fire suppression services 30/03/2023 – 2000 hr service Daily prestart records sighted in office.	Compliant	
91.	O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Site inspection	Controls identified in the air quality management plan. Water cart used to minimise dust generation. During the site inspection, it was noted that water sprays were used to minimise dust emission from material coming off conveyors.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
92.	O4.1	The stormwater control structures (sediment basins) identified at EPA Identification Points 1, 8, 9, 10 and 11 must be drained or pumped out as necessary to maintain each basins design storage capacity within 5 days following rainfall.	Monthly Environmental Checklist – Austen 31/05/2023	Daily site inspections include inspection of dams and assessment of capacity. Based on visual assessment, not on any depth indicators. Monthly environmental inspections conducted	Compliant	
93.	O4.2	Water discharged to comply with condition O4.1 may only be discharged to waters from those stormwater control structures (sediment basins) identified at EPA Identification Points 1, 8, 9, 10 and 11 where the discharged water complies with the discharge limits stipulated at condition L2.1/L2.4 (and taking into consideration condition L2.6).	pH meter training records for CM, MG Cintillate Report – 023885 EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023	2021-2022 – Two days where the laboratory measured pH exceeded the range specified in the EPL. (Range 6.5-8.5, pH recorded 8.6 on both occasions). Site pH meter purchased. Records showed operators had been trained in correct use of pH meter by ALS Laboratories.	Not Compliant	NC-04
94.	O4.3	The licensee must undertake maintenance as necessary to desilt any stormwater control structures (sediment basins) identified at EPA Identification Points 1, 8, 9, 10 and 11 in order to retain each basins design storage capacity.	Photos of EPL 8 cleaning works Feb 2023 Photos of EPL 1 Cleaning Works Fed 2023	Desilting of the sediment basins had been conducted in February 2023.	Compliant	
95.	M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) Produced in a legible form to any authorised officer of the EPA who asks to see them.	Site inspection	Record keeping requirements had been identified in management plans. Records were readily available on site in electronic and/or hard copy.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
96.	M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	https://www.hy-tec.com.au/quarry-documentation	Records were readily available on site and published on the company website.	Compliant	
97.	M2.2	Is dust monitoring conducted at 3 sites from AQD1 to AQD3 (EPA Points 4,5 and 6)	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023	Records of dust monitoring were available for the three sites.	Compliant	
98.	M2.3	Water monitoring conducted daily during discharge at Points 1,8,9,10 and 11 for: • Oil and Grease / pH / Total suspended solids	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023	Water quality monitoring data was available on the company website. Records showed monitoring for required variables was conducted.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
99.	M2.3	Water monitoring at Points 2 and 3 conducted monthly and daily during discharge from Point 1 for: <ul style="list-style-type: none"> Oil and Grease / PH / Total suspended solids 	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023	Monthly water quality monitoring data was available showing points 2 & 3 monitored monthly. EPL Point 1 – Monitoring records available for discharge. Collection of water samples could not be undertaken from EPL Point 3 two days in March 2021, 4 days in July 2022 and 3 days in October 2022 due to high flow in the river. Sampled at nearest safely accessible location. Recommendation: Consider seeking amendment of the EPL to allow for sampling at the closest safe location, or removal of sampling requirement during periods when the Cox's River is in Flood	Not Compliant	NC-05
100.	M4.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Austen Quarry Complaints Register July 2015 to June 2023	Complaints register available. Five complaints had been received	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
101.	M4.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Austen Quarry Complaints Register, July 2015 to June 2023	Five complaints had been received. Complaints register maintained in Cintillate which includes facility for all required information.	Compliant	
102.	M5.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	Site inspection 	Telephone complaints line operated. Complaints number is clearly displayed at the site entry.	Compliant	
103.	M5.2	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.	Site Inspection	Telephone number was displayed in the front gate to the site.	Compliant	
104.	M5.3	The preceding two conditions do not apply until 3 months after the date of the issue of this licence.			Note	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
105.	M6.1	For each discharge point or utilisation area specified below (1,8,9,10,11), the licensee must monitor: a) the volume of liquids discharged to water or applied to the area; b) the mass of solids applied to the area; c) the mass of pollutants emitted to the air; at the frequency and using the method and units of measure, specified below (daily during discharge).	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023	Monitoring records included a daily estimate of the volume of water discharged.	Compliant	
106.	M7	a) Airblast overpressure and ground vibration must be measured and electronically recorded at the nearest residence or sensitive receiver or as otherwise directed by an authorised officer of the EPA for all blasts carried out in or on the premises; and b) Instrumentation used to measure the airblast overpressure and ground vibration must meet the requirements of Australian Standard AS 2187.2-2006.	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023 Premier Drill and Blast – Post Blast Report, Summary Hartley #243.	Blast monitoring has been conducted at locations as identified in the approved Blast Management Plan.	Compliant	
107.	M8	The applicant must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The applicant must use the sampling method, units of measure, averaging period and sample at the frequency specified opposite in the other columns unless otherwise approved by the EPA (Temperature, wind speed and direction, sigma theta, rainfall)	Site Inspection Hartley Weather Station 3490 Weekly Monitoring Data 10-17/07/2023.	Weather station installed. Temperature, rainfall, wind speed and direction, Barometric Pressure, Rainfall, relative humidity and Sigma Theta recorded.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
Reporting Conditions						
Annual Return Documents						
108.	R1.1	<p>The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:</p> <ol style="list-style-type: none"> 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. <p>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.</p>	https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=12323&id=12323&option=licence&searchrange=licence&range=PEO%20licence&prp=no&status=Issued	Annual return completed and submitted to EPA 28/08/2020, 27/08/2021, 17/08/2022.	Compliant	
109.	R1.2	<p>An Annual Return must be prepared in respect of each reporting period, except as provided below.</p> <p><i>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</i></p> <p><i>The reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months</i></p>	https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=12323&id=12323&option=licence&searchrange=licence&range=PEO%20licence&prp=no&status=Issued	Annual return completed and submitted to EPA 28/08/2020, 27/08/2021, 17/08/2022.	Compliant	


JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
110.	R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <p>a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and</p> <p>b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.</p> <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>			Not Triggered	
111.	R1.4	<p>Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:</p> <p>a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or</p> <p>b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.</p>			Not Triggered	
112.	R1.5	<p>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').</p>	<p>https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=12323&id=12323&option=licence&searchrange=licence&range=P&OEO%20licence&prp=no&status=Issued</p>	<p>Report provided 28/08/2020, 27/08/2021, 17/08/2022.. Due before 30th August.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
113.	R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA		Copy of the Annual Return was available.	Compliant	
114.	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.		Statement of compliance was signed and included with the Annual Return	Compliant	
115.	R2.1	Notifications must be made by telephoning the Environment Line service on 131 555. <i>Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.</i>		No environmental incidents causing or threatening material harm have occurred.	Not Triggered	
116.	R2.2	The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act. The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.		No environmental incidents causing or threatening material harm have occurred.	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
117.	R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment(whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.		No environmental incidents causing or threatening material harm have occurred.	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
118.	R3.2	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.		No environmental incidents have occurred. No requests for a written report have been received.	Not Triggered	
119.	R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.		No environmental incidents have occurred. No requests for a written report have been received.	Not Triggered	
120.	G1.1	A copy of this licence must be kept at the premises to which the licence applies.	EPL 12323	Copy of the licence was available on site.	Compliant	
121.	G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	EPL 12323	Copy of the licence was available on site.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
122.	G1.3	The licence must be available for inspection by any employee or agent of the license working at the premises.	EPL 12323	Copy of the licence was available on site.	Compliant	
123.	G2.1	The licensee must operate 24-hour telephone contact lines for the purpose of enabling the EPA to directly contact one or more representatives of the licensee who can: a) respond at all times to incidents relating to the premises; and b) contact the licensee's senior employees or agents authorised at all times to: i) speak on behalf of the licensee; and ii) provide any information or document required under this licence.		24 hour contact details have been provided (Plant Manager).	Compliant	
124.	G2.2	The licensee is to inform the EPA of the representative or representatives and their telephone number within 3 months of the date of the issue of this licence. The EPA must be notified of the telephone number on commencement of its operation.		24 hour contact details have been provided (Plant Manager). No change to site contact since previous audit.	Compliant	
125.	G2.3	The licensee is to inform the EPA in writing of the appointment of any subsequent contact persons, or changes to the person's contact details as soon as practicable and in any event within fourteen days of the appointment or change		No change to site contact since previous audit	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance rating	Issue #
126.	G3.1	The location of EPA point number(s) 1 to 7 inclusive must be clearly marked by signs that indicate the point identification number used in this licence and be located as close as practical to the point.		Locations were clearly marked, e.g. 	Compliant	

c. Statement of Commitments

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
1.	1.1	Comply with commitments recorded in this table		Non-compliances have been identified with the commitments in this table, triggering	Not Compliant	NC-01
2.	1.2	Comply with all conditional requirements included in the: Development Consent Environmental Protection Licence Approval under the EPBC Act Water Access Licence, and Any other Approvals	Independent Audit Report, Hy-Tec Austen Quarry, July 2023.	Seven non-compliance with the conditions of consent and/ or EPL were identified in the audit, triggering a non-compliance with this condition	Not Compliant	NC-01
3.	2.1	Place all paper and general wastes originating from the site office, together with routine maintenance consumables from the daily servicing of equipment in waste skip bins located adjacent to the site office and workshop.	Site inspection	Waste bins were available and used for the segregation and storage of waste	Compliant	
4.	2.2	Segregate waste into recyclables and non-recyclable materials for removal by a licensed contractor.	Site inspection Inv IV00000005722 3/07/2023 for pump out of septic tanks Veolia Customer Request for collection of 3x3.0m3 bins 11/07/2023 and 27/06/2023. Collection advice Nos 0078556 (13/04/2023) and 0046661 (3/08/2022) for waste oil collection	Waste bins were available and used for the segregation and storage of waste. Waste collected by authorised Waste collection companies.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
5.	2.3	Ensure the appropriate storage and regular collection of industrial wastes including waste oils and scrap metal.	Site inspection Inv IV00000005722 3/07/2023 for pump out of septic tanks Veolia Customer Request for collection of 3x3.0m3 bins 11/07/2023 and 27/06/2023. Collection advice Nos 0078556 (13/04/2023) and 0046661 (3/08/2022) for waste oil collection	Waste bins were available and used for the segregation and storage of waste. Waste collected by authorised Waste collection companies.	Compliant	
6.	3.1	Retain all soil and suitable cleared vegetation resources for use in rehabilitation of the final landform.	Site Inspection	Topsoil and cleared vegetation had been retained for reuse on site.	Compliant	
7.	3.2	Include Eucalyptus pulverulenta in the revegetation of the Stage 2 Site.	Hy-Tec Austen Quarry Spring Revegetation, 2020, Skillset Land Works. Hy-Tec Quarry Tree Planting Day 2021 Report by Land Works	Eucalyptus pulverulenta was included in plantings by Skillset.	Compliant	
8.	3.3	Re-instate the pre-disturbance soil and land capability in the area used for the secondary processing area and Yorkeys Creek stockpile area.	Site Inspection	Secondary processing area and Yorkeys Creek stockpile area still in use	Not Triggered	
9.	3.4	Mark, and where appropriate fence, boundaries relevant to the Biodiversity Offset Area	Site Inspection	Biodiversity Offset area had been fenced and marked.	Compliant	
10.	4.1	Provide for rehabilitation of the secondary processing area and Yorkeys Creek stockpile area back to agricultural land.	Site Inspection	Secondary processing area and Yorkeys Creek stockpile area still in use	Not Triggered	
11.	5.1	All transport contractors required to complete the Hy-Tec Chain of Responsibility: Driver Vehicle Check system.	Driver induction records in ADBRI SharePoint.	Records sighted to verify transport drivers had been inducted.	Compliant	
12.	5.2	Maintain a complaints management system to appropriately respond to any complaints received through investigation and implementation of corrective treatments.	Complaints Register 2015 – 2023	A process had been implemented for the management of complaints and incidents, with a complaints register being maintained.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
13.	5.3	Monitor the delays for vehicles turning right onto the Great Western Highway at two-yearly intervals from 2022 onwards.	•Austen Quarry Traffic Monitoring at The Jenolan Caves Road and Great Western Highway Intersection Report, No 22051, 15 June 2022	Monitoring completed 11 May 2022. Report provided to TfNSW 30/09/2022.	Compliant	
14.	6.1	Implement design and sequencing measures to minimise exposure of the Quarry, namely: <ul style="list-style-type: none"> a) limit extraction and overburden emplacement to the areas shown in the figures provided in SEE (Mod 2); b) retain the primary crusher in its current location within the Stage 1 extraction area; c) retain the visual screen provided by the Northern Ridge; and d) restrict further extension of the secondary processing area and Yorkeys Creek stockpile area. 	Site Inspection	extraction and overburden emplacement has been limited to the areas shown in the figures provided in SEE (Mod 2). The primary crusher has not been moved. Visual screen has been provided on the Norther Ridge the secondary processing area and Yorkeys Creek stockpile area have not been altered.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
15.	6.2	<p>Implement management measures to limit impacts to visual amenity including the following.</p> <p>a) Complete a trial of short-term visual mitigation measures for the Yorkeys Creek stockpile area. Prior to November 2015.</p> <p>b) Implement short-term visual mitigation measures for the Yorkeys Creek stockpile area. Prior to November 2016.</p> <p>c) Progressive revegetation or rehabilitation of terminal faces of the extraction area and overburden emplacement and profiled slopes between the administration area and the extraction area.</p> <p>d) Maintain existing visual barriers including retained northern face of extraction area and tree-lined visual barriers.</p> <p>e) Apply a bituminous film to reduce the contrast between the pale rhyolite and darker background vegetation on completed western facing slopes where necessary.</p> <p>f) Minimise dust emissions through suppression measures such as regular watering of areas.</p> <p>g) Maintain the Site in a tidy and orderly manner.</p> <p>h) Minimise the impacts of lighting by directing lights away from critical receptors (to the south and east) and minimise the 'lume' created by the lights.</p> <p>Note: If superseded by more effective measures, or no longer required due to progressive development of the Quarry Site, the above will cease to be implemented.</p>	<p>Site Inspection Annual Review For Austen Quarry Extension Hy-Tec Industries Pty Ltd. Year Ending 30th June 2022, VGT.</p> <p>Independent Environmental Audit: Austen Quarry Development Consent SSD-6084, AQUAS, 29 July 2020.</p>	<p>Visual impact of the project has been minimised in accordance with this condition.</p>	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
16.	6.3	Monitor the sequence of visual impacts using a series of annual photographs from vantage points surrounding the Quarry Site. These photos, along with a discussion as to compliance with the impact predicted, would be included in annual reporting.	Annual Review For Austen Quarry Extension Hy-Tec Industries Pty Ltd. Year Ending 30th June 2022, VGT.	Monitoring of visual impacts is included in the annual reviews for the project. (2022 – Section 6.6)	Compliant	
17.	7.1	Ensure any off-site discharge is monitored and reported in accordance with EPL 12323.	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023	Discharge monitoring has been conducted in accordance with EPL 12323	Compliant	
18.	7.2	Ensure the capacity of the various sediment basins and water storages of the Site provides the required water settlement and sediment storage volumes for a 5-day 95th percentile rainfall event.	Photos of EPL 8 cleaning works Feb 2023 Photos of EPL 1 Cleaning Works Fed 2023	Desilting of the sediment basins had been conducted in February 2023.	Compliant	
19.	7.3	Apply procedures established in the Water Management Plan for the appropriate treatment of water that is to be discharged to natural drainage.	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023	Records show that water discharged complied with discharge requirements.	Compliant	
20.	7.4	Securely store all hydrocarbon products within designated and bunded areas.	Site Inspection	An enclosed bunded storage shed was provided for storage of chemicals, oils and diesel on site. Materials sighted were stored in general accordance with AS1940. No inappropriate storage of hazardous substances or dangerous goods were identified.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
21.	7.5	Refuel and maintain all equipment within designated areas of the Site, i.e. workshop area.	Site Inspection	Refuelling area provided. Bunded with oil separator.	Compliant	
22.	8.1	Securely store all hydrocarbon products within designated and bunded areas.	Site Inspection	An enclosed bunded storage shed was provided for storage of chemicals, oils and diesel on site. Materials sighted were stored in general accordance with AS1940. No inappropriate storage of hazardous substances or dangerous goods were identified.	Compliant	
23.	8.2	Refuel and maintain all equipment within designated areas of the Site, i.e. workshop area.	Site Inspection	Refuelling area provided. Bunded with oil separator.	Compliant	
24.	8.3	Obtain and maintain a Water Access Licence(s) for the volume of groundwater seepage into the extraction area annually.	WAL 37423	WAL 37423 obtained	Compliant	
25.	8.4	Report annual and projected groundwater extraction to the Dol	Annual Review for Austen Quarry Extension Hy-Tec Industries Pty Ltd, Year Ending 30th June 2021 Annual Review for Austen Quarry Extension Hy-Tec Industries Pty Ltd, Year Ending 30th June 2022	Groundwater extraction reported in the Annual Review and published on the company website.	Compliant	
26.	9.1	Locate primary crushing station within extraction footprint.	Site Inspection	Primary Crushing area located within the extraction footprint	Compliant	
27.	9.2	Limit extent of extraction area as nominated in the development consent.	Site Inspection Independent Environmental Audit: Austen Quarry Development Consent SSD-6084, AQUAS, 29 July 2020.	Survey completed 27/11/15. Updated 15/09/16. Completed prior to previous audit. Markings have been provided to show boundaries. Survey mark with steel post inside the boundary..	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
28.	9.3	Operate a conveyor between the primary crushing station and secondary processing area to limit transportation of raw materials.	Site Inspection	Conveyor installed between the primary crushing station and secondary processing area.	Compliant	
29.	9.4	Maintain a 10m buffer and exclusion zone around the proposed area of disturbance.	Site Inspection	10m buffer and exclusion zone has been maintained.	Compliant	
30.	9.5	Fence, as appropriate, sections of the Stage 2 Site not required for ongoing operations.	Site Inspection	Verified during site inspection	Compliant	
31.	9.6	Include the Silver-leafed mountain gum in progressive revegetation of the final landform.	Hy-Tec Austen Quarry Spring Revegetation, 2020, Skillset Land Works. Hy-Tec Quarry Tree Planting Day 2021 Report by Land Works	Eucalyptus pulverulenta was included in plantings by Skillset.	Compliant	
32.	9.7	Install appropriate erosion and sediment control measures prior to vegetation clearing activities (to reduce the potential for pollution of downstream riparian and aquatic habitat).	Site Inspection	Erosion and sediment controls measures had been implemented on site.	Compliant	
33.	9.8	Limit vehicle speeds within the Site to limit the potential for vehicle trauma to wildlife.	Site inspection Site induction	Site speed limit Access road 80kph, 30km on haul roads , 10km around office area	Compliant	
34.	10.1	Design and construct any ancillary development works, e.g. access roads, in the vicinity of watercourses in accordance with the NSW DPI Policy and <i>Guidelines for Fish Habitat Conservation and Management</i>		No ancillary development works were conducted during the period covered by the current audit.	Not Triggered	
35.	10.2	Minimise the occurrence of uncontrolled discharges of water by managing water in accordance with a Water Management Plan.	EPL Reporting Results 2020-2021 EPL Reporting Results 2021-2022 EPL Reporting Results 2022-2023	Water has been discharged from site during significant weather events and as controlled releases.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
36.	10.3	Maintain a bunded area for storage of fuels, oils, refuelling and appropriate maintenance of vehicles and mechanical plant.	Site Inspection	Bunded area provided for storage of hydrocarbons. Bunded area appeared to be maintained during the site inspection. Bunded area provided for refuelling vehicles.	Compliant	
37.	10.4	Procedures would be implemented to manage handling of hazardous material and spill response protocols.	Pollution Incident Response Management Plan Rev 08, 16/06/2019 ABL-HSE-GOS-14 – Hazardous Chemicals ABL-HSE-GOS-14-04 – Hazardous Chemicals Risk Assessment and Checklist HTQY-S-SWI-131 – Refuelling of Plant and Equipment	Spill response protocols in the PIRMP. Procedures for handling hazardous substances included in safety documentation	Compliant	
38.	10.5	Install and maintain scour protection at pipe outlet points.	Site Inspection	Scour protection provided at outlets	Compliant	
39.	11.1	Undertake processing operations with the current or equivalent crushing and screening plant.	Site Inspection	No significant changes to the crushing and screening plant.	Compliant	
40.	11.2	Ensure all equipment on Site has sound power levels at or below that nominated for noise modelling purposes.(see <i>Table 5-1</i> of Benbow, 2014a).	Komatsu HM400-5 Technical Specifications Gearbox - Equipment service history	Equipment replaced on site with equipment of similar or lower sound power levels. Replaced water cart and excavator with similar units. Replace Volvo A40 with Komatsu HM400-5	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
41.	11.3	Limit transportation noise by ensuring: i) All trucks under control of Hy-Tec, or accredited contractors would comply at all times with RMS noise limits. j) All truck drivers would be required to sign a Code of Conduct that includes noise limiting behaviour. k) Comply with conditional limits on truck movements. l) The internal road network would be graded, as required, to limit body noise from empty trucks	2020-2021 Summary of Truck Movements 2021-2022 Summary of Truck Movements 2022-2023 Summary of Truck Movements Site inspection	All trucks required to be registered Records of driver inductions, including Code of Conduct sighted. Internal roads noted to be maintained in good condition during the site inspection. Access road to Quarry sealed. Compliance with truck movement conditions was compliant with the exception of one truck despatched after 10pm (15/10/2021). Investigation by the Quarry identified that shutting down at 9.30pm (truck checked in at 9.26pm) still allowed trucks to be loaded and despatched after 10pm. Changes to weighbridge software undertaken to prevent trucks being weighed after 10pm. No further instances of trucks being dispatched after 10pm have occurred. Recommendation: No further action required.	Not Compliant	NC-03
42.	11.4	Maintenance work would be confined to standard daytime hours where practicable.	Site Interview	Maintenance work was reported to have been conducted in accordance with the conditions of consent. Maintenance was conducted between 4pm and 2am on equipment required for production. Planned maintenance days were organised during daylight hours.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
43.	12.1	Undertake operations in accordance with an Air Quality Management Plan.	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023 This report	No non-compliances with the Air Quality Management Plan were identified.	Compliant	
44.	12.2	Minimise the impacts of greenhouse gases relating to diesel consumption by: m) minimising use of haul trucks through use of an overland conveyor; n) minimising rehandling of overburden and products; o) maintaining and servicing equipment to ensure efficiency; p) minimising the quarry footprint to reduce land disturbance and travel distances; and q) optimising the design of the Processing Plant to minimise the impacts of greenhouse gases relating to maximise the use of gravity to move material throughout the plant and maximise energy efficient motors in major equipment.	Site Inspection Gearbox - Equipment service history	Overland conveyor used to transfer raw materials from the extraction area to secondary processing area Records sighted to verify regular maintenance of plant and equipment was conducted. Quarry footprint has been minimised to the extent required for operations.	Compliant	
45.	12.3	Continue to monitor dust impacts through: s) the existing deposited dust gauges; and t) on-site meteorological monitoring to record relevant parameters.	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023	Dust monitoring had been implemented and records maintained.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
46.	13.1	Continue to monitor dust impacts through: s) the existing deposited dust gauges; and Ongoing. t) on-site meteorological monitoring to record relevant parameters.	EPL Reporting Summary 2020-2021 EPL Reporting Summary 2021-2022 EPL Reporting Summary 2022-2023	Dust monitoring had been implemented and records maintained.	Compliant	
47.	13.2	Halt all works in the immediate area if cultural objects are found and contact a suitably qualified archaeologist and Aboriginal community representative.		No cultural objects have been found.	Not Triggered	
48.	13.3	Halt all works in the immediate area if human remains are found and contact NSW Police, Aboriginal community representative and OEH.		No cultural objects have been found.	Not Triggered	
49.	13.4	Maintain reasonable efforts to avoid impacts to Aboriginal cultural heritage values at all stages of the development works		No cultural objects have been found.	Not Triggered	
50.	13.5	Complete an Aboriginal Site Impact Recording Form and submit it to the Aboriginal Heritage Management Information Management System (AHIMS) Registrar, for each AHIMS site that is harmed through the proposed development.		No cultural objects have been found.	Not Triggered	
51.	14.1	Halt all works in the immediate area if cultural object(s) are found		No cultural objects have been found.	Not Triggered	
52.	14.2	Secure the location, e.g. through the installation of protective fencing, flagging with high visibility tape.		No cultural objects have been found.	Not Triggered	
53.	14.3	Contact a suitably qualified archaeologist to determine the significance of the object(s).		No cultural objects have been found.	Not Triggered	
54.	14.4	Report discovery of relic (if advised of validity by archaeologist) in accordance with Section 146 of the <i>Heritage Act 1977</i> .		No cultural objects have been found.	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
55.	14.5	Do not recommence works within the secured area until advised by archaeologist.		No cultural objects have been found.	Not Triggered	
56.	14.6	Include the commitments of 14.1 to 14.4 within training and induction processes for the Site.	Cultural Awareness Training 28/09/2020	Cultural Awareness Training provided	Compliant	
57.	15.1	Ensure refuelling is undertaken within designated fuel bays and vehicles are turned off during refuelling.	Site Inspection	Dedicated bunded fuel bay provided for refuelling	Compliant	
58.	15.2	Ensure no smoking policy is enforced in designated areas of the Site.	Site induction	Smoking is prohibited within 4 meters of any doorway and mobile plant	Compliant	
59.	15.3	Ensure fire extinguishers are maintained within site vehicles and refuelling areas.	Site Inspection	Fire extinguishers were verified during the site inspection.	Compliant	
60.	15.4	Ensure that a water cart is available to assist in extinguishing any fire ignited.	Site inspection	Water cart available on site	Compliant	
61.	15.5	Establish and maintain an Outer Protection Area around the administration area	Site inspection	The area around the administration area was noted to be cleared.	Compliant	
62.	15.6	Maintain the access road to the extraction area such that safe passage is guaranteed should an emergency evacuation be required.	Site inspection	Access road sealed	Compliant	
63.	15.7	Maintain access to water contained within SD1 to SD6, as well as SB1 for use in fighting ember attack.	Site inspection	Noted that water was available in dams for use if required.	Compliant	
64.	15.8	Complete appropriate training with site personnel in relation to fire-fighting tasks and procedures.	Site inspection	Quarry Manager reported that he was deputy captain of the Lowther Hampton Bushfire brigade.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
65.	15.9	Ensure access is provided for Rural Fire Service and its and other emergency services' authority is recognised and assistance offered in the event of a bush fire.	Site inspection	Access for the Rural Fire Service was provided. Reported that the Rural Fire Service had visited the site to confirm suitable arrangements in place.	Compliant	
66.	15.10	Ensure route selection for delivery of quarry products follows routes designated in the EIS for entry and exit to the Site, transportation through the Blue Mountains and local deliveries of products.	Drivers Code of Conduct	Primary haulage route included in the Drivers Code of Conduct	Compliant	
67.	15.11	Operate a Traffic Management Plan for all truck entering and exiting Austen Quarry.	Transport Management Plan – Austen Quarry, Version 3, approved 23/08/2019	Transport Management Plan provided.	Compliant	
68.	15.12	Continue to implement the Chain of Responsibility – Driver Vehicle Check system for all transportation activities undertaken at the Site.	AUD-0053200 – Audit\COR\Driver Vehicle Inspection 3/08/2023	Periodic checks on drivers and trucks conducted.	Compliant	
69.	15.13	Implement measures to ensure the safety of public including visitors, contractors and employees through recruitment, induction and training programs.	Driver induction records in ADBRI SharePoint.	Drive training records sighted.	Compliant	
70.	15.14	Ensure gate at entrance on Jenolan Caves Road is locked outside standard operating hours.		Gate was reported to be locked outside of operating hours.	Compliant	
71.	15.15	Use of locks on equipment when site personnel are not working on or with this equipment or plant.	Site interview	Reported that all equipment is locked, keys removed and stored in a locked building overnight.	Compliant	
72.	15.16	Installation and maintenance of safety signage around the Site and perimeter fencing, where necessary.	Site inspection	Perimeter fencing provided. Safety signage was noted in maintenance areas, e.g. Flammable liquids. Do not Enter , Danger – No Smoking, Quarry Area – Keep Out,	Compliant	
73.	15.17	Instruct all visitors entering and departing the Site to visit either the Site office or weighbridge for registration including time of arrival and departure, and an induction, if required.	Site inspection	Signs directing visitors to the site office were provided along the access road.	Compliant	


JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
74.	15.18	Install appropriate controls to ensure the stability of the open cut, overburden emplacement and stockpiles	NSW – Daily Workplace Inspection Checklist AUD-0052083.	open cut, overburden emplacement and stockpiles had been managed in accordance with regulatory requirements. No unstable areas had been identified. Daily Workplace Safety Inspections completed.	Compliant	
75.	16.1	Maintain the existing 'open door' policy for community members to approach the management staff of the Austen Quarry.		The site reported a good relationship with the community. Records of complaints showed that the site had responded appropriately to community concerns.	Compliant	
76.	16.2	Maintain the existing community complaints and response system	Complaints Register 2015 – 2023	A process had been implemented for the management of complaints and incidents, with a complaints register being maintained.	Compliant	
77.	16.3	Seek local supply and service contractors from within the Lithgow LGA where it is practicable to do so.		It was reported that local suppliers and contractors were used where available, e.g. landscaping suppliers from local supplier.	Compliant	

d. Water Access Licence 25616 and 37423

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
Water Access Licence 25616 – Plan Conditions						
1.	MW0112-00001	The maximum water allocation that may be carried over in the account for this access licence from one water year to the next water year is: A. a volume equal to 100 % of the share component of the licence, or B. 1 ML/unit share of the share component of the licence.		No water taken since 10/01/2020.	Compliant	
2.	MW0017-00023	From 1 July 2011, water must not be taken from the Dharabuladh Management Zone of the Upper Nepean and Upstream Warragamba Water Source when flows are in the Very Low Flow Class, which means that the flow at Coxs River at the Island Hill gauge [No. 212045] is: A. equal to or less than 17 ML/day on a rising river, or B. equal to or less than 15 ML/day on a falling river. This restriction does not apply if water is to be taken from a runoff harvesting dam or an in-river dam pool.		No water taken since 10/01/2020.	Compliant	
3.	MW0036-00002	The volume of water taken in any three (3) consecutive water years from 1 July 2012 must be recorded in the logbook at the end of those three water years. The maximum volume of water taken in any three (3) consecutive water years permitted to be taken in those years must also be recorded in the logbook.	Water log book	Licence obtained in March 2015. Logbook maintained. Includes photo of meter reading, volume taken in a 24 hour period and for the year. No water taken since 10/01/2020.	Compliant	
4.	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.		Water taken during the period covered by the review was taken in compliance with the conditions of the approval.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
5.	MW0605-00001	Water must only be taken if there is visible flow in the water source at the location where water is to be taken. This restriction does not apply if water is to be taken: A. from an off-river pool, an in-river pool, a runoff harvesting dam or an in-river dam pool, or B. from the following Weirs: Maldon, Douglas Park, Menangle, Camden, Sharpes, Cobbity, Mount Hunter Rivulet, Brownlow Hill, Theresa Park and Wallacia.		Visual assessment of river level recorded at commencement of pumping. Visible flow on all occasions recorded.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
6.	MW0004-00002	<p>From 1 July 2012, the total volume of water taken in any three (3) consecutive water years under this access licence must not exceed a volume which is equal to the lesser of either:</p> <p>A. the sum of:</p> <ul style="list-style-type: none"> i. water in the account from the available water determinations in those 3 consecutive water years, plus ii. water in the account carried over from the water year prior to those 3 consecutive water years, plus iii. any net amount of water assigned to or from this account under a water allocation assignment in those 3 consecutive water years, plus iv. any water re-credited by the Minister to the account in those 3 consecutive water years, or <p>B. the sum of:</p> <ul style="list-style-type: none"> i. the share component of this licence at the beginning of the first year in those 3 consecutive water years, plus ii. the share component of this licence at the beginning of the second year in those 3 consecutive water years, plus iii. the share component of this licence at the beginning of the third year in those 3 consecutive water years, plus iv. any net amount of water assigned to or from this account under a water allocation assignment in those 3 consecutive water years, plus v. any water re-credited by the Minister to the account in those 3 consecutive water years. 		Volume of water taken annually has been less than the annual share component for each year.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
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.		Logbook maintained. Meter reading, river flow and time recorded at the commencement of pumping. Water access licence was included in the logbook. Duration of pumping recorded (e.g. 7am 9/01/2020 to 7am 10/01/2020).	Compliant	
8.	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.	See photo above	Logbook maintained.	Compliant	
9.	MW2339-00001	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 breach has been identified.	Not Triggered	
10.	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.		No non-compliances with WAL conditions has been identified.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
11.	MW0491-00001	<p>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>The work is to be decommissioned, unless the approval holder receives notice from the Minister not to do so.</p> <p>Within sixty (60) days of decommissioning, the approval holder must notify the relevant licensor in writing that the work has been decommissioned.</p>		No water supply has been abandoned or replaced.	Not Triggered	
12.	MW0481-00001	A logbook must be kept and maintained at the authorised work site or on the property for each water supply work authorised by this approval, unless the work is metered and fitted with a data logger.		Logbook maintained.	Compliant	
13.	MW2338-00001	The completed logbook must be retained for five (5) years from the last date recorded in the logbook.		Logbook maintained.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
14.	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.		Photograph of water meter reading taken at the commencement of pumping and included in logbook.	Compliant	
15.	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.		No breach has been identified.	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
Water Access Approval 103330 –Conditions						
16.	DK0888-00001	Any water supply work authorised by this approval used for the purpose of conveying, diverting or storing water must be constructed or installed to allow free passage of floodwaters flowing into or from a river or lake.		Portable pump used for pumping from river. Storage dams installed allow free flow of flood water.	Compliant	
17.	DK0878-00001	A. The construction, installation or use of the water supply work authorised by this approval must not cause or increase erosion to the channel or bank of the watercourse. B. If erosion is observed, the area must be stabilised with grass cover, stone pitching or any other material that will prevent any further occurrence of erosion.		Portable pump used. No erosion was observed during the site inspection.	Compliant	
Water Access Licence 37423 – Plan Conditions						
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 DPI Water website. C. DPI Water 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.		Licence provided for groundwater flow into pit, which is located more than 40 m from the top of the high bank of the river.	Compliant	
2.	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.		Passive flow into pit.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
3.	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.		No carry over of water allocation has been required.	Not triggered	
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.	See Annual Review and photos	Passive flow into pit. Allocation of 20.00 ML. Estimated volume provided by Ground Doctor.	Compliant	
5.	MW2338-00001	The completed logbook must be retained for five (5) years from the last date recorded in the logbook.		Groundwater flow into pit only. No active pumping is undertaken. Water inflow into the pit is measured/ calculated by Ground Doctor. Annual volumes recorded.	Not Triggered	
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.		Groundwater flow into pit only. No active pumping is undertaken..	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
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.		Groundwater flow into pit only. No active pumping is undertaken.	Not Triggered	
8.	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.		Groundwater flow into pit only. No active pumping is undertaken.	Not Triggered	
9.	MW0051-00002	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.		No breach has been identified.	Not Triggered	
Water Access Approval 119180 –Conditions						
10.	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 inflow into pit. No non-compliance with the conditions of the access licence have been identified.	Compliant	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
11.	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 identified.	Not Triggered	
12.	MW0487-00001	The water supply work authorised by this approval must be constructed within three (3) years from the date this approval is granted.		Groundwater flow into pit only. No active pumping is undertaken.	Not Triggered	
13.	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.		No water supply has been abandoned or replaced.	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
14.	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>		Groundwater flow into pit only. No active pumping is undertaken.	Not Triggered	
15.	MW2338-00001	The completed logbook must be retained for five (5) years from the last date recorded in the logbook.		No active pumping is undertaken.	Not Triggered	
16.	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.		No active pumping is undertaken.	Not Triggered	
17.	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 active pumping is undertaken.	Not Triggered	

JHC Ref No	Cond. No.	Condition	Evidence	Finding and Recommendations	Compliance Rating	Issue #
18.	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 has been installed.	Not Triggered	
19.	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 active pumping is undertaken.	Not Triggered	
20.	MK0051-00001	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.		No breach has been identified.	Not Triggered	
21.	MK0485-00001	Within sixty (60) days of completing construction of the water supply work authorised by this approval, the approval holder must provide a completed Form A for that work to the relevant licensor.		Water supply work not required. Licence is for groundwater flow into pit..	Not Triggered	
22.	DS2431-00001	A. Within 6 months of granting this approval, a monitoring plan to measure the water table, groundwater and surface water quality must be submitted to, and approved by, the relevant licensor, Parramatta Office. B. Then, the water table, groundwater and surface water quality must be measured according to the approved plan. C. All monitoring records must be kept for 10 years and provided to the relevant licensor when requested.		A monitoring plan to measure the water table, groundwater and surface water quality had been developed and approved on 16 October 2017. Verified previous audit.	Compliant	

Appendix D. Consultation Records

Independent Environmental Audit – Hy-Tec Austen Quarry

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James Hart

From: Jessie Evans <jessie.evans@dpi.nsw.gov.au>
Sent: Wednesday, 12 July 2023 7:36 AM
To: James Hart
Subject: RE: Independent Environmental Audit Ty-Tec Austen Quarry

Good morning,

The Department would be interested in your findings on the retirement of biodiversity offsets requirements.

We suggest consultation with BCD, EPA, Council and DPE Water.

Thanks

Jessie Evans
Director, Resource Assessments
Planning & Assessment

Department of Planning and Environment
T 02 8275 1374 | M TBC | E jessie.evans@dpi.nsw.gov.au

www.dpie.nsw.gov.au

Level 17, 4PSQ, 12 Darcy St, Parramatta, NSW, 2150 | Locked Bag 5022



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

Please consider the environment before printing this email.

Independent Environmental Audit – Hy-Tec Austen Quarry

Commercial in Confidence

James Hart

From: Patricia Borges <patricia.borges@dpi.e.nsw.gov.au> on behalf of DPIE Water Assessments Mailbox <water.assessments@dpi.e.nsw.gov.au>
Sent: Monday, 10 July 2023 1:08 PM
To: James Hart
Subject: Re: Independent Environmental Audit Ty-Tec Austen Quarry

Dear James,

The Department of Planning and Environment - Water (DPE Water) has received post approval request for the Independent Environmental Audit Ty-Tec Austen Quarry.

The Department of Planning and Environment strongly recommends that you submit this documentation in the [NSW Major Projects Portal](#). Submission of your documents in the NSW planning portal will ensure that your documents are correctly associated with your portal account, and enable you to communicate directly with DPE Water, including to seek progress updates.

DPE Water will commence review of your documents once received in the portal. To sign to your account, please visit the Major Projects Website [here](#)

You can also refer to our help guide on how to lodge post-approval documentation in the Portal

Please do not reply to this email.

Kind regards
Department of Planning and Environment – Water

From: James Hart <james_hart@bigpond.com>
Sent: Monday, 10 July 2023 12:51 PM
To: Liz Rogers <liz.rogers@dpi.e.nsw.gov.au>; DPIE Water Assessments Mailbox <water.assessments@dpi.e.nsw.gov.au>
Subject: Independent Environmental Audit Ty-Tec Austen Quarry

Hi Liz,

I have been engaged to undertake an Independent Environmental Audit of the Hy-Tec Austen Quarry.

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

James Hart

From: Sam Hayes <samantha.hayes@epa.nsw.gov.au>
Sent: Monday, 17 July 2023 9:06 AM
To: James Hart
Cc: Fred Hennessy
Subject: RE: Independent Environmental Audit Ty-Tec Austen Quarry

Good morning James.

I apologise for the late reply. I did leave a message on your mobile.

The EPA has recently been in discussion with Aust -10 water management of the premises.

As previously advised by the EPA, discharge to waters should be avoided in the first instance.

The EPA considers that there may be alternative measures available to you to avoid the need for a discharge. In that regard, the EPA recommends that you consider, if you haven't done so already:

1. Improved dam capacity via either:
 - a) Pumping water between basins to balance capacity during wet weather
 - b) Consider installation of additional basins to increase wet weather capacity
2. Implementing proactive pre and post-rain procedures to manage excess water.

For license conditions, the EPA understands that during rainfall events, where water levels in the Coxs River are elevated, accessing Licence point 3 poses a safety issue meaning monitoring required by licence condition M2.4 cannot be undertaken.

Regarding monitoring point 3, licence condition M2.4 states, "For the purposes of the table(s) above, Special Frequency 1 means the collection of samples monthly, with the exception of when a discharge is occurring from Point 1, where samples must be collected daily."

The Licence must be consistent with the monitoring undertaken at the Premises and therefore would consider the wording from condition M2.4

"with the exception of when a discharge is occurring from Point 1, where samples must be collected daily" with appropriate justification.

Required Action To progress these changes, the EPA advised that Aust-10 submit a licence variation application via the EPA's online eConnect portal for this.

To date, the application to vary the licence has not happened.

This is not an issue though it was a concern addressed in the discussions.

Happy to answer any further questions you have.

Regards

Samantha Hayes
Operations Officer
Regulatory Operations
NSW Environment Protection Authority
D 02 8333 3806 | M 0428 737 840

Independent Environmental Audit – Hy-Tec Austen Quarry

Commercial in Confidence

James Hart

From: Liz Mazzer <Liz.Mazzer@environment.nsw.gov.au>
Sent: Monday, 17 July 2023 1:24 PM
To: James Hart
Subject: RE: Independent Environmental Audit Ty-Tec Austen Quarry

Hi James

My apologies for the delay in responding to you.

I am most interested in how the proponent is progressing with meeting:

Condition 25: Biodiversity Offset Strategy implementation
Condition 26: Securing biodiversity offsets
Condition 29: Implementing the landscape and rehabilitation plan.

Regards
Liz

Liz Mazzer
A/Senior Team Leader
Planning, North West

Biodiversity, Conservation and Science Directorate | Department of Planning and Environment
T 02 6883 5325 | E liz.mazzer@environment.nsw.gov.au
48 Wingewarra Street Dubbo NSW 2830
PO Box 2111 Dubbo NSW 2830
www.dpie.nsw.gov.au

I work part-time Monday to Thursday

Our Vision: Together, we create thriving environments, communities and economies.

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

From: James Hart <james_hart@bigpond.com>
Sent: Monday, 10 July 2023 12:40 PM
To: Liz Mazzer <Liz.Mazzer@environment.nsw.gov.au>
Subject: Independent Environmental Audit Ty-Tec Austen Quarry

Hi Liz,

I have been engaged to undertake an Independent Environmental Audit of the Hy-Tec Austen Quarry.

Appendix E. Site Photographs



Site entry site details and complaints line displayed.



Quarry benches showing rehabilitation on western wall

Independent Environmental Audit – Hy-Tec Austen Quarry

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Photographs showing rehabilitated areas



Water sprays on gravel road



Monitoring locations clearly identified.



Waste Storage and Recycling



Austen Quarry SSD 6084 – Independent Environmental Audit – 17 July 2023

Response to Items Raised as Non-Compliances

Issue No.	Condition	Requirement	Issue sighted and Recommendation	Recommendation	Hy-Tec Response
NC-01	Schedule 2 Condition 2A Statement of Commitments 1.1, 1.2	The Applicant must carry out the development in accordance with the conditions of this consent	Non-compliances has been recorded against Conditions of Approval Schedule 3 (Conditions 4,26,30), Schedule 5 (Condition 1,10,11).	It is recommended that all non-compliances identified are addressed and closed out. Consider implementing a process to track compliance requirements and status.	This is noted. While Hy-Tec aims to achieve compliance with all conditional requirements, it is noted that the mostly administrative non-compliance issues have not threatened environmental harm.
NC-02	Schedule 3 Condition 1 EPL L5.1	The Applicant must comply with the operating hours set out in Table 1. Blasting in or on the premises must only be carried out between 1000 hours and 1500 hours Monday to Friday.	One blast had been conducted after 3pm on 18/01/2023.	Blast was conducted after 3pm due to safety concerns as permitted in the Blast Management Plan. No further action required.	An unavoidable breakdown caused the non-compliance as approach severe weather would have resulted in unacceptable safety risks for blast contractors and Hy-Tec personnel. The blast was conducted at 4.25pm and although unusual is not considered to have caused any environmental harm.
NC-03	Schedule 3 Condition 1 EPL 12323 Condition L2 Statement of Commitments 11.3	The Applicant must comply with the operating hours set out in Table 1.	One truck had been despatched after 10pm on 15/10/2021.	Hy-Tec had modified weighbridge software to prevent the issuing of dockets after 10pm. No further non-compliances with site operating hours had occurred. No further action required.	Software modifications done at the time of the modification and system re-tested to show that that incident should not be repeated
NC-04	Schedule 3 Condition 16 EPL 12323 Condition O4.3	The Applicant must comply with the discharge limits in any EPL, or Section 120 of the POEO Act.	pH levels in water released from site exceeded the EPL criteria on two occasions,	Hy-Tec had purchased a pH meter for use on site, and trained workers in the use of the meter. No further exceedances had occurred. No further action required.	Water had been tested the previous day by a laboratory with a pH reading of 8.3. The following day during discharge it registered at 8.6. The results of testing during discharge were not received until the day after the water was discharged. As noted, this issue was immediately rectified by the purchase of a pH tester. The pH meter permits personnel to

Issue No.	Condition	Requirement	Issue sighted and Recommendation	Recommendation	Hy-Tec Response
					measure pH at the point and time of the discharge.
NC-05	Schedule 3 Condition 20 EPL 12323 Condition M2.3	The Applicant must implement the Water Management Plan as approved by the Secretary.	Collection of water samples from EPL Point 3 could not be undertaken on two days in March 2021, 4 days in July 2022 and 3 days in October 2022 due to high flow in the river. Sampled at nearest safely accessible location.	Hy-Tec should seek a modification to EPL12323 for water sampling during flood events.	It is planned that a variation will be applied for in the next 3 months
NC-06	Schedule 3 Condition 25	Within 12 months of the approval of Modification 1, or other timeframe agreed by the Secretary, the Applicant must retire the biodiversity credits specified in Table 4A below.	Extensions of time to 31/12/2021 for retiring of biodiversity offset credits had been provided. <ul style="list-style-type: none"> • Biodiversity offset credits had not been retired by 31/12/2021. 	Arrangements for the retirement of biodiversity offset credits should be finalised and implemented	The offset credits have been purchased and the Company is in the process of completing the paperwork to retire the credits for PCT 1093, PCT 649, PCT 840. A payment to the Biodiversity Conservation Trust has been made to meet the biodiversity offsetting obligation associated with the <u>naturally occurring</u> Silver Leaved Mountain Gum
NC-07	Schedule 5 Condition 3	The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.	Four exceedances of the criteria and/or performance measures had been recorded during the period covered by the current audit. <ul style="list-style-type: none"> • Loading hours exceeded 2021 - Weighbridge operation modified to prevent dockets being provided after 10pm. • pH range exceeded 2022. pH meter purchased and employees trained in its use • EPL Point 3 unable to be sampled on two days in March 2021, 4 days in July 	Hy-Tec should ensure that adequate controls are identified and implemented to ensure no exceedances of project criteria or performance measures occur.	This is noted. While Hy-Tec aims to achieve compliance with all conditional requirements, it is noted that the mostly administrative non-compliance issues have not threatened or caused environmental harm.

Issue No.	Condition	Requirement	Issue sighted and Recommendation	Recommendation	Hy-Tec Response
			2022 and 3 days in October 2022. Sampled at nearest safely accessible location • Blast occurred outside of approved hours in January 2023		