



Holcim (Australia) Pty Ltd
Teven Quarry Project
Independent Environmental Compliance Audit

April 2020

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1. Introduction

1.1 Introduction and purpose of this report

Holcim (Australia) Pty Ltd (Holcim) is one of Australia's leading producers and suppliers of construction materials such as concrete and quarry products, with over 88 quarry operations supplying rail ballast, aggregates, gravels, road pavement materials, and manufactured and natural sands.

The Teven Quarry is a hard rock quarry located off Stokers Lane at Teven, approximately eight (8) kilometres north-west of Ballina in the Ballina Local Government Area (LGA). Teven Quarry has been operating since the 1940's, with the current Development Consent (SSD-6422) for operations granted by the NSW Minister for Planning on 15 July 2015.

Holcim commissioned GHD Pty Ltd (GHD) to conduct an independent environmental audit of its Teven Quarry (the site). The audit was conducted in accordance with Condition 9 of Schedule 5 of the Development Consent. The audit assessed the compliance status of the Teven Quarry against the Development Consent and other relevant environmental approvals and licences, for operations since approval of SSD-6422 (15 July 2015).

The site component of the environmental audit was conducted on 02 October 2019. This report provides an outline of the audit methodology and findings, and provides recommended actions to address non-compliances and other issues identified during the audit.

The audit was led by Ben Luffman, Senior Environmental Scientist/Planner.

Condition 9 of Schedule 5 of the SSD 6422 for the project requires an Independent Environmental Audit (the audit) to be commissioned by 15 July 2019. Specifically, Condition 9 requires:

"Within a year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:

- (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*
- (b) include consultation with the relevant agencies;*
- (c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals);*
- (d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and*
- (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.*

Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary."

The audit team was endorsed by the Department of Planning Industry and Environment (DPIE) in a letter to Holcim dated 12 August 2019 (Appendix A).

1.2 Scope of the audit

The audit took the following form:

- An initial start-up teleconference was held with relevant Holcim representatives to discuss the audit methodology, identify relevant personnel involved in the project, key activities and systems occurring on the site, documentation for review and to schedule a date for the site inspection.
- Relevant agencies, including the Biodiversity and Conservation Division (BCD), Department of Primary Industries - Water (DPI Water), Environment Protection Authority (EPA), Roads and Maritime Services (Roads and Maritime) and Ballina Shire Council (Council) were requested to provide comment on the performance and/or compliance of the project with relevant requirements and/or approvals.
- A review of available key documentation was undertaken prior to interviews with Holcim representatives and the site inspection. Reviewed documents included the Teven Quarry Project Environmental Impact Statement (EIS), SSD-6422, Environment Protection Licence 3293 (EPL 3293) and other relevant site and environmental information (such as correspondence with relevant agencies, management plans and monitoring results). Additional documents were reviewed during and following the interviews with Holcim representatives and the site inspection.
- A one-day site inspection to assess the general environmental performance of Teven Quarry and discuss SSD 6422 and EPL compliance with key site-based personnel.
- Preparation of a draft audit report for Holcim review.
- Finalisation of the audit report and provision to Holcim for submission to DPIE.

Further details of the audit process are provided in Section 2.

1.3 Audit participants

The following personnel were involved over the course of the audit.

Table 1-1 Audit team members

Audit team members	Organisation	Role
Ben Luffman	GHD	Lead auditor
Ben Bracken	GHD	Technical review
Shilpa Shashi	Holcim	NSW/ACT Planning & Environment Coordinator
Garth Stacey	Holcim	Production Supervisor – Teven Quarry

1.4 Limitations

This report has been prepared by GHD for Holcim and may only be used and relied on by Holcim for the purpose agreed between GHD and the Holcim as set out in Sections 1.1 and 1.2 of this report.

GHD otherwise disclaims responsibility to any person other than Holcim arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

GHD has prepared this report on the basis of information provided by Holcim, which GHD has not independently verified or checked beyond the agreed scope of work. GHD does not accept liability in connection with such unverified information, including errors and omissions in the report which were caused by errors or omissions in that information.

2. Methodology

The audit process involved a review of available documentation, the interview of personnel and a site inspection of the quarry operations to determine the level of environmental performance and compliance of the development with the SSD 6422 and the EPL. The audit process is detailed in Sections 2.1 to 2.6.

2.1 Audit inception

An initial start-up meeting for the audit was held August 2019 with relevant Holcim representatives to discuss the audit methodology, identify relevant personnel involved in the project, key activities and systems occurring on site, documentation for review and identify locations to inspect during the site inspection.

2.2 Document review

Environmental documentation associated with the Teven Quarry was reviewed by the auditor prior to the site visit. Holcim personnel provided a number of documents for review including:

- Blast Management Plan (BMP)
- Noise Management Plan (NMP)
- Transport Management Plan (TMP)
- Air Quality Management Plan (AQMP)
- Biodiversity and Rehabilitation Management Plan (BRMP)
- Water Management Plan (WMP)
- Environmental Management Strategy (EMS)
- SSD-6422
- EPL 3293
- Teven Quarry Project Environmental Impact Statement (EIS)
- Correspondence to/from agencies (refer to Section 2.3)
- Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry

Additional documents were provided during and following the audit as evidence of compliance with the SSD 6422 and EPL.

2.3 Agency consultation

As part of the audit process, the following agencies were invited to provide comment in regard to SSD 6422 conditions requiring specific consultation with the particular agencies:

- Department of Primary Industries (Water) (DPI Water)
- Environment Protection Authority (EPA)
- Ballina Shire Council (Council)
- Department of Planning, Industry and Environment – Biodiversity and Conservation Division (BCD)
- Roads and Maritime Services (Roads and Maritime)
- Department of Planning, Industry and Environment – Crown land (Crown Land)

Letters requesting comment from the agencies were emailed on 27 August 2019.

Responses were received from DPI Water, EPA, Roads and Maritime, Crown Land, Ballina Shire Council and BCD. Copies of this correspondence is provided in Appendix D. The auditor's response to matters raised by agencies is provided in Section 3.5.

2.4 Site inspection and interviews

2.4.1 Opening and closing meeting

GHD undertook a site visit of the Teven Quarry on 02 October 2019. The audit team used the site inspection to review compliance with various environmental requirements of the project.

The opening and closing meetings were held at the Teven Quarry main office. The list of participants is provided in Table 2-1.

Table 2-1 Opening meeting attendees

Audit team members	Organisation	Role
Ben Luffman	GHD	Lead Auditor
Holcim Representatives	Organisation	Role
Garth Stacey	Holcim	Production Supervisor – Teven Quarry

Following the opening meeting, a site inspection was undertaken to familiarise the audit team with the site and operations.

The objectives of the closing meeting were to discuss any outstanding matters, present preliminary findings and outline the process for finalising the audit report.

2.4.2 Audit interviews

During the on-site component of the audit, interviews were conducted with the Holcim staff identified in Table 2-1.

2.4.3 Data collection and verification

Where possible, documents and data collected during the audit process were reviewed whilst on-site. A number of documents were provided to the audit team prior to the on-site component of the audit. Several documents that were not available during the on-site component were provided following the audit.

All information obtained during the audit process was verified by the audit team where possible. For example, statements made by site personnel were verified by viewing documentation and/or site inspections. Where suitable verification was unable to be obtained, this has been identified.

2.4.4 Site inspection

A detailed site inspection of Teven Quarry was undertaken on 02 October 2019. The following locations were inspected:

- Active quarry pit
- Overburden emplacement area
- Processing area and stockpiles
- Maintenance, fuel storage and refuelling facility
- Weighbridge, access road and wheel wash
- Main dam
- Haul road
- In-pit dam
- Accessible rehabilitation areas

2.5 Reporting

This report presents the findings of the Teven Quarry independent environmental audit required by Condition 9 of Schedule 5 of the SSD-6422.

This report summarises the findings of Holcim's compliance of the requirements of the SSD 6422 and EPL in Section 3. The findings are supported by Appendices detailing:

- Compliance against the SSD 6422 (Appendix A)
- Compliance against the EPL (Appendix C)

2.6 Definitions

Reporting results from the Independent Environmental Audit was generally determined based on the definitions in the *Independent Audit Post Approval Requirements Guideline* (DPIE, 2018).

Compliant

Where the auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.

Non-Compliant

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 at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

Noted

A statement or fact, where no assessment of compliance is required.

3. Audit findings

3.1 Summary of Compliance

Table 3-1 presents a summary of compliance with the requirements of the SSD 6422 and the EPL.

Table 3-1 Compliance with SSD 6422 and EPL

Compliance	SSD 6422	%	EPL 3293	%
Compliant	40	51	38	56
Non-compliant	18	23	3	4
Not triggered	19	24	14	21
Noted	1	1	13	19
Total number of requirements	78	99	68	100

3.1.1 General Environmental Performance and Compliance

Holcim demonstrated compliance with the approved production limits, truck numbers and monitoring criteria, however there were 18 non-compliances with the SSD 6422 and three non-compliances with the EPL.

During the site inspection the site appeared to be managed appropriately with no major environmental concerns observed.

3.1.2 Site inspection observations

A selection of photographs from the site inspection are provided below.



Photograph 1: A haul road with the automatic sprinklers on to control dust



Photograph 2: The quarry pit with the survey peg indicating the approved depth of the pit



Photograph 3: Survey peg marking the extent of the quarry



Photograph 4: Spill kit



Photograph 5: Weather station



Photograph 6: Waste management



Photograph 7: Bunded fuel and chemical storage



Photograph 8: Bunded refuelling area

3.2 Compliance with SSD-6422

Holcim were granted development consent on 15 July 2015, permitting an increase in production from 265,000 tonnes per annum (tpa) to 500,000 tpa. Holcim advised that whilst the approved production limit has increased, site operations have not increased to reflect the new production limit, although production has increased with 370,037 tonnes transported from site in the 2018 calendar year.

The quarry operations are located in an area which is heavily forested to the north-west, west, south and south east. Agricultural operations are located immediately north and east of the quarry. The site is reasonably isolated, with five (5) properties located within approximately 500 metres of the quarry operations and less than ten (10) residential receivers located within one kilometre of the operations. Of the five (5) closest properties, two are located on Holcim-owned land (leased). Due to the distance to sensitive receivers, the potential for adverse impacts associated with environmental issues including noise, vibration and air quality is considered to be low.

Further details relating to risks associated with non-conformances are provided in the detailed findings in Appendix B and Appendix C.

The review of compliance with the SSD-6422 identified 18 non-compliances. One recommendation was also identified.

A summary of the non-compliances is provided in Table 3-2 and the recommendation in Table 3-3.

Table 3-2 Summary of Non-Compliances – SSD-6422

Condition	Reason for Non-Compliance
Condition 18(b), Schedule 2	<p>A copy of the 2018 DRE standard form was provided but it was not included in the Annual Review.</p> <p>Corrective action 01: Provide a copy of the DRE standard form in the Annual Review.</p>
Condition 4, Schedule 3	<p>The Annual Review summarises the noise monitoring results from Muller Acoustic Consultants which indicate compliance with the relevant criteria. While the monitoring locations appear to surround the quarry, providing a reasonable indication of the noise levels, there is nothing linking the monitoring locations with all the receivers in Table 2 of the consent.</p> <p>Table 6-1 of the Noise Management Plan justifies the noise monitoring locations in relation to the receivers but there is no mention of R13, R15, R16, R17, R18 or R20. The monitoring locations in the Quarterly Noise Monitoring Assessment are similar but not the same as those identified in the Noise Management Plan but there is no justification or link provided to all the receivers in Table 2. The Quarterly Noise Monitoring Assessment concludes that the noise criteria was achieved at all assessed residential receivers, however, because not all receivers mentioned in Table 2 were assessed, it is difficult to confirm if noise levels complied at all these receivers.</p> <p>It does appear the monitoring is comprehensive, with the exception of R13, with an observed lack of linkage between the results and the receivers in Table 2.</p> <p>Corrective action 02: Confirm in the Quarterly Noise Monitoring Assessments, the noise criteria at all receivers in Table 2 was achieved. And/or update the Noise Management Plan to confirm the noise monitoring locations are representative of all the receivers in Table 2.</p>

Condition	Reason for Non-Compliance
Condition 10(d), Schedule 3	<p>The Blast Management Plan describes the control measures, monitoring program and protocol for investigating complaints. However it does not include a community notification procedure. It also appears the Blast Management Plan was not submitted to the Secretary within 6 months of the consent but this is considered to be outside the audit period.</p> <p>The Blasting Checklist indicates the mitigation measures are implemented and the Annual Review indicates blasts are monitored.</p> <p>Corrective action 03: Include community notification procedures for the blasting schedule in the Blast Management Plan.</p>
Condition 11, Schedule 3	<p>According to the Annual Review, the PM₁₀ annual average was below the annual average criteria but the PM₁₀ 24 hour criteria was exceeded on 5 occasions during 2018 (11 August, 6 September, 6 November, 10 November and 4 December). The results ranged from 58µg/m³ to 68µg/m³ compared against a criteria of 50 µg/m³. The Annual Review explains there was an issue with the sampling methodology which has since been rectified.</p> <p>The depositional dust results in the Annual Review also indicate some exceedances of the approval criteria, however, it explains the exceedances were due to sugar farming operations that surround the monitoring locations. Holcim are in discussion with DPIE and EPA regarding the relocation of the dust deposition gauges.</p> <p>Corrective action 04: Review the dust monitoring program to ensure it provides representative results that can be used to confirm compliance with the relevant criteria and update the Air Quality Management Plan accordingly.</p>
Condition 15, Schedule 3	<p>The Annual Review reported a non-compliance with this condition due to a faulty weather station. However, a meteorological station was observed, which Holcim advised was installed by VGT.</p> <p>Although considered a non-compliance, the issue has since been addressed.</p> <p>Corrective action 05: Regularly maintain and monitor the weather station to ensure it is working.</p>
Condition 20, Schedule 3	<p>The Water Management Plan includes a water balance, management system and monitoring program, however, it does not include:</p> <ul style="list-style-type: none"> • Evidence the author was approved by the Secretary • Approved within 6 months • Detailed baseline data • Erosion and sediment controls <p>Although it appears the Water Management Plan was not submitted to the Secretary within 6 months of the consent this is considered to be outside the audit period.</p> <p>In relation to erosion and sediment controls, the basin management is discussed but there are no other erosion and sediment controls mentioned.</p> <p>Controls on site and the Annual Review indicate the water management and monitoring is implemented and effective.</p> <p>Corrective action 06: Update the Water Management Plan to include all the information required by Condition 20, Schedule 3.</p>

Condition	Reason for Non-Compliance
Condition 23, Schedule 3	<p>The delivery dockets show the date and time trucks arrive and leave the site.</p> <p>Monthly truck movements are included in the Annual Review. A summary is also on the website for 2016 and 2017 but it does not appear to be updated every 6 months.</p> <p>Corrective action 07 – Publish a summary of truck movements on the website every 6 months.</p>
Condition 30, Schedule 3	<p>Holcim was not able to provide any evidence a bond had been lodged with the Department. Holcim was also not able to confirm when the Biodiversity and Rehabilitation Management Plan (EMM 2016) was approved, however, as it was prepared in 2016, it is assumed the Plan has been approved for more than 6 months, so the bond is required.</p> <p>Corrective action 08 – Lodge a Conservation and Rehabilitation Bond with the Department, in accordance with Condition 30, Schedule 3.</p>
Condition 31, Schedule 3	<p>Holcim was not able to provide any evidence the Conservation and Rehabilitation Bond had been reviewed following the previous Independent Environmental Audit.</p> <p>Corrective action 09 – Review the Conservation and Rehabilitation Bond following the Independent Environmental Audit.</p>
Condition 33, Schedule 3	<p>Ballina Shire Council have indicated there is not a current Approval to Operate the on site sewage treatment and disposal system. Holcim advised the system has been in place since they started operating the quarry.</p> <p>Waste segregation was observed on site, with waste chemicals and oils stored appropriately under cover and banded. Waste invoices indicate waste is handled and disposed appropriately. Waste management is discussed in the Annual Review.</p> <p>Corrective action 10: Obtain confirmation from EPA and Council indicating they are satisfied with the on site sewage treatment and disposal system.</p>
Condition 1, Schedule 4	<p>Exceedances of the air quality criteria were recorded but Holcim advised landowners were not notified. It was claimed that the air quality exceedances were not due to Holcim activities but there is nothing in the condition indicating it is only quarry related exceedance that are to be notified.</p> <p>Corrective action 11: Notify affected landowners when monitoring results indicate an exceedance of the relevant criteria with justification why the exceedance was not associated with Holcim activities, if applicable.</p>
Condition 2, Schedule 5	<p>The management plans all provide:</p> <ul style="list-style-type: none"> • Baseline data (except the Water Management Plan) • A description of the relevant statutory requirements, performance measures/criteria and indicators • Management measures • Monitoring program • Protocols for managing and reporting on incidents, complaints, non-compliances and exceedances • Review and improvement protocol <p>None of the plans included a contingency plan to manage unpredicted impacts.</p> <p>Corrective action 12: Update the management plans required under the consent to include a contingency plan to manage unpredicted impacts.</p>

Condition	Reason for Non-Compliance
Condition 3, Schedule 5	<p>Exceedances of the air quality criteria were recorded but Holcim advised that the Secretary was not notified. It was claimed that the air quality exceedances were not due to Holcim activities but there is nothing in the condition indicating it is only quarry related exceedance that are to be notified.</p> <p>Corrective action 13: Notify the Secretary, in accordance with Condition 3, Schedule 5, when monitoring results indicate an exceedance of the relevant criteria and, when relevant, document justification why the exceedance was not associated with Holcim activities.</p>
Condition 5, Schedule 5	<p>Holcim was not able to provide any evidence there had been a review of the strategies, plans and programs required under this consent, following any of the triggers.</p> <p>Corrective action 14: Review the strategies, plans and programs following the annual review, incident report, audit report or modification and maintain evidence of the reviews.</p>
Condition 7, Schedule 5	<p>The Annual Review identifies two Incidents/Non compliances. Holcim advised that the Secretary was not notified other than inclusion in the Annual Review.</p> <p>Corrective action 15: Notify the Secretary and any other relevant agencies of any incident, within 7 days of the date of the incident, in accordance with Condition 7, Schedule 5.</p>
Condition 8, Schedule 5	<p>Truck movement data, complaints register and Annual Reviews are provided on the website, however the most recent truck monitoring data was from 2017, complaints register was 2018 and Annual Review 2017. No noise, dust or water monitoring was on the website at the time of the audit.</p> <p>Corrective action 16: Regularly update the website with the environmental performance of the development, in accordance with Condition 8, Schedule 5.</p>
Condition 9, Schedule 5	<p>The appointment of GHD was endorsed by the Secretary on 12 August 2019.</p> <p>The audit involved consultation with the agencies and assessment of the environmental performance and compliance of the project. It also reviews the adequacy of any strategy/plan/program and recommends actions to improve the environmental performance.</p> <p>The Applicant had not commissioned and paid the full costs of an Independent Environmental Audit by the anniversary date of the consent.</p> <p>Corrective action 17: When the Independent Environmental Audit is required, commission and pay the full costs of the audit by the anniversary date of the consent.</p>
Condition 11, Schedule 5	<p>The website contains some of the information required but is missing:</p> <ul style="list-style-type: none"> • Statement of commitments • Comprehensive summary of monitoring results • An updated complaints register (last updated quarter 1 2018) • The 2018 and 2019 Annual Review • The last Independent Environmental Compliance Audit was provided but Holcim response was not <p>Corrective action 18: Update the website to include all the information required by Condition 11, Schedule 5.</p>

Table 3-3 Summary of recommendations – SSD-6422

Condition	Reason for Non-Compliance
Condition 7, Schedule 2	<p>The survey indicated the quarry floor was above the RL of 4 metres AHD. Holcim reported the datum peg observed was placed on the floor of the quarry during this survey. The quarry floor appeared to be above this datum.</p> <p>Recommendation 01: To confirm the floor height, it is recommended that an annual survey is undertaken.</p>

3.3 Compliance with EPL 3293

The review of compliance with the EPL 3292 identified three (3) non-compliances and four (4) recommendations. A summary of non-compliances and recommendations are provided in Table 3-4 and Table 3-5.

Table 3-4 Summary of Non-Compliances – EPL 3293

Condition	Reason for Non-Compliance
M1.3	<p>Review of the Annual Review indicated the date and monitoring location of the sample but not the time or person who collected the sample.</p> <p>Corrective action 19: Record all the information required by M1.3 of the EPL, when collecting samples.</p>
M4.2	<p>Records of complaints received during the audit period did not contain:</p> <ul style="list-style-type: none"> • Time of the complaint • The method by which the complaint was made • Personal details <p>Corrective action 20: Update complaint handling procedures so all information required by Condition M4.2 is recorded.</p>
M6.1	<p>The Quarterly Noise Monitoring Assessment indicates the noise monitoring was done for a period of 15 minutes, rather than the 1.5 hours required.</p> <p>Corrective action 21: Undertake noise monitoring for 1.5 hours, once a year, in accordance with EPL condition M6.1.</p>

Table 3-5 Summary of recommendations – EPL 3293

Condition	Reason for Non-Compliance
P1.2	<p>Based on the description and site observations, Holcim has been monitoring at the EPL location. This location differed from the location of the licenced discharge point nominated in the Water Management Plan (WMP) – Figure 3.1 and Section 6.0.</p> <p>The Annual Review reports the EPA have requested additional sampling to be undertaken at the site.</p> <p>Recommendation 02: Clarify with the EPA the monitoring locations and, if necessary, obtain an EPL variation and update the Water Management Plan so they are consistent with the current monitoring requirements.</p>
L4.4	<p>The Blasting Checklist has a requirement to place a blast warning sign at the front entrance and notify neighbour of a blast as early as possible, which has been signed, indicating it is done. However, it was not possible to determine if neighbours were given at least 24 hours' notice.</p> <p>Recommendation 03: Update the Blasting Checklist to include reference that all sensitive receivers are to be given at least 24 hours' notice.</p>

Condition	Reason for Non-Compliance
O4.1	The Water Management Plan mentions the use and maintenance of diversion drains, however there is no plan showing their location. Diversion drains were observed on site. Recommendation 04: To clarify the location of diversion drains and erosion control measures, it is recommended a staged sediment and erosion control plan be prepared and included in the Water Management Plan.
O4.4	Holcim reported a marker in the dam indicates the design storage capacity of the Main Dam and the water level is restored to this level within 5 days of rainfall events. However, it was difficult to confirm compliance with this condition with the records available. Recommendation 05: To confirm the design capacity in the Main Dam is restored within 5 days of rainfall, it is recommended that this is recorded.

3.4 Adequacy of any Strategies/Plan and Programs

The environmental management plans for the site were developed in consultation with relevant agencies in 2016. The plans have not been revised since, so the plans are the same as audited in the original IEA.

Table 3-6 provides a summary of the key monitoring and management practices on site and improvement opportunities.

Table 3-6 Status of key monitoring and management

Environmental aspect	Relevant management plan	Implementation	Recommendations
Noise	Noise Management Plan (NMP)	<p>The quarry was not expected to cause significant noise related impacts on sensitive receivers, so other than the placement of stockpiles along the northern edge of the project and regular maintenance of machinery, minimal noise mitigation practices were observed.</p> <p>The noise monitoring indicates compliance with the relevant criteria but does not assess all the residential receivers. The monitoring is not in accordance with the EPL requirements.</p>	Refer to Corrective action 02 and Corrective action 21
Blast overpressure and ground vibration	Blast Management Plan (BMP)	<p>Blast monitoring results are reported in the Annual Review and are publically available on the Holcim website. No exceedances were recorded during the 2018 reporting period.</p> <p>Teven Quarry provides verbal notification to neighbouring properties prior to undertaking blasting, with a message left and a follow-up call made if the resident is unable to be reached.</p> <p>While Teven Quarry has indicated verbal notification is provided to neighbouring properties prior to undertaking blasting, the BMP does not provide detail in relation to community notification procedures for the blasting schedule in accordance with Condition 10(d) of Schedule 3 of SSD-6422.</p>	Refer to Corrective action 03 and Recommendation 03
Air Quality	Air Quality Management Plan (AQMP)	<p>Dust management was observed during the site visit, including an irrigation system on haulage roads and a sprinkler system on conveyor belts.</p> <p>The Annual Review indicates five exceedances of the PM₁₀ 24 hour criteria. A number of exceedances were also recorded for the depositional dust at DDG1 and DDG2, however, Holcim report this was due to contamination and have therefore been removed from the annual average.</p> <p>The Annual Review mentions the depositional dust gauges are poorly located and Holcim are in discussions with DPIE and EPA regarding moving them and updating the AQMP accordingly.</p>	Refer to Corrective action 04

Environmental aspect	Relevant management plan	Implementation	Recommendations
Water	Water Management Plan (WMP)	<p>The WMP does not include all the information required by the consent.</p> <p>A review of historical monitoring data indicates discharge monitoring is undertaken. However, based on EPA advice changes were made to the sampling methodology in July and September 2018. All sampling results were within the relevant criteria.</p> <p>It is still difficult to determine if the sediment basin (Main Dam) design capacity is restored within 5 days of a rainfall event, as per the EPL requirements.</p> <p>The WMP includes minimal management and mitigation measures to mitigate adverse surface water impact of the Project.</p> <p>Evidence of erosion control was observed at some areas of the site including the processing and stockpile areas and the access roads.</p>	Refer to Corrective action 06, 12 and 19 and Recommendation 02, 04 and 05
Rehabilitation	Biodiversity and Rehabilitation Management Plan (BRMP)	<p>The 2018 Annual Review indicated that there had not been any rehabilitation at the quarry during the reporting period. However, weed spraying was undertaken.</p> <p>The BRMP appears to provide comprehensive guidance on the rehabilitation to occur but currently the quarry is active, so there is little opportunity for implementation.</p>	Not applicable.

3.5 Auditor's response to matters raised by government agencies

3.5.1 Department of Planning , Industry and Environment – Biodiversity and Conservation Division

The following includes clarifications requested by BCD and audit responses:

- Confirmation that no items or objects of Aboriginal heritage significance have been identified on site, which can be confirmed.
- Confirmation OEH (now BCD) was consulted during the preparation of the BRMP. The BRMP includes correspondence with OEH requesting input but it appears no response was provided by OEH.

3.5.2 Ballina Shire Council

Ballina Shire Council provided detail comments. The comments and responses are below:

- Condition 21 – Council confirmed they have been paid the contributions but commented, they have not been provided documentation indicating compliance with Condition 9, Schedule 2. It is not a requirement for Holcim to provide documentation to Council regarding Condition 9, Schedule 2, and this information is available in the Annual Review, available on the Holcim website.
- Condition 22 – Council confirmed the requirements of Condition 22, Schedule 3 have been completed.
- Condition 25 – Council indicated they had not been given the opportunity to comment on the TMP and it is not available on the Departments website. The TMP includes correspondence with Council requesting input but it appears no response was provided by Council. The TMP is provided on the Holcim website.
- Condition 33 – Council indicates the onsite sewage management system does not have a current approval and requests Holcim to lodge an application. Holcim advised the onsite sewage management system is the same as existed when they started operating the quarry. Regardless, a corrective action has been raised, refer to Corrective action 10.

3.5.3 Department of Primary Industries (Water)

DPI had no comment.

3.5.4 Roads and Maritime Services

RMS did not provide a response.

3.5.5 Environment Protection Authority

The EPA requested to know if the staff have an understanding of the content of the Plans of Management. At the time of the audit, the Quarry Manager was interviewed during the audit and they appeared to have a good understanding of the management plans and monitoring requirements.

3.5.6 Department of Planning, Industry and Environment – Crown Lands

Crown lands had no comment.

4. Declaration form

Independent Audit Declaration Form	
Project name	Teven Quarry
Consent Number	SSD-6422
Description of project	Refer to Section 1.1
Project address	Stockers Lane, TEVEN, NSW, 2478
Proponent	Holcim (Australia) Pty Ltd
Title of audit	Teven Quarry – Independent Environmental Compliance Audit
Date	20 February 2020


I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- The audit has been undertaken in accordance with relevant condition(s) of consent and generally in accordance with the Independent Audit Post Approval Requirements (Department 2018);
- The findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- Neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my 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	Ben Luffman
Signature	
Qualification	Lead Auditor – Environmental Management Systems
Company	GHD Pty Ltd (GHD)
Company address	GHD Tower, 230 Harbour Drive, COFFS HARBOUR, NSW, 2450

Appendices

Appendix A – DPIE Endorsement



Planning, Industry & Environment

Contact: Shelley McPhee
Phone: 02 6670 8675
Email: shelley.mcphee@planning.nsw.gov.au
compliance@planning.nsw.gov.au

Our Ref: SSD 14_6422

Shilpa Shashi
Planning & Environment Coordinator NSW/ACT
Holcim (Australia) Pty Ltd
Level 8 Tower B, 799 Pacific Highway
Chatswood NSW 2067

12 August 2019

Dear Ms Shashi

Agreement of Independent Auditors Teven Quarry (SSD 14_6422)

Reference is made to a submission, dated 24 July 2019, seeking the agreement of the Secretary of the Department of Planning and Environment (the Department) of a suitability of qualified, experienced and independent audit team to undertake independent environmental audit of Teven Quarry.

In accordance with Schedule 5, Condition 9 and the *Independent Audit Post Approvals Requirements* (Department 2018), the Secretary has agreed to the following audit team:

- Ben Luffman – Project Manager and Environmental Auditor (GHD Pty Ltd)
- Ben Bracken – Peer Review/Project Director (GHD Pty Ltd)
- Evelyn Potoczny – Air and Noise Consultant (GHD Pty Ltd)
- Stephanie Martin – Project Assistant (GHD Pty Ltd)

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* (Department 2018). Failure to meet these requirements will require revision and resubmission.

If you have any questions, please contact me on the details listed above.

Yours sincerely

Shelley McPhee
Team Leader - Compliance
As nominee of the Secretary

Appendix B – Compliance with Conditions of Approval



Table A1 Compliance with the Development Approval requirements

Number	Condition	Compliance	Evidence	Comments
	SCHEDULE 2 - ADMINISTRATIVE CONTROLS			
	<i>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</i>			
1	In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the development.	Compliant	Site observations Monitoring results	The quarry appeared to be implementing reasonable and feasible mitigation measures to manage the environmental impact and the audit did not identify any actual or potential material harm to the environment from the quarry operations.
	TERMS OF CONSENT			
2	The Applicant shall carry out the development generally in accordance with the: (a) EIS; (b) Statement of Commitments; and (c) conditions of this consent. <i>Note: The Applicant's Statement of Commitments is reproduced in Appendix 3.</i>	Compliant	This audit	The quarry operations have been undertaken generally in accordance with the requirements and the environmental impacts are reasonable well managed. However, a few non-compliances have been noted, as discussed in the below table.
3	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.	Noted	N/A	Not applicable
4	The Applicant shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent; (b) any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with this consent; or (c) the implementation of any actions or measures contained in these documents.	Not triggered	N/A	Holcim advised the Secretary has not made any written direction.
	LAPSING OF CONSENT			
5	If the development has not been physically commenced within 5 years of the date of this consent, then this development consent shall lapse.	Not triggered		The development has physically commenced.
	LIMITS ON CONSENT			
	Quarrying Operations			
6	The Applicant may carry out quarrying operations on the site until 30 June 2045. <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>	Compliant	Observation	The applicant is carrying out quarrying operations and it is not 30 June 2045.

Number	Condition	Compliance	Evidence	Comments
7	The Applicant shall not extract extractive materials below RL 4 metres AHD.	Compliant	Heights on Quarry Pit Floor survey by Newton Denny Chapelle dated 19/05/2016 Site inspection Site interviews	The survey indicated the quarry floor was above the RL of 4 metres AHD. Holcim reported the datum peg observed was placed on the floor of the quarry during this survey. The quarry floor appeared to be above this datum. Recommendation 01: To confirm the floor height, it is recommended that an annual survey is undertaken.
8	The Applicant shall not extract more than 6.6 million tonnes of quarry products from the site.	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry Teven Quarry Annual Review 2015-2016 Annual Review – 1 January 2017 – 31 December 2017 – Teven Quarry	Holcim advised the total production between July 2016 to December 2019 has been 1,219,244 tonnes. The Annual Returns indicate 1,262,212 tonnes has been extracted since 01 January 2015 to 31 December 2018.
Extractive Material Transport				
9	The Applicant shall not: (a) transport more than 500,000 tonnes of quarry products from the site in any calendar year; (b) accept and recycle more than 10,000 tonnes of clean, surplus concrete in any calendar year; and (c) dispatch more than 73 laden trucks from the site per day, averaged over the total number of dispatch days in any calendar month.	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry Observation	The Annual Review reports a total of 370,037 tonnes were transported from the site in the 2018 calendar year. It also reports the monthly average truck movement per active day was between 48 and 71. Holcim advised no concrete has been imported to site. No concrete was observed on site.
SURRENDER OF EXISTING DEVELOPMENT CONSENTS				
10	Within 6 months of the date of this consent, or as otherwise agreed by the Secretary, the Applicant shall surrender all existing development consents for the site in accordance with Section 104A of the EP&A Act. Prior to the surrender of such development consents, the conditions of this consent shall prevail to the extent of any inconsistency with the conditions of these consents. <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. Surrender of a consent should not be understood as implying that works legally constructed under a valid consent can no longer be legally maintained or used.</i>	Not triggered	N/A	The 6 month period is outside the audit period. Holcim advised the previous consents have been surrendered.
STRUCTURAL ADEQUACY				
11	The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. <i>Notes:</i> <ul style="list-style-type: none">Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works; andPart 8 of the EP&A Regulation sets out the requirements for the certification of the development or project.	Not triggered	N/A	Holcim advised there have not been any new buildings since the approval was issued. No new buildings were observed during the site inspection.

Number	Condition	Compliance	Evidence	Comments
	DEMOLITION			
12	The Applicant shall ensure that all demolition work is carried out in accordance with <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> , or its latest version.	Compliant	HE Parts International docket dated 28/08/2019	A shed structure has been removed. Holcim was not able to confirm if the demolition was done in accordance with Australian Standard AS 2601-2001: The Demolition of Structures but the demolition was done by a demolition contractor. Evidence the demolition was done by a demolition contractor was provided.
	PROTECTION OF PUBLIC INFRASTRUCTURE			
14	The Applicant shall: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. <i>Note: This condition does not apply to any damage to roads caused as a result of general road usage.</i>	Not triggered	Nil	Holcim advised no public infrastructure has been damaged or relocated by the project.
	OPERATION OF PLANT AND EQUIPMENT			
15	The Applicant shall ensure that all the plant and equipment used at the site is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Compliant	Observation CAT 980G Service inspection 250hr check sheet Daily Checklist Plant Prestart Checklist Weekly Running Inspection Machine servicing invoices	The checklists showed the machinery is checked every day and minor repairs and services are undertaken as required.
	UPDATING AND STAGING OF STRATEGIES, PLANS OR PROGRAMS			
16	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. 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. <i>Notes:</i> <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. 	Not triggered	Environmental Management System (EMM 2016) Air Quality Management Plan (EMM 2016) Biodiversity and Rehabilitation Management Plan (EMM 2016) Blast Management Plan (EMM 2016) Noise Management Plan (EMM 2016) Transport Management Plan (EMM 2016) Water Management Plan (EMM 2016)	The management plans have not been updated since 2016 and have not been staged.

Number	Condition	Compliance	Evidence	Comments	
17	Until they are replaced by an equivalent strategy, plan or program approved under this consent, the Applicant shall implement the existing strategies, plans or programs for the site that have been approved under previous consents.	Not triggered	N/A	Updated management plans were approved in 2016, so compliance with this condition is outside the audit period.	
	PRODUCTION DATA				
18	The Applicant shall:	Non-compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry DRG – Return for Extractive Materials: Year Ended 30 June 2018	A copy of the 2018 DRE standard form was provided but it was not included in the Annual Review. Corrective Action 01: Provide a copy of the DRE standard form in the Annual Review	
	(a) provide annual quarry production data to DRE using the standard form for that purpose; and				
	(b) include a copy of this data in the Annual Review (see condition 4 of Schedule 5).				
	IDENTIFICATION OF APPROVED EXTRACTION LIMITS				
19	By 31 October 2015, unless otherwise agreed by the Secretary, the Applicant shall: (a) engage a registered surveyor to mark out the boundaries of the approved limits of extraction within the development area; and (b) submit a survey plan of these boundaries with applicable GPS coordinates to the Secretary.	Not triggered	N/A	Not triggered during the audit period. However, a survey plan and pegs were observed.	
20	While quarrying operations are being carried out, the Applicant shall ensure that these boundaries are clearly marked at all times in a manner that allows operating staff to clearly identify the approved limits of extraction.	Compliant	Site inspection observations Site interviews	Survey pegs observed and the Quarry Manager knew that extraction was not to extend beyond these limits.	
	CONTRIBUTIONS TO COUNCIL				
21	The Applicant shall pay a contribution of \$0.3501 per tonne of quarry products transported and recycled concrete transported to the site from the site to Ballina Shire Council for the maintenance of the local road network. The contribution shall be paid and indexed in line with the provisions of <i>Ballina Shire Heavy Haulage Contributions Plan 2011</i> or any subsequent relevant contributions plan adopted by Council. <i>Note: If the parties are unable to agree on any aspect of the maintenance contributions, either party may refer the matter to the Secretary for resolution.</i>	Compliant	Ballina Shire Council letter dated 16 September 2019	Ballina Shire Council confirmed they have been paid a contribution based on the tonnage of quarry products.	
	SCHEDULE 3				
	ENVIRONMENTAL PERFORMANCE CONDITIONS				
	NOISE				
	Hours of Operation				
1	The Applicant shall comply with the operating hours set out in Table 1. Table 1: Operating Hours	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry Site interviews Timesheet – dated September 2019 Weighbridge dockets – dated 02/10/2019	Holcim advised in the Annual Review that all activities took place within the approved operating hours in 2018 and the site is locked after hours. Staff arrive at 6:30 am for pre-start but operating equipment, extraction, processing, overburden management, loading, stockpile management, maintenance of plant and equipment does not commence until 7 am and the site stops operating at 5 pm. The site does not operate on weekends. The timesheet confirms the above arrival and departure times.	
	Activity Permissible Hours				Activity Permissible Hours
	Extraction operations				7 am to 6 pm Monday to Friday;
	Processing operations				7 am to 4pm Saturday; and
Overburden management	At no time on Sundays or public holidays.				

Number	Condition	Compliance	Evidence	Comments									
	<table border="1"> <tr> <td>Blasting</td> <td>10 am to 3 pm Monday to Friday; and At no time of Sundays or public holidays.</td> </tr> <tr> <td>Loading and dispatch Stockpile management Maintenance of plant and equipment</td> <td>7 am to 10 pm Monday to Friday; 7 am to 4 pm Saturdays; and At no time on Sundays or public holidays.</td> </tr> </table>	Blasting	10 am to 3 pm Monday to Friday; and At no time of Sundays or public holidays.	Loading and dispatch Stockpile management Maintenance of plant and equipment	7 am to 10 pm Monday to Friday; 7 am to 4 pm Saturdays; and At no time on Sundays or public holidays.		Blasting Checklist dated 30/09/2019	<p>The weighbridge dockets confirm trucks do not start transporting material until after 7 am.</p> <p>Blasting checklist indicates blasting occurs within the permissible hours.</p> <p>It is difficult to confirm compliance with this condition 100% of the time but the evidence provided indicates compliance.</p>					
Blasting	10 am to 3 pm Monday to Friday; and At no time of Sundays or public holidays.												
Loading and dispatch Stockpile management Maintenance of plant and equipment	7 am to 10 pm Monday to Friday; 7 am to 4 pm Saturdays; and At no time on Sundays or public holidays.												
2	The Applicant shall ensure that no more than 6 laden trucks per hour are dispatched from the site between 6 pm to 10 pm, Monday to Friday.	Not triggered	NA	Holcim advised the site has not operated between 6 pm and 10 pm.									
3	<p>The following activities may be carried out on the site outside the hours specified in Table 1:</p> <p>(a) delivery or dispatch of materials as requested by Police or other authorities; and</p> <p>(b) emergency work to avoid the loss of lives, property and/or to prevent environmental harm.</p> <p>In such circumstances, the Applicant shall notify the Secretary and affected residents prior to undertaking the activities, or as soon as is practical thereafter.</p>	Not triggered	NA	Holcim advised none of the circumstances described by the condition have occurred.									
Noise Impact Assessment Criteria													
4	<p>The Applicant shall ensure that the noise generated by the development does not exceed the criteria in Table 2 at any residence on privately-owned land.</p> <p>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> </tr> </thead> <tbody> <tr> <td>R3, R4, R13, R15, R16, R17, R18, R20</td> <td>38</td> <td>35</td> </tr> <tr> <td>All other residences</td> <td>37</td> <td>35</td> </tr> </tbody> </table> <p><i>Note: Receiver locations are shown on the figure in Appendix 4.</i></p> <p>Noise generated by the development is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the <i>NSW Industrial Noise Policy</i>. Appendix 5 sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.</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))	R3, R4, R13, R15, R16, R17, R18, R20	38	35	All other residences	37	35	Non-compliant	<p>Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry</p> <p>Noise Management Plan (EMM 2016)</p>	<p>The Annual Review summarises the noise monitoring results from Muller Acoustic Consultants which indicate compliance with the relevant criteria. While the monitoring locations appear to surround the quarry, providing a reasonable indication of the noise levels, there is nothing linking the monitoring locations with all the receivers in Table 2.</p> <p>Table 6-1 of the Noise Management Plan justifies the noise monitoring locations in relation to the receivers but there is no mention of R13, R15, R16, R17, R18 or R20. The monitoring locations in the Quarterly Noise Monitoring Assessment are similar but not the same as those identified in the Noise Management Plan but there is no justification or link provided to all the receivers in Table 2. The Quarterly Noise Monitoring Assessment concludes that the noise criteria was achieved at all assessed residential receivers, however, because not all receivers mentioned in Table 2 were assessed, it is difficult to confirm if noise levels complied at all these receivers.</p> <p>It does appear the monitoring is comprehensive, with the exception of R13, with an observed lack of linkage between the results and the receivers in Table 2.</p> <p>Corrective action 02: Confirm in the Quarterly Noise Monitoring Assessments, the noise criteria at all receivers in Table 2 was achieved. And/or update the Noise Management Plan to confirm the noise monitoring locations are representative of all the receivers in Table 2.</p>
Receiver	Day dB(A) (LAeq(15 min))	Evening dB(A) (LAeq(15 min))											
R3, R4, R13, R15, R16, R17, R18, R20	38	35											
All other residences	37	35											
	In the event that the studio outbuilding, certified as Complying Development under the provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 by Tecton Building Services on 16 April 2015, is constructed on Lot 3 DP 703181, the Applicant shall ensure that the noise generated by	Not triggered	NA	Holcim advised the studio has not been built.									

Number	Condition	Compliance	Evidence	Comments
	the development does not exceed a criterion of 55 dB(A) Leq (period) when measured external to the façade of the outbuilding, when it is in use.			
	Operating Conditions			
5	<p>The Applicant shall:</p> <p>(a) implement best practice management to minimise the operational and road transportation noise of the development;</p> <p>(b) minimise the noise impacts of the development during meteorological conditions when the noise criteria in this consent do not apply (see Appendix 5);</p> <p>(c) carry out noise monitoring (at least every 3 months) to determine whether the development is complying with the relevant conditions of this consent; and</p> <p>(d) regularly assess noise monitoring data and modify and/or stop operations on site to ensure compliance with the relevant conditions of this consent, to the satisfaction of the Secretary.</p> <p><i>Note: Required frequency of noise monitoring may be reduced if approved by the Secretary.</i></p>	Compliant	<p>Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry</p> <p>Noise Management Plan (EMM 2016)</p> <p>Site interviews</p> <p>Site inspection observations</p>	The noise management plan has a range of management measures which appear to be implemented and effective, based on the noise monitoring results.
5	<p>Noise Management Plan</p> <p>The Applicant shall prepare and implement a Noise Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with EPA;</p> <p>(b) be submitted to the Secretary within 6 months of the date of this consent, unless otherwise agreed by the Secretary;</p> <p>(c) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> compliance with the noise criteria in this consent; best practice management is being employed; and the noise impacts of the development are minimised during meteorological conditions under which the noise criteria in this consent do not apply (see Appendix 5); <p>(d) describe the proposed noise management system; and</p> <p>(e) include a monitoring program to be implemented to measure noise from the development against the noise criteria in Table 2, and which evaluates and reports on the effectiveness of the noise management system on site.</p>	Compliant	<p>Noise Management Plan (EMM 2016)</p> <p>Observations</p> <p>Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry</p> <p>CAT 980G Service inspection 250hr check sheet</p> <p>Daily Checklist</p> <p>Plant Prestart Checklist</p> <p>Weekly Running Inspection</p> <p>Machine servicing invoices</p>	<p>The Noise Management Plan provides the required information, including evidence of consultation with the EPA, criteria, management measures and monitoring.</p> <p>It appears the Noise Management Plan was not submitted to the Secretary within 6 months of the consent but this is considered to be outside the audit period.</p> <p>Evidence of regular servicing of machinery was provided, which indicates the management measures are being implemented. The Annual Review indicates the noise monitoring is also being done.</p>
	BLASTING			
	Blasting Criteria			
7	<p>The Applicant shall ensure that blasting on site does not cause any exceedance of the criteria in Table 3.</p> <p>Table 3: Blasting Criteria</p>	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	The Annual Review indicates all blasting was within the criteria.

Number	Condition	Compliance	Evidence	Comments											
	<table border="1"> <tr> <td>Receiver</td> <td>Airblast overpressure (dB(Lin Peak))</td> <td>Ground vibration (mm/s)</td> <td>Allowable exceedances</td> </tr> <tr> <td rowspan="2">Any residence on privately-owned land</td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> </table> <p>However, these criteria do not apply if the Applicant has a written agreement with the relevant owner to exceed the limits in Table 3, and the Applicant has advised the Department in writing of the terms of this agreement.</p>	Receiver	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedances	Any residence on privately-owned land	120	10	0%	115	5	5% of the total number of blasts over a period of 12 months			
Receiver	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedances												
Any residence on privately-owned land	120	10	0%												
	115	5	5% of the total number of blasts over a period of 12 months												
	Blasting Frequency														
8	<p>The Applicant may carry out a maximum of 2 blasts per calendar month, unless an additional blast is required following a blast misfire. This condition does not apply to blasts required to ensure the safety of the quarry or workers on site.</p> <p><i>Note: For the purposes of this condition a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the quarry.</i></p>	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	The Annual Review indicates a maximum of 2 blasts were done per month.											
	Operating Conditions														
9	<p>During blasting operations, the Applicant shall:</p> <p>(a) implement best practice management to:</p> <ul style="list-style-type: none"> protect the safety of people and livestock in the areas surrounding blasting operations; protect public or private infrastructure/property in the surrounding area from damage from blasting operations; minimise the dust and fume emissions of blasting; <p>(b) operate a suitable system to enable the local community to get up-to-date information on the proposed blasting schedule on site; and</p> <p>(c) carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent, to the satisfaction of the Secretary.</p>	Compliant	<p>Blast Management Plan (EMM 2016)</p> <p>Site interviews</p> <p>Teven Blasting Checklist dated 30/09/2019</p> <p>Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry</p>	<p>The Blast Management Plan provides management controls to minimise impacts from blasting.</p> <p>The Blasting Checklist has a requirement to place a blast warning sign at the front entrance and notify neighbour of a blast as early as possible, which has been signed, indicating it is done.</p> <p>The Annual Review indicates every blast is monitored.</p>											
	Blast Management Plan														
10	<p>The Applicant shall 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 6 months of the date of this consent, unless otherwise agreed by the Secretary;</p> <p>(b) describe the measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this consent;</p>	Non-compliant	<p>Blast Management Plan (EMM 2016)</p> <p>Teven Blasting Checklist dated 30/09/2019</p>	<p>The Blast Management Plan describes the control measures, monitoring program and protocol for investigating complaints. However it does not include a community notification procedure.</p> <p>It also appears the Blast Management Plan was not submitted to the Secretary within 6 months of the consent but this is considered to be outside the audit period.</p>											

Number	Condition	Compliance	Evidence	Comments															
	(c) include a monitoring program for evaluating and reporting on compliance with the blasting criteria in this consent; (d) include community notification procedures for the blasting schedule; and (e) include a protocol for investigating and responding to complaints		Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	The Blasting Checklist indicates the mitigation measures are implemented and the Annual Review indicates blasts are monitored. Corrective action 03: Include community notification procedures for the blasting schedule in the Blast Management Plan															
	AIR QUALITY																		
	Air Quality Impact Assessment Criteria																		
11	<p>The Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 4 at any 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} 30 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM10)</td> <td>24 hour</td> <td>^b 50 µg/m³</td> </tr> <tr> <td>Total suspended particulates (TSP)</td> <td>Annual</td> <td>^{a,d} 90 µg/m³</td> </tr> <tr> <td>^c Deposited Dust</td> <td>Annual</td> <td>^b 2 g/m²/month ^{a,d} 4 g/m²/month</td> </tr> </tbody> </table> <p>Notes for Table 4:</p> <p>a. Cumulative impact (ie increase in concentrations due to the development plus background concentrations due to all other sources).</p> <p>b. Incremental impact (ie incremental increase in concentrations due to the development on its own, with zero allowable exceedances of the criteria over the life of the development).</p> <p>c. Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.</p> <p>d. Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, or any other activity agreed to by the Secretary.</p> <p>e. "Reasonable and feasible avoidance and mitigation measures" includes, but is not limited to, the operational requirements in conditions 12 and 13 to develop and implement a air quality management system that ensures operational responses to the risks of exceedance of the criteria.</p>	Pollutant	Averaging Period	Criterion	Particulate matter < 10 µm (PM10)	Annual	^{a,d} 30 µg/m ³	Particulate matter < 10 µm (PM10)	24 hour	^b 50 µg/m ³	Total suspended particulates (TSP)	Annual	^{a,d} 90 µg/m ³	^c Deposited Dust	Annual	^b 2 g/m ² /month ^{a,d} 4 g/m ² /month	Non-compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry Air Quality Management Plan (EMM 2016) Site interviews	<p>According to the Annual Review, the PM₁₀ annual average was below the annual average criteria but the PM₁₀ 24 hour criteria was exceeded on 5 occasions during 2018 (11 August, 6 September, 10 November, 4 December and 6 November). The exceedances ranged from 58µg/m³ to 68µg/m³. The Annual Review explains there was an issue with the sampling methodology which has since been rectified.</p> <p>The depositional dust results in the Annual Review also indicate some exceedances of the approval criteria, however, it explains the exceedances were due to sugar farming operations that surround the monitoring locations. Holcim are in discussion with DPIE and EPA regarding the relocation of the dust deposition gauges.</p> <p>Corrective action 04: Review the dust monitoring program to ensure it provides representative results that can be used to confirm compliance with the relevant criteria and update the Air Quality Management Plan accordingly.</p>
Pollutant	Averaging Period	Criterion																	
Particulate matter < 10 µm (PM10)	Annual	^{a,d} 30 µg/m ³																	
Particulate matter < 10 µm (PM10)	24 hour	^b 50 µg/m ³																	
Total suspended particulates (TSP)	Annual	^{a,d} 90 µg/m ³																	
^c Deposited Dust	Annual	^b 2 g/m ² /month ^{a,d} 4 g/m ² /month																	
	Quarry-owned Land																		
12	The Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the	Not triggered	Site interviews	Holcim advised the Holcim owned residence do not have tenants.															

Number	Condition	Compliance	Evidence	Comments
	development do not cause exceedances of the criteria in Table 4 at any occupied residence on quarry-owned land unless: (a) the tenant has been notified of any health risks associated with such exceedances in accordance with the notification requirements under schedule 4 of this consent; and (b) the tenant of any land owned by the Applicant can terminate their tenancy agreement without penalty at any time, subject to giving reasonable notice; to the satisfaction of the Secretary.			
	Operating Conditions			
13	The Applicant shall: (a) implement best practice management to minimise the dust emissions of the development; (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; (c) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note d under Table 4); (d) monitor and report on compliance with the relevant air quality conditions in this consent; and (e) minimise the area of surface disturbance and undertake progressive rehabilitation of the site, to the satisfaction of the Secretary.	Compliant	Air Quality Management Plan (EMM 2016) Observations Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	The Air Quality Management Plan provides management controls to reduce dust impacts. A haulage road irrigation system was observed operating which appeared to be an innovative and effective approach to managing dust. Monitoring results are reported in the Annual Review. Only active areas of the quarry were observed to be disturbed and some rehabilitation has occurred.
	Air Quality Management Plan			
14	The Applicant shall prepare and implement an Air Quality Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be submitted to the Secretary for approval within 6 months of the date of this consent, unless otherwise agree by the Secretary; (b) describe the measures that would be implemented to ensure: <ul style="list-style-type: none">• compliance with the relevant conditions of this consent;• best practice management is being employed; and• the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events; (c) describe the proposed 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.	Compliant	Air Quality Management Plan (EMM 2016) Observations Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	The Air Quality Management Plan describes the control measures and monitoring program. It appears the Air Quality Management Plan was not submitted to the Secretary within 6 months of the consent but this is considered to be outside the audit period. The dust management measures were observed, such as the haulage road irrigation system and the monitoring results in the Annual Review indicate monitoring is done.

Number	Condition	Compliance	Evidence	Comments
	Meteorological Monitoring			
15	For the life of the development, the Applicant shall ensure that there is a suitable meteorological station operating in the vicinity of the site that complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline.	Non-compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry Observation	The Annual Review reported a non-compliance with this condition due to a faulty weather station. However, a meteorological station was observed, which Holcim advised was installed by VGT. Although considered a non-compliance, the issue has since been addressed. Corrective action 05: Regularly maintain and monitor the weather station to ensure it is working.
	Greenhouse Gas Emissions			
16	The Applicant shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site.	Compliant	Air Quality Management Plan (EMM 2016) CAT 980G Service inspection 250hr check sheet Daily Checklist Plant Prestart Checklist Weekly Running Inspection Machine servicing invoices	The Air Quality Management Plan describes the control measures to minimise the release of greenhouse gas emissions. It was difficult to audit many of the measures but evidence was provided in relation to the regular servicing of machinery.
	SOIL AND WATER			
	<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>	Not triggered	Site interviews Observations	Holcim reported that groundwater has not been intercepted and groundwater was not observed in the pit.
	Water Supply			
17	The Applicant shall ensure that it has sufficient water for all stages of the development and, if necessary, adjust the scale of operations under the consent to match its available water supply, to the satisfaction of the Secretary.	Compliant	Site interviews Observations	Holcim reported the site has never run out of water and there appeared to be plenty of water on site.
	Water Discharges			
18	The Applicant shall comply with the discharge limits in any EPL, or with section 120 of the POEO Act.	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	The Annual Review indicated the water quality at Discharge Point 1 and 2 were within the EPL criteria.
	Groundwater			
19	In the event that groundwater in excess of negligible quantities is intersected during extraction activities, the Applicant shall undertake a hydrogeological investigation, in consultation with NOW, to the satisfaction of the Secretary. The investigation must report on groundwater sources, levels, yield and quality; identify any risks to groundwater users or groundwater dependent ecosystems and propose recommended management measures. The Applicant must implement reasonable and feasible management measures to the satisfaction of the Secretary.	Not triggered	Site interviews Observations	Holcim reported that groundwater has not been intercepted and groundwater was not observed in the pit.
	Water Management Plan			

Number	Condition	Compliance	Evidence	Comments
20	<p>The Applicant shall prepare and implement a Water Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared by suitably qualified and experienced person/s approved by the Secretary;</p> <p>(b) be prepared in consultation with the EPA and NOW;</p> <p>(c) be submitted to the Secretary for approval within 6 months of the date of this consent, unless otherwise agreed by the Secretary;</p> <p>(d) include a:</p> <p>(i) Site Water Balance that includes:</p> <ul style="list-style-type: none"> • details of: <ul style="list-style-type: none"> – sources and security of water supply; – water use and management on site; – any off-site water transfers; – reporting procedures; and – measures that would be implemented to minimise clean water use on site; and <p>(ii) Surface Water Management Plan, that includes:</p> <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; 	Non-compliant	<p>Water Management Plan (EMM 2016)</p> <p>Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry</p> <p>Site interviews</p> <p>Observations</p>	<p>The Water Management Plan includes a water balance, management system and monitoring program, however, it does not include:</p> <ul style="list-style-type: none"> • Evidence the author was approved by the Secretary • Approved within 6 months • Detailed baseline data • Erosion and sediment controls <p>Although it appears the Water Management Plan was not submitted to the Secretary within 6 months of the consent this is considered to be outside the audit period.</p> <p>In relation to erosion and sediment controls, the basin management is discussed but there are no other erosion and sediment controls mentioned.</p> <p>Controls on site and the Annual Review indicate the water management and monitoring is implemented and effective.</p> <p>Corrective action 06: Update the Water Management Plan to include all the information required by Condition 20, Schedule 3</p>
	TRANSPORT			
	Transport Routes			
21	<p>All heavy vehicles leaving and entering the site shall travel via Teven Road between Stokers Lane and the Bruxner Highway, except:</p> <p>(a) when making local deliveries;</p> <p>(b) when transport via the Bruxner Highway is affected due to road closures; or</p>	Compliant	<p>Transport Management Plan (EMM 2016)</p> <p>Site observations</p> <p>Interviews</p>	<p>The Transport Management Plan identifies Teven Road as the main route between Stokers Lane and the Bruxner Highway.</p> <p>Holcim advised all traffic follow this route, except as allowed by the condition.</p>

Number	Condition	Compliance	Evidence	Comments
	(c) in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.			
22	The Applicant shall provide and/or maintain: (a) centre-line markings on Teven Road between Stokers Lane and Bruxner Highway; (b) a guard-rail on Teven Road at its intersection with Stokers Lane; (c) reflectors on the guard-rail fencing at the intersections of Stokers Lane and Wellers Road with Teven Road; and (d) intersection and truck warning signage on Teven Road near its intersection with Stokers Lane, to the satisfaction of Council. Works on Teven Road or Stokers Lane must not take place unless the Applicant has the prior approval of Council.	Compliant	Observation Ballina Shire Council letter dated 01/04/2019 Ballina Shire Council letter dated 19/09/2019 Ballina Shire Council email dated 01/08/2019	The 01/04/2019 letter indicates the works were approved by Ballina Shire Council and the 19/09/2019 letter and email indicates Council were satisfied with the works.
	Monitoring of Product Transport			
23	The Applicant shall keep accurate records of all laden truck movements to and from the site (hourly, daily, weekly, monthly and annually) and publish a summary of records on its website every 6 months.	Non-compliant	Delivery docket dated 02/10/2019 Holcim website https://www.holcim.com.au/about-us/community-link/teven-quarry-teven-ballina-nsw accessed 05/12/2019	The delivery docket shows the date and time of the truck. Monthly truck movements are included in the Annual Review. A summary is also on the website for 2016 and 2017 but it does not appear to be updated every 6 months. Corrective action 07 – Publish a summary of truck movements on the website every 6 months
	Operating Conditions			
24	The Applicant shall ensure that: (a) all company owned trucks associated with the quarry have appropriate signage, so they be easily identified by road users; (b) all laden trucks entering or exiting the site have their loads covered; (c) all laden trucks existing the site are cleaned of materials that may fall on the road, before leaving the site; and (d) no trucks queue at the entrance to the quarry before 6.45 am.	Compliant	Interviews Observations	All company owned trucks had Holcim signage, were covered and cleaned. Holcim advised trucks do not queue at the entrance prior to 6:45 am.
	Transport Management Plan			
25	The Applicant shall prepare and implement a Transport Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with RMS and Council and submitted to the Secretary for approval within 6 months of the date of this consent, unless otherwise agreed by the Secretary;	Compliant	Transport Management Plan (EMM 2016) Observations	The Transport Management Plan includes: <ul style="list-style-type: none"> Evidence of consultation with RMS and Council. A description of the primary and secondary transport routes and the circumstances during which the secondary transport route is to be utilised

Number	Condition	Compliance	Evidence	Comments										
	<p>(b) provide a clear description of the primary and secondary transport routes and the circumstances during which the secondary transport route is to be utilised;</p> <p>(c) include a Drivers' Code of Conduct that details the safe and quiet driving practices that must be used by drivers transporting products to and from the quarry, particular having regard to school bus routes and the location of residential properties; and</p> <p>(d) describe the measures that would be put in place to ensure compliance with the Drivers' Code of Conduct.</p>			<ul style="list-style-type: none"> Includes a Drivers Code of Conduct A description of how the Drivers Code of Conduct will be implemented <p>It appeared the management controls were being implemented.</p>										
	ABORIGINAL HERITAGE													
26	<p>If any item or object of Aboriginal heritage significance is identified on site, the Applicant shall ensure that:</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 with high visibility flagging tape, or the like; 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>	Not triggered	<p>Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry</p> <p>Site interviews</p>	Holcim reported and the Annual Review indicated there were no issues with Aboriginal heritage during the reporting period.										
	BIODIVERSITY AND REHABILITATION													
	Biodiversity and Rehabilitation Objectives													
27	<p>The Applicant shall rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must be generally consistent with the rehabilitation strategy in the EIS and the conceptual final landform in Appendix 2, and must comply with the objectives in Table 5.</p> <p>Table 5: Biodiversity and Rehabilitation Objectives</p> <table border="1"> <thead> <tr> <th>Feature Objective</th> <th>Feature Objective</th> </tr> </thead> <tbody> <tr> <td>Site (as a whole)</td> <td> <ul style="list-style-type: none"> Safe, stable and non-polluting Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and designed to minimise the visual impacts of the development when viewed from surrounding land Restored with native, endemic vegetation </td> </tr> <tr> <td>Surface infrastructure</td> <td> <ul style="list-style-type: none"> Decommissioned and removed, unless the Secretary 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, above the final anticipated void water level </td> </tr> </tbody> </table>	Feature Objective	Feature Objective	Site (as a whole)	<ul style="list-style-type: none"> Safe, stable and non-polluting Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and designed to minimise the visual impacts of the development when viewed from surrounding land Restored with native, endemic vegetation 	Surface infrastructure	<ul style="list-style-type: none"> Decommissioned and removed, unless the Secretary 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, above the final anticipated void water level 	Compliant	<p>Biodiversity and Rehabilitation Management Plan (EMM 2016)</p> <p>Observation</p>	Rehabilitation has commenced and the Biodiversity and Rehabilitation Management Plan includes a rehabilitation plan, which is consistent with the conceptual final landform in Appendix 2, and the objectives in Table 5.
Feature Objective	Feature Objective													
Site (as a whole)	<ul style="list-style-type: none"> Safe, stable and non-polluting Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and designed to minimise the visual impacts of the development when viewed from surrounding land Restored with native, endemic vegetation 													
Surface infrastructure	<ul style="list-style-type: none"> Decommissioned and removed, unless the Secretary 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, above the final anticipated void water level 													

Number	Condition	Compliance	Evidence	Comments
	Progressive Rehabilitation			
28	<p>The Applicant shall rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim stabilisation measures must be implemented where reasonable and feasible to control dust emissions in disturbed areas that are not active and which are not ready for final rehabilitation.</p> <p><i>Note: It is accepted that parts of the site that are progressively rehabilitated may be subject to further disturbance in future.</i></p>	Compliant	Observation	All disturbed areas appeared to be active, with a small area of rehabilitation on the western boundary, which stabilised the area and provided screening.
	Biodiversity and Rehabilitation Management Plan			
29	<p>The Applicant shall prepare and implement a Biodiversity and Rehabilitation Management Plan for the site 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 within 6 months of the date of 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 management of biodiversity would be integrated with the overall rehabilitation of the site;</p> <p>(d) include detailed performance and completion criteria for evaluating the performance of the biodiversity management measures and rehabilitation of the site, including triggers for any necessary remedial action;</p> <p>(e) describe the short, medium and long-term measures that would be implemented to:</p> <ul style="list-style-type: none"> protect and enhance the remnant vegetation and habitat on the site; ensure compliance with the biodiversity and rehabilitation objectives, and the progressive rehabilitation obligations in this consent; <p>(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:</p> <ul style="list-style-type: none"> maximising the salvage of environmental resources within the approved disturbance area, including tree hollows, vegetative and soil resources, for beneficial reuse in site; restoring and enhancing the quality of native vegetation and fauna habitat on site through assisted natural regeneration, targeted vegetation establishment and the introduction of fauna habitat features; protecting vegetation and fauna habitat outside the approved disturbance area on-site; minimising the impacts on native fauna, including undertaking pre-clearance surveys; 	Compliant	<p>Biodiversity and Rehabilitation Management Plan (EMM 2016)</p> <p>Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry</p> <p>Observations</p>	<p>A Biodiversity and Rehabilitation Management Plan has been prepared which included:</p> <ul style="list-style-type: none"> Evidence of consultation with OEH The conceptual final landform Management of biodiversity Performance criteria and triggers for remedial action Short, medium and long-term measures Detailed description of the measures A monitoring program Risks and contingencies Responsibility for the review and improvement of the plan <p>Some rehabilitation has been undertaken in the past and the Annual Review reported weed spraying has taken place during the reporting period.</p> <p>It is not known if the plan was submitted to the Secretary within 6 months of the date of the consent but this was outside the reporting period, so was not audited.</p>

Number	Condition	Compliance	Evidence	Comments
	<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; <p>(g) include a program to monitor the effectiveness of these measures, and progress against the performance and completion criteria;</p> <p>(h) identify the potential risks to the successful implementation of the plan and include a description of the contingency measures that would be implemented to mitigate these risks; and</p> <p>(i) include details of who would be responsible for monitoring, reviewing, and implementing the plan.</p>			
	Conservation and Rehabilitation Bond			
30	<p>Within 6 months of the approval of the Biodiversity and Rehabilitation Management Plan, the Applicant shall lodge a Conservation and Rehabilitation Bond with the Department to ensure that the management of biodiversity and the rehabilitation of the site are implemented in accordance with the performance and completion criteria set out in the Biodiversity and Rehabilitation Management Plan. The sum of the bond shall be determined by:</p> <p>(a) calculating the cost of rehabilitating the site taking into account the likely surface disturbance over the next 3 years of quarrying operations; and</p> <p>(b) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs,</p> <p>to the satisfaction of the Secretary.</p> <p><i>Note: If the rehabilitation of the site is completed to the satisfaction of the Secretary, then the Secretary will release the bond. If the rehabilitation of the site is not completed to the satisfaction of the Secretary, then the Secretary will call in all or part of the bond, and arrange for the completion of the relevant works.</i></p>	Non-compliant	Biodiversity and Rehabilitation Management Plan (EMM 2016)	<p>Holcim was not able to provide any evidence a bond had been lodged with the Department. Holcim was also not able to confirm when the Biodiversity and Rehabilitation Management Plan (EMM 2016) was approved, however, as it was prepared in 2016, it is assumed the Plan has been approved for more than 6 months.</p> <p>Corrective action 08 – Lodge a Conservation and Rehabilitation Bond with the Department, in accordance with Condition 30, Schedule 3</p>
31	<p>Within 3 months of each Independent Environmental Audit (see condition 8 of Schedule 5), the Applicant shall review, and if necessary revise, the sum of the Conservation and Rehabilitation Bond to the satisfaction of the Secretary. This review must consider the:</p> <p>(a) effects of inflation;</p> <p>(b) likely cost of 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 the rehabilitation of the site to date.</p>	Non-compliant	N/A	<p>Holcim was not able to provide any evidence the Conservation and Rehabilitation Bond had been reviewed following the previous Independent Environmental Audit.</p> <p>Corrective action 09 – Review the Conservation and Rehabilitation Bond following the Independent Environmental Audit</p>
	VISUAL IMPACTS			

Number	Condition	Compliance	Evidence	Comments
32	The Applicant shall implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development to the satisfaction of the Secretary.	Compliant	Observations Interviews	Holcim reported the site only has security lights and some of the rehabilitation serves to screen the quarry.
	WASTE			
33	The Applicant shall: (a) manage on-site sewage treatment and disposal in accordance with the requirements of its EPL, and to the satisfaction of the EPA and Council; (b) minimise the waste generated by the development; (c) ensure that the waste generated by the development is appropriately stored, handled and disposed of; and (d) report on waste management and minimisation in the Annual Review, to the satisfaction of the Secretary.	Non-compliant	Ballina Shire Council letter dated 18 September 2019 Interviews Observations Richmond Waste invoice dated 30/09/2019 Summerland Environmental Invoice dated 30/09/2019 Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	Ballina Shire Council have indicated there is not a current Approval to Operate the on site sewage treatment and disposal system on file. Holcim advised the system has been in place since they started operating the quarry. Waste segregation was observed on site, with waste chemicals and oils stored appropriately under cover and banded. Waste invoices indicate waste is handled and disposed appropriately. Waste management is discussed in the Annual Review. Corrective action 10: Obtain confirmation from EPA and Council indicating they are satisfied with the on site sewage treatment and disposal system
	LIQUID STORAGE			
34	The Applicant shall ensure that all liquid tanks and similar storage facilities (other than for water) are protected by appropriate bunding, which must exceed 110% of the stored volume of the liquid.	Compliant	Observations	All liquids were stored undercover and on bunding.
	DANGEROUS GOODS			
35	The Applicant shall ensure that the storage, handling, and transport of dangerous goods is done in accordance with the relevant <i>Australian Standards</i> , particularly AS1940 and AS1596, and the <i>Dangerous Goods Code</i> .	Compliant	Observations	All liquids were stored undercover and on bunding.
	BUSHFIRE			
36	The Applicant shall: (a) ensure that the development is suitably equipped to respond to any fires on site; and (b) assist the NSW Rural Fire Service and emergency services as much as possible if there is a fire in the vicinity of the site.	Compliant	Interviews Bushfire Emergency Procedure	Holcim has a Bushfire Emergency Procedure which explains what to do in the event of a bushfire. Holcim advised no fires have occurred at the site to date
	SCHEDULE 4			
	ADDITIONAL PROCEDURES			
	NOTIFICATION OF LANDOWNERS			
1	As soon as practicable after obtaining monitoring results showing: (a) an exceedance of any relevant criteria in Schedule 3, the Applicant shall notify the affected landowners in writing of the exceedance, and provide regular monitoring results to each affected landowner until the development is again complying with the relevant criteria; and	Non-compliant	Interview Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	Exceedances of the air quality criteria were recorded but Holcim advised landowners were not notified. It was claimed that the air quality exceedances were not due to Holcim activities but but there is nothing in the condition indicating it is only quarry related exceedance that are to be notified.

Number	Condition	Compliance	Evidence	Comments
	(b) an exceedance of any relevant air quality criteria in Schedule 3, the Applicant shall send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and current tenants of the land (including the tenants of land which is not privately-owned).			Corrective action 11: Notify affected landowners when monitoring results indicate an exceedance of the relevant criteria with justification why the exceedance was not associated with Holcim activities, if applicable.
	INDEPENDENT REVIEW			
2	If an owner of privately-owned land considers the development to be exceeding the relevant criteria in Schedule 3, then he/she may ask the Secretary in writing for an independent review of the impacts of the development on his/her land.	Not triggered	Interview	Holcim advised no review had been requested.
3	If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision the Applicant shall: (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to: <ul style="list-style-type: none"> consult with the landowner to determine his/her concerns; conduct monitoring to determine whether the development is complying with the relevant criteria in Schedule 3; and if the development is not complying with these criteria then identify measures that could be implemented to ensure compliance with the relevant criteria; and give the Secretary and landowner a copy of the independent review.	Not triggered	Interview	Holcim advised no review had been requested.
	SCHEDULE 5			
	ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING			
	ENVIRONMENTAL MANAGEMENT			
	Environmental Management Strategy			
1	The Applicant shall prepare and implement an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must: <ul style="list-style-type: none"> (a) be submitted to the Secretary for approval within 6 months of the date of this consent; (b) provide the strategic framework for the environmental management of the development; (c) identify the statutory approvals that apply to the development; (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (e) describe the procedures that would be implemented to: <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the operation and environmental performance of the development; receive, record, handle and respond to complaints; resolve any disputes that may arise during the course of the development; 	Compliant	Environmental Management System (EMM 2016) Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry Observations	An Environmental Management System has been prepared and it includes: <ul style="list-style-type: none"> A strategic framework Statutory approvals Role, responsibility, authority and accountability of all key personnel Procedures for keeping the local community and relevant agencies informed, responding to complaints, dispute resolution, non-compliances and respond to emergencies Copies of the management plans A summary of the monitoring requirements Observations and the Annual Review indicate the Environmental Management System is being implemented.

Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> respond to any non-compliance; respond to emergencies; and 			
	(f) include: <ul style="list-style-type: none"> copies of any strategies, plans and programs approved under the conditions of this consent; and a clear plan depicting all the monitoring to be carried out under the conditions of this consent. 			
	Management Plan Requirements			
2	The Applicant shall ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:	Non-compliant	Biodiversity and Rehabilitation Management Plan (EMM 2016) Air Quality Management Plan (EMM 2016) Blast Management Plan (EMM 2016) Noise Management Plan (EMM 2016) Transport Management Plan (EMM 2016) Water Management Plan (EMM 2016)	The management plans all provide: <ul style="list-style-type: none"> Baseline data (except the Water Management Plan) A description of the relevant statutory requirements, performance measures/criteria and indicators Management measures Monitoring program Protocols for managing and reporting on incidents, complaints, non-compliances and exceedances Review and improvement protocol None of the plans included a contingency plan to manage unpredicted impacts.
	(a) detailed baseline data;			
	(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; 			
	(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;			
	(d) a program to monitor and report on the: <ul style="list-style-type: none"> impacts and environmental performance of the development; and effectiveness of any management measures (see (c) above); 			
	(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;			
	(f) a program to investigate and implement ways to improve the environmental performance of the development over time			
	(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 			
	(h) a protocol for periodic review of the plan.			

Corrective action 12: Update the management plans required under the consent to include a contingency plan to manage unpredicted impacts.

Number	Condition	Compliance	Evidence	Comments
	<i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</i>			
	Adaptive Management			
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>(b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and</p> <p>(c) implement remediation measures as directed by the Secretary;</p> <p>to the satisfaction of the Secretary.</p>	Non-compliant	<p>Interview</p> <p>Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry</p>	<p>Exceedances of the air quality criteria were recorded but Holcim advised the Secretary was not notified. It is acknowledged the monitoring locations are not located at residential receivers and Holcim claimed that the air quality exceedances were not due to Holcim activities. However there is nothing in the condition indicating it is only quarry related exceedance that are to be notified. .</p> <p>Corrective action 13: Notify the Secretary, in accordance with Condition 3, Schedule 5, when monitoring results indicate an exceedance of the relevant criteria and, when relevant, document justification why the exceedance was not associated with Holcim activities.</p>
	Annual Review			
4	<p>By the end of March each year, or other timing as may be agreed by the Secretary, the Applicant shall review the environmental performance of the development to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the development (including any rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> relevant statutory requirements, limits or performance measures/criteria; requirements of any plan or program required under this consent; the monitoring results of previous years; and the relevant predictions in the EIS; <p>(c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the development;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the current calendar year to improve the environmental performance of the development.</p>	Compliant	<p>Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry</p> <p>DPE letter dated 28 May 2019</p>	<p>The Annual Review was submitted to the Secretary and included:</p> <ul style="list-style-type: none"> A description of the development A review of monitoring results Non-conformances Trends in monitoring Comparison between predicted and actual impacts A description of measures to be implemented over the current calendar year. <p>It has not been confirmed the Annual Review was submitted by the end of March 2019 but the DPE letter does not state otherwise.</p>
	Revision of Strategies, Plans & Programs			

Number	Condition	Compliance	Evidence	Comments
5	<p>Within 3 months of the submission of an:</p> <p>(a) annual review under condition 4 above;</p> <p>(b) incident report under condition 7 below;</p> <p>(c) audit report under condition 9 below; and</p> <p>(d) any modifications to this consent,</p> <p>the Applicant shall 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>	Non-compliant	N/A	<p>Holcim was not able to provide any evidence there had been a review of the strategies, plans and programs required under this consent, following any of the triggers.</p> <p>Corrective action 14– Review the strategies, plans and programs following the annual review, incident report, audit report or modification and maintain evidence of the reviews.</p>
	Community Consultative Committee			
6	<p>If directed by the Secretary, the Applicant shall establish and operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Secretary. Any such CCC must be operated in general accordance with the <i>Guidelines for Establishing and Operating Community Consultative Committees for Mining Developments</i> (Department of Planning, 2007, or its latest version).</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <i>The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent.</i> <i>In accordance with the guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, Council and the local community.</i> 	Not triggered	Interview	Holcim advised there has not been a direction from the Secretary to establish a CCC
	REPORTING			
	Incident Reporting			
7	The Applicant shall immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	Non-compliant	Interview Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	<p>The Annual Review identifies two Incidents/Non compliances but Holcim advised the Secretary was not notified, except for in the Annual Review.</p> <p>Corrective action 15: Notify the Secretary and any other relevant agencies of any incident, within 7 days of the date of the incident, in accordance with Condition 7, Schedule 5</p>
	Regular Reporting			
8	The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	Non-compliant	https://www.holcim.com.au/about-us/community-link/teven-quarry-teven-ballina-nsw . Viewed 24/09/2019	Truck movement data, complaints register and Annual Reviews are provided on the website, however the most recent truck monitoring data was from 2017, complaints register was 2018 and Annual Review 2017. No noise, dust or water monitoring was on the website at the time of the audit.

Number	Condition	Compliance	Evidence	Comments
				Corrective action 16: Regularly update the website with the environmental performance of the development, in accordance with Condition 8, Schedule 5
	INDEPENDENT ENVIRONMENTAL AUDIT			
9	<p>Within a year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies;</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>(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.</p> <p><i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</i></p>	Non-compliant	This report DPE letter dated 12 August 2019	<p>The appointment of GHD was endorsed by the Secretary on 12 August 2019.</p> <p>The audit involved consultation with the agencies, assesses the environmental performance and compliance of the project. It also reviews the adequacy of any strategy/plan/program and recommends actions to improve the environmental performance.</p> <p>The Applicant had not commissioned and paid the full costs of an Independent Environmental Audit by the anniversary date of the consent.</p> <p>Corrective action 17: When the Independent Environmental Audit is required, commission and pay the full costs of the audit by the anniversary date of the consent.</p>
10	Within 6 weeks of the completion of this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report, including a timetable for the implementation of any measures proposed to address the recommendations in the report.	Not triggered	NA	The 6 week period commences at the date this audit is complete and therefore the condition had not been triggered at the time of this audit.
	ACCESS TO INFORMATION			
11	<p>Within 6 months of the date of this consent, the Applicant shall:</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; minutes of CCC meetings; 	Non-compliant	https://www.holcim.com.au/about-us/community-link/teven-quarry-teven-ballina-nsw . Viewed 24/09/2019	<p>The website contains some of the information required but is missing:</p> <ul style="list-style-type: none"> Statement of commitments Comprehensive summary of monitoring results A complaints register is provided but it is not updated monthly – it was last updated quarter 1 2018 The 2018 and 2019 Annual Review The last Independent Environmental Compliance Audit was provided but Holcim response was not <p>Corrective action 18: Update the website to include all the information required by Condition 11, Schedule 5.</p>

Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> • any other matter required by the Secretary; and (b) keep this information up-to-date, to the satisfaction of the Secretary. 			

Appendix C – Compliance with EPL requirements



Table B1 Compliance with the EPL requirements

Number	Condition	Compliance	Evidence	Comments									
1	ADMINISTRATIVE CONDITIONS												
A1	What the licence authorises and regulates												
A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.</p> <p>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.</p> <table border="1"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Crushing, grinding or separating</td> <td>Crushing, grinding or separating</td> <td>> 100000 - 500000 T annual processing capacity</td> </tr> <tr> <td>Extractive Activities</td> <td>Land-based extractive activity</td> <td>> 100000 - 500000 T annual capacity to extract, process or store</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity	Extractive Activities	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	The Annual Review reports a total of 370,037 tonnes were transported from the site in the calendar year. Holcim reported the tonnes transported is equal to the volume extracted, processed or stored.
Scheduled Activity	Fee Based Activity	Scale											
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity											
Extractive Activities	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store											
A2	Premises or plant to which this licence applies												
A2.1	<p>The licence applies to the following premises:</p> <p>Teven Quarry – Holcim (Australia) Pty Ltd Stokers Lane, Teven, NSW, 2478 Lot 1 DP 732288, Lot 2 DP 732288, Lot 732288</p>	Compliant	SIX Maps	Review of aerial photography with cadastral overlay indicates activities are within the area described.									
A3	Information supplied to the EPA												
A3.1	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.</p> <p>In this condition the reference to "the licence application" includes a reference to:</p> <p>a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</p> <p>b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>	Noted											
2	Discharges to Air and Water and Applications to Land												
P1	Location of monitoring/discharge points and areas												
P1.1	<p>The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.</p>	Noted											

Number	Condition	Compliance	Evidence	Comments																		
P1.2	<p>The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.</p> <p>Water and Land</p> <table border="1"> <thead> <tr> <th>EPA identification No.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Wet weather discharge water quality monitoring</td> <td>Wet weather discharge water quality monitoring</td> <td>Discharge occurs via overflow or pumping from the Main Dam, via an underground pipe to the site settling drain. The settling drain (concrete drain, 220m in length) runs along the eastern edge of the site before discharging at the point detailed in Figure</td> </tr> </tbody> </table>	EPA identification No.	Type of Monitoring Point	Type of Discharge Point	Location Description	1	Wet weather discharge water quality monitoring	Wet weather discharge water quality monitoring	Discharge occurs via overflow or pumping from the Main Dam, via an underground pipe to the site settling drain. The settling drain (concrete drain, 220m in length) runs along the eastern edge of the site before discharging at the point detailed in Figure	Compliant	<p>Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry</p> <p>Water Management Plan (EMM 2016)</p> <p>Site inspection</p>	<p>Based on the description and site observations, Holcim has been monitoring at this location. This location differed from the location of the licenced discharge point nominated in the Water Management Plan (WMP) – Figure 3.1 and Section 6.0 and referred to in Condition P1.2 of the EPL.</p> <p>The Annual Review reports the EPA have requested additional sampling to be undertaken at the site.</p> <p>Recommendation 02: Clarify with the EPA the monitoring locations and, if necessary, obtain an EPL variation and update the Water Management Plan so they are consistent with the current monitoring requirements.</p>										
EPA identification No.	Type of Monitoring Point	Type of Discharge Point	Location Description																			
1	Wet weather discharge water quality monitoring	Wet weather discharge water quality monitoring	Discharge occurs via overflow or pumping from the Main Dam, via an underground pipe to the site settling drain. The settling drain (concrete drain, 220m in length) runs along the eastern edge of the site before discharging at the point detailed in Figure																			
P1.3	<p>The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.</p> <table border="1"> <thead> <tr> <th>EPA identification No.</th> <th>Type of Monitoring Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>Noise monitoring</td> <td>168 Weller Road</td> </tr> </tbody> </table>	EPA identification No.	Type of Monitoring Point	Location Description	2	Noise monitoring	168 Weller Road	Compliant	<p>Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry</p> <p>Noise Management Plan (EMM 2016)</p>	<p>The Noise Management Plan identifies 168 Weller Road as N3, which has been included in the monitoring results reported in the Annual Review.</p>												
EPA identification No.	Type of Monitoring Point	Location Description																				
2	Noise monitoring	168 Weller Road																				
3	Limit Conditions																					
L1	Pollution of waters																					
L1.1	<p>Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.</p>	Compliant	<p>Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry</p> <p>Observations</p>	<p>The Annual Review indicates all discharges for the reporting period complied with the limits detailed in Condition L2.4.</p> <p>The site inspection indicated there was no obvious evidence of pollution of waters occurring as a result of the operations.</p>																		
L2	Concentration limits																					
L2.1	<p>For each monitoring/discharge point or utilisation area specified in the tables below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.</p>	Noted																				
L2.2	<p>Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.</p>	Noted																				
L2.3	<p>To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the tables.</p>	Noted																				
L2.4	<p>Water and/or Land Concentration Limits</p> <p>Point 1</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of Measure</th> <th>50 percentile concentration limit</th> <th>90 percentile concentration limit</th> <th>3DGM concentration limit</th> <th>100 percentile concentration limit</th> </tr> </thead> <tbody> <tr> <td>Oil and grease</td> <td>Milligrams per litre</td> <td></td> <td></td> <td></td> <td>nil</td> </tr> <tr> <td>pH</td> <td>pH</td> <td></td> <td></td> <td></td> <td>6.5-8.5</td> </tr> </tbody> </table>	Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Oil and grease	Milligrams per litre				nil	pH	pH				6.5-8.5	Compliant	<p>Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry</p>	<p>Review of monitoring results in the Annual Review indicated discharge water quality did not exceed the 100 percentile concentration limit.</p>
Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																	
Oil and grease	Milligrams per litre				nil																	
pH	pH				6.5-8.5																	

Number	Condition						Compliance	Evidence	Comments												
	Total suspended solids	Milligrams per litre				50															
L2.5	The concentration limits in the above table do not apply to any discharge from the sediment ponds solely arising from rainfall exceeding 82.5 mm in total falling over any consecutive five day period.						Noted														
L2.6	If the licensee uses turbidity (NTU) in place of TSS to determine compliance with Condition L2.4, the licensee must develop a statistical correlation which identifies the relationship between NTU and TSS for water quality in the sediment basin/s in order to determine the NTU equivalent of 50 mg/L TSS before its use.						Not triggered	Interview	Holcim reported they use TSS to determine compliance.												
L2.7	The licensee must provide the EPA with a copy of the statistical correlation assessment methodology and results before using NTU in place of TSS.						Not triggered	Interview	Holcim reported they use TSS to determine compliance.												
L2.8	The licensee must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.						Not triggered	Interview	Holcim reported they use TSS to determine compliance.												
L2.9	The licensee must provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by Condition L2.8 before using the revised statistical correlation.						Not triggered	Interview	Holcim reported they use TSS to determine compliance.												
L3	Noise limits																				
L3.1	Noise from the premises is to be measured at 168 Wellers Road, TEVEN, (Receiver no 2 in the Teven Quarry Project Development Consent of 15 July 2015) to determine compliance with this condition.						Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry Noise Management Plan (EMM 2016)	The Noise Management Plan identifies 168 Weller Road as N3, which has been included in the monitoring results reported in the Annual Review.												
L3.2	The noise emission limits identified in this licence apply under all meteorological conditions except: a) during rain and wind speeds (at 10m height) greater than 3m/s; and b) under "non-significant weather conditions".						Noted														
	<i>Note: Field meteorological indicators for non-significant weather conditions are described in the NSW Industrial Noise Policy, Chapter 5 and Appendix E in relation to wind and temperature inversions.</i>						Noted														
L3.3	Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2.						Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	The Annual Review reports Point 2/N3 complies with both the day and evening criteria.												
	Point 2 <table border="1"> <thead> <tr> <th>Time period</th> <th>Measurement parameter</th> <th>Measurement frequency</th> <th>Noise level dB(A)</th> </tr> </thead> <tbody> <tr> <td>Day</td> <td>Day-LAeq (15 minute)</td> <td>Yearly</td> <td>37</td> </tr> <tr> <td>Evening</td> <td>Evening- LAeq (15 minute) (6pm-10pm Mon-Sun)</td> <td>Yearly</td> <td>35</td> </tr> </tbody> </table>						Time period	Measurement parameter	Measurement frequency	Noise level dB(A)	Day	Day-LAeq (15 minute)	Yearly	37	Evening	Evening- LAeq (15 minute) (6pm-10pm Mon-Sun)	Yearly	35			
Time period	Measurement parameter	Measurement frequency	Noise level dB(A)																		
Day	Day-LAeq (15 minute)	Yearly	37																		
Evening	Evening- LAeq (15 minute) (6pm-10pm Mon-Sun)	Yearly	35																		
L4	Blasting																				

Number	Condition	Compliance	Evidence	Comments
L4.1	Blasting operations at the premises may only take place between 10:00 to 15:00 Monday to Friday. (Where compelling safety reasons exist, the Authority may permit a blast to occur outside the abovementioned hours. Prior written (or facsimile) notification of any such blast must be made to the Authority).	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	The Annual Review indicates all blasting was done within these timeframes.
L4.2	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 any point within 1 metre of any affected residential property or other sensitive noise location.	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	The Annual Review indicates all blasts were within the relevant criteria.
L4.3	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: a) 5 mm/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 any point within 1 metre of any affected residential property or other sensitive noise location.	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	The Annual Review indicates all blasts were within the relevant criteria.
L4.4	All sensitive receivers are to be given at least 24 hours notice when blasting is to be undertaken.	Compliant	Teven Blasting Checklist dated 30/09/2019	The Blasting Checklist has a requirement to place a blast warning sign at the front entrance and notify neighbour of a blast as early as possible, which has been signed, indicating it is done. However, it was not possible to determine if neighbours were given at least 24 hours notice. Recommendation 03: Update the Blasting Checklist to include reference that all sensitive receivers are to be given at least 24 hours notice
L5	Hours of operation			
L5.1	Activities covered by this licence must only be carried out between the hours of 7.00 am to 6 pm Monday to Friday, and 7.00 am to 4 pm Saturday, and at no time on Sundays and Public Holidays. In addition Loading and Dispatching, Stockpile management and Maintenance of plant and equipment must only be carried out between the hours of 7.00 am to 10 pm Monday to Friday, and 7.00 am to 4 pm Saturday, and at no time on Sundays and Public Holidays.	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry Site interviews Timesheet – dated September 2019 Weighbridge dockets – dated 02/10/2019	Holcim advised in the Annual Review that all activities took place within the approved operating hours in 2018 and the site is locked after hours. Staff arrive at 6:30 am for pre-start but operating equipment, extraction, processing, overburden management, loading, stockpile management, maintenance of plant and equipment does not commence until 7 am and the site stops operating at 5 pm. The site does not operate on weekends. The timesheet confirms the above arrival and departure times. The weighbridge dockets confirm trucks do not start transporting material until after 7 am.

Number	Condition	Compliance	Evidence	Comments
4	Operating Conditions			
O1	Activities must be carried out in a competent manner			
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Compliant	Training Plan Transport Management Plan (EMM 2016) Observations Richmond Waste invoice dated 30/09/2019 Summerland Environmental Invoice dated 30/09/2019	Individual workers have a Training Plan which is updated on an annual basis, with sign-off by the Quarry Manager and worker following completion of training. The Drivers Code of Conduct of Teven Quarry details site requirements in relation to managing potential impacts from traffic associated with the haulage of product from the site during operations. During the site inspection, the site was observed to be tidy with waste stored appropriately. Waste is collected and disposed by Richmond Waste and Summerland Environmental; with waste collection dockets observed verifying this.
O2	Maintenance of plant and equipment			
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.	Compliant	Interviews Training Plan CAT 980G Service inspection 250hr check sheet Daily Checklist Plant Prestart Checklist Weekly Running Inspection Machine servicing invoices	During the site interviews, Holcim advised that each piece of equipment has an applicable Service Inspection Checklist, with samples sighted while on site. In addition, completed daily pre-start checklists were sighted during the site inspection which detailed the start date, operating hours, what machine it was, a checklist of requirements and a comments section from the operator. The Service Inspection Checklists are signed off by the Quarry Manager.
O3	Dust			
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Compliant	Observation Interviews	Holcim advised that the project operates a number of controls to manage air quality impacts resulting from the project, including: <ul style="list-style-type: none"> Automatic timed dust suppression sprinkler system along the haul road Water truck operated on-site Area of exposed surface is kept at a minimal to what is necessary for operation at the time, to avoid potential for off-site dust impacts Dust sprays installed on the plant to mitigate dust impacts The automatic dust suppression sprinkler and dust sprays on conveyor belts were observed and appeared to be effective.
O4	Processes and management			
O4.1	The licensee must maximise the diversion of run-on waters from lands upslope and around the site whilst land disturbance activities are being undertaken.	Compliant	Water Management Plan (EMM 2016) Observations	The Water Management Plan mentions the use and maintenance of diversion drains, however there is no plan showing their location. Diversion drains were observed on site.

				Recommendation 04: To clarify the location of diversion drains and erosion control measures, it is recommended a staged sediment and erosion control plan be prepared and included in the Water Management Plan.
O4.2	The licensee must maximise the diversion of stormwater runoff containing suspended solids to sediment basins installed on the premises.	Compliant	Water Management Plan (EMM 2016) Observations	Runoff from the majority of the site flows in to the pit or stockpile area sump before being pumped to the Main Dam.
O4.3	Where sediment basins are necessary, all sediment basins and associated drainage must be installed and commissioned prior to the commencement of any clearing or grubbing works within the catchment area of the sediment basin that may cause sediment to leave the site.	Compliant	Observations	Runoff from the majority of the site flows in to the pit or stockpile area sump before being pumped to the Main Dam.
O4.4	The licensee must ensure the design storage capacity of the sediment basins installed on the premises is reinstated within 5 days of the cessation of a rainfall event that causes runoff to occur on or from the premises.	Compliant	Observations Interviews	Holcim reported a marker in the dam indicates the design storage capacity of the Main Dam and the water level is restored to this level within 5 days of rainfall events. However, it was difficult to confirm compliance with this condition with the records available. Recommendation 05: To confirm the design capacity in the Main Dam is restored within 5 days of rainfall, it is recommended that this is recorded.
O4.5	The licensee must ensure that sampling point(s) for water discharged from the sediment basin(s) are provided and maintained in an appropriate condition to permit: a) the clear identification of each sediment basin and discharge point; b) the collection of representative samples of the water discharged from the sediment basin(s); and c) access to the sampling point(s) at all times by an authorised officer of the EPA.	Compliant	Observations	The discharge points were identified and accessible.
O4.6	The licensee must endeavour to maximise the reuse of captured stormwater on the premises.	Compliant	Water Management Plan (EMM 2016) Observations Interviews	The Water Management Plan describes how water is reused on site and Holcim confirmed that water is a valuable resource, with reuse opportunities maximised where possible. Water from the Main Dam was observed to be used to process the material and for dust control. An excess water from the processing area was returned to the Main Dam.
O4.7	Each sedimentation basin must have a marker (the "sedimentation basin marker") that identifies the upper level of the sediment storage zone.	Compliant	Observations Interviews	Holcim reported a marker in the dam indicates the design storage capacity of the Main Dam.
O4.8	Whenever the level of liquid and other material in any sedimentation basin exceeds the level indicated by the sedimentation basin marker, the licensee must take all practical measures as soon as possible to reduce the level of liquid and other material in the sedimentation basin.	Compliant	Observations Interviews	Holcim reported a marker in the dam indicates the design storage capacity of the Main Dam and the water level is restored to this level as soon as possible. However, it was difficult to confirm compliance with this condition with the records available. Refer to Recommendation 05

Number	Condition	Compliance	Evidence	Comments																
5	Monitoring and Recording Conditions																			
M1	Monitoring records																			
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Noted																		
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.	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry Observations Interviews https://www.holcim.com.au/about-us/community-link/teven-quarry-teven-ballina-nsw accessed 06/12/2019	A review of the Annual Review indicates monitoring records are legible and past years results are available on the website.																
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.	Non-compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	Review of the Annual Review indicated the date and monitoring location of the sample but not the time or person who collected the sample. Corrective action 19: Record all the information required by M1.3 of the EPL, when collecting samples.																
M2	Requirement to monitor concentration of pollutants discharged																			
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	Review of monitoring results indicates the required monitoring is recorded during discharge events.																
M2.2	Water and/ or Land Monitoring Requirements Point 1 <table border="1" data-bbox="311 1339 1341 1604"> <thead> <tr> <th>Pollutant</th> <th>Units of Measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Oil and grease</td> <td>Milligrams per litre</td> <td>Special Frequency 1</td> <td>Visual inspection</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Special Frequency 1</td> <td>No method specified</td> </tr> <tr> <td>Total suspended solids</td> <td>Milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> </tbody> </table>	Pollutant	Units of Measure	Frequency	Sampling Method	Oil and grease	Milligrams per litre	Special Frequency 1	Visual inspection	pH	pH	Special Frequency 1	No method specified	Total suspended solids	Milligrams per litre	Special Frequency 1	Grab sample	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	Review of monitoring results indicates the required monitoring is recorded during discharge events.
Pollutant	Units of Measure	Frequency	Sampling Method																	
Oil and grease	Milligrams per litre	Special Frequency 1	Visual inspection																	
pH	pH	Special Frequency 1	No method specified																	
Total suspended solids	Milligrams per litre	Special Frequency 1	Grab sample																	
M2.3	Special Frequency 1 means sampling any discharge, whether controlled or otherwise, which has not occurred from rainfall exceeding 82.5mm over any consecutive 5 day period.	Noted																		
M3	Testing methods - concentration limits																			
M3.1	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	Not verified	Interview	The method for water quality monitoring was not reviewed as part of the audit.																
M4	Recording of pollution complaints																			

Number	Condition	Compliance	Evidence	Comments								
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.	Compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry	Complaint records are on the website and in the Annual Review.								
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.	Non-compliant	Annual Review – 1 January 2018 – 31 December 2018 – Teven Quarry https://www.holcim.com.au/about-us/community-link/teven-quarry-teven-ballina-nsw accessed 06/12/2019	Records of complaints received during the audit period did not contain: <ul style="list-style-type: none"> Time of the complaint The method by which the complaint was made Personal details <p>Corrective action 20: Update complaint handling procedures so all information required by Condition M4.2 is recorded.</p>								
M4.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Compliant	Complaint records	Complaint records are kept for at least 4 years								
M4.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Not Triggered	Interview	Holcim advised no EPA officer undertook an inspection during the audit period								
M5	Telephone complaints line											
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.	Compliant	Environmental Management Strategy (EMM 2016) https://www.holcim.com.au/about-us/community-link/teven-quarry-teven-ballina-nsw accessed 06/12/2019	Section 4.4.1 of the EMS: <i>'Community complaints can be provided in person at Teven Quarry or can be submitted via the Teven Quarry telephone line ((02) 6687 8566).'</i> This line is provided on the Holcim website noted to be the Environmental or Community Enquiries line.								
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.	Compliant	Environmental Management Strategy (EMM 2016) https://www.holcim.com.au/about-us/community-link/teven-quarry-teven-ballina-nsw accessed 06/12/2019	Refer to comments against Condition M5.1.								
M5.3	The preceding two conditions do not apply until 3 months after: a) the date of the issue of this licence	Not Verified	N/A	While conditions M5.1 and M5.2 have been found to be compliant, the auditor was unable to verify when the telephone complaints line was setup and notified to the public.								
M6	Noise monitoring											
M6.1	To assess compliance with the noise limits specified within this licence, the licensee must undertake operator attended noise monitoring at each specified noise monitoring point in accordance with the table below. POINT 2 <table border="1" data-bbox="311 1774 1335 1932"> <thead> <tr> <th>Assessment period</th> <th>Minimum frequency in a reporting period</th> <th>Minimum duration within assessment period</th> <th>Minimum number of assessment period</th> </tr> </thead> <tbody> <tr> <td>Day</td> <td>Yearly</td> <td>1.5 hours</td> <td>1 operation day</td> </tr> </tbody> </table>	Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period	Day	Yearly	1.5 hours	1 operation day	Non-compliant	Quarterly Noise Monitoring Assessment (March 2018)	The Quarterly Noise Monitoring Assessment indicates the noise monitoring was done for a period of 15 minutes, rather than the 1.5 hours required. Corrective action 21: Undertake noise monitoring for 1.5 hours, once a year, in accordance with EPL condition M6.1.
Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period									
Day	Yearly	1.5 hours	1 operation day									

Number	Condition	Compliance	Evidence	Comments
6	Reporting Conditions			
R1	Annual return documents			
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>	Compliant	EPA website	The EPA website indicates a copy of the annual return has been lodged every year.
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.			
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <ol style="list-style-type: none"> a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. 	Not Triggered	N/A	Not applicable.
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> <ol style="list-style-type: none"> a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates. 	Not Triggered	N/A	Not applicable.
R1.5	The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	Compliant	EPA website	The EPA website indicates the Annual Return was received within 60 days of the reporting period.
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.	Compliant	EPA website	Holcim reported the Annual Returns are available.
R1.7	<p>Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:</p> <ol style="list-style-type: none"> a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder. 	Compliant	EPA website	Holcim reported the Annual Returns are signed by the relevant people.
	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.	Noted		

Number	Condition	Compliance	Evidence	Comments
	Note: An application to transfer a licence must be made in the approved form for this purpose.	Noted		
R2	Notification of environmental harm			
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Not triggered	Site interviews	There have been no environmental harm incidents at the quarry that require notification to the EPA
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.	Not triggered		
	<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>	Noted		
R3	Written report			
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.	Not triggered	N/A	Holcim advised a request by the EPA for a written report was not received.
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	Not triggered	N/A	Holcim advised a request by the EPA for a written report was not received.
R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.	Not triggered	N/A	Holcim advised a request by the EPA for a written report was not received.
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.	Not triggered	N/A	Holcim advised a request by the EPA for a written report was not received.
7	General Conditions			
G1	Copy of licence kept at the premises or plant			
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Compliant		Copy of the EPL was sighted during the site inspection.
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Not triggered		Holcim advised no request was received.
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises	Compliant		Copy of the EPL was sighted during the site inspection.

Appendix D – Agency correspondence for the audit

Ben Bracken

From: Anjna Babhoota <Anjna.BABHOOTA@rms.nsw.gov.au>
Sent: Wednesday, 28 August 2019 11:40 AM
To: Andrew Mattes
Cc: Alison Nash; Assiah Issa; Ben Bracken
Subject: FW: Teven Quarry - Independent Environmental Compliance Audit Consultation
Attachments: 190827_Teven IEA Consultation letter_RMS_5a.pdf

Hi Andrew

This is the enquiry came from GHD.
Can you please advise who is the correct person to redirect to .

Thanks
Regards

Anjna Babhoota
Administrative Assistant
Environment | Safety, Environment and Regulations
T 02 8843 3066 M 0439172602
Anjna.babhoota@rms.nsw.gov.au
Every journey matters

Transport for NSW
Level 3, 27-31 Argyle Street
Parramatta NSW 2150

From: Ben Bracken [mailto:Ben.Bracken@ghd.com]
Sent: Tuesday, 27 August 2019 5:13 PM
To: Anjna Babhoota
Subject: Teven Quarry - Independent Environmental Compliance Audit Consultation

Good afternoon Anjna.

Holcim (Australia) Pty Ltd (Holcim) has engaged GHD Pty Ltd (GHD) to undertake an independent environmental audit of the Teven Quarry operations in accordance with Condition 9 of Schedule 5 of the Development Approval (SSD 6422).

Holcim has one auditable obligation within the Development Approval which requires consultation with the NSW Roads and Maritime Services (Roads and Maritime). I am writing to you to invite comment from Roads and Maritime in regard to these obligations.

The site visit component of the audit is scheduled for the week commencing Monday, 16 September 2019. It would be appreciated if you could submit your written comments by Friday, 13 September 2019.

See attached letter for further details.

Kind regards,

Ben Bracken
Senior Environmental Scientist

GHD

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Ben Bracken

From: Peter Lynch <Peter.Lynch@epa.nsw.gov.au>
Sent: Wednesday, 28 August 2019 2:07 PM
To: Ben Bracken
Subject: FW: Teven Quarry - Independent Environmental Compliance Audit Consultation
Attachments: 190827_Teven IEA Consultation letter_EPA_2a.pdf

CompleteRepository: 12514398
Description: Jandra and Teven IEAs
JobNo: 12514398
OperatingCentre: 22
RepoEmail: 12514398@ghd.com
RepoType: Project

Ben,

Only comment.

Audit _ does the staff have an understanding of the content of the Plans of management.

Regards

Peter Lynch

Operations Officer
North Coast Environment Protection Authority
peter.lynch@epa.nsw.gov.au
PO Box 498
Grafton NSW 2460
Phone: 02 66402502
Mobile: 0438 208 131

Report pollution and environmental incidents 131 555 (NSW only) or +61 2 9995 5555



From: Geff Cramb <Geff.Cramb@epa.nsw.gov.au>
Sent: Tuesday, 27 August 2019 5:30 PM
To: Peter Lynch <Peter.Lynch@epa.nsw.gov.au>
Cc: Janelle Bancroft <Janelle.Bancroft@epa.nsw.gov.au>
Subject: Fwd: Teven Quarry - Independent Environmental Compliance Audit Consultation

Pete, I think this one is yours. Regards Geff

Sent from my Samsung Galaxy Tab S2 on the Telstra Mobile Network

----- Original message -----

From: Ben Bracken <Ben.Bracken@ghd.com>

Date: 27/8/19 5:02 pm (GMT+10:00)

To: Geff Cramb <Geff.Cramb@epa.nsw.gov.au>

Subject: Teven Quarry - Independent Environmental Compliance Audit Consultation

Good afternoon Geff.

Holcim (Australia) Pty Ltd (Holcim) has engaged GHD Pty Ltd (GHD) to undertake an independent environmental audit of the Teven Quarry operations in accordance with Condition 9 of Schedule 5 of the Development Approval (SSD 6422).

Holcim has three auditable obligations within the Development Approval which require consultation with the NSW Environment Protection Authority (EPA). Holcim also maintain an Environment Protection Licence (EPL # 3293) which has a number of operational obligations. I am writing to you to invite comment from EPA in regard to Holcim's performance with regard to these obligations.

The site visit component of the audit is scheduled for the week commencing Monday, 16 September 2019. It would be appreciated if you could submit your written comments by Friday, 13 September 2019.

See attached letter for further details.

Kind regards,

Ben Bracken
Senior Environmental Scientist

GHD

T: 61 2 4222 2352 | F: 61 2 4222 2301 | V: 212 352 | M: 61 410 409 897 | E: ben.bracken@ghd.com
Suite 3 Level 11, 200 Crown St Wollongong 2500 NSW Australia | PO Box 5047 Wollongong 2500 | <http://www.ghd.com/>
[Water](#) | [Energy & Resources](#) | [Environment](#) | [Property & Buildings](#) | [Transportation](#)

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Our Ref: DOC19/754727
Your Ref: 12514398_4a

GHD Pty. Ltd.
Level 15 133 Castlereagh Street
Sydney NSW 2000

Attention: Mr Ben Bracken

Dear Mr Bracken

RE: Teven Quarry (SSD 6422) independent environmental compliance audit

Thank you for your letter dated 27 August 2019 about the independent environmental compliance audit for the Teven Quarry (SSD 6422) being undertaken by GHD seeking comments from the Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment. I appreciate the opportunity to provide input.

The BCD was formerly part of the Office of Environment and Heritage (OEH), but now forms part of the Environment, Energy and Science Group in the Department (<https://intranet.dpie.nsw.gov.au/>).

We have reviewed the available documents and relevant correspondence on file and advise there are matters relating to development consent conditions 26 and 29(a), which should be clarified by GHD as part of the compliance audit process. The matters include:

- a) confirmation that no items or objects of Aboriginal heritage significance have been identified on site; and
- b) demonstrating relevant consultation between the proponent and OEH was undertaken during preparation of the Biodiversity and Rehabilitation Management Plan (BRMP) for the site.

On the second matter, we do not have any formal correspondence on file confirming the proponent has consulted with the OEH as part of the BRMP preparation. It is possible that periodic upgrades to the OEH's electronic filing system have hindered the ability to access some historical correspondence. Therefore, to account for this possibility GHD should request a copy of any relevant correspondence between the proponent and the OEH to demonstrate the OEH were consulted.

Beyond the matters discussed above the BCD does not have any other outstanding compliance issues relating to the Teven Quarry site.

If you have any questions about this advice, please do not hesitate to contact Mr Don Owner, Senior Conservation Planning Officer, at don.owner@environment.nsw.gov.au or 6659 8233.

Yours sincerely

Dimitri Young 20 September 2019

DIMITRI YOUNG
Senior Team Leader Planning, North East Branch
Biodiversity and Conservation

enquiries refer

Saxon Irvine

in reply please quote

19/72280



18 September 2019

Ben Bracken
Technical Director
GHD
by email: ben.bracken@ghd.com

Dear Ben,

**Re: Teven Quarry Audit in accordance with Development Approval (SSD 6422)
Lot's 1, 2 and 3 DP 732288, No's 129 – 181 Stokers Lane, Teven**

I refer to your request received 30 August 2018 seeking Council's comment in relation to Holcim's auditable obligations in accordance with Condition 9 of Schedule 5 of the Development Approval (SSD 6422).

In response to your request, Council provides the following comments:

Condition No 21

- The applicant has paid a contribution to Council based on the tonnage of quarry products and recycled concrete transported to and from the site. However, Council has not been provided with any separate documentation that indicates compliance with Condition 9 of Schedule 2.

Condition No 22

- Council can confirm that the applicant has provided the items identified in Condition No. 22 of Schedule 3 have been completed to Council's satisfaction.

Condition No 25

- Council was approached to provide comment in relation to the development of the Transport Management Plan. However, Council has not been provided with a copy of the Transport Management Plan and therefore cannot provide comment on the quality of this management plan. It is to be noted that a copy of this management plan is not provided on the Departments website.
- Council will be able to provide comment on the quality of this management plan and the audit when made available to Council.

Condition No 33

- Council's records provide that the owner/operator has not obtained a current Approval to Operate in relation to the OSSM system. Council requests the owner/operator to lodge an application to obtain the relevant approvals. Council's OSSM Officers can assist the owner/operator in ensuring the OSSM is operating correctly to obtain the relevant approvals and required servicing reports.

Council is not in the position to provide comment in relation to the performance or compliance with the terms of consent or any other project requirement, as Council has not received any

40 cherry street, po box 450, ballina nsw 2478

t 1300 864 444 • e council@ballina.nsw.gov.au • w ballina.nsw.gov.au • abn 539 29 887 369

additional documents or management plans to review. Council respectfully requests that any plan of management that has been developed as a result of the terms of consent be made available for Council's consideration and records.

If you have any enquiries in regard to this matter please contact Saxon Irvine of Council's Planning and Environmental Health Division on 1300 864 444.

Yours faithfully



Name
Title
Planning and Environmental Health

Ben Bracken

From: deb.alterator@crowland.nsw.gov.au on behalf of Lands Ministerials
<lands.ministerials@industry.nsw.gov.au>
Sent: Wednesday, 18 September 2019 1:15 PM
To: Ben Bracken
Subject: Fwd: Teven Quarry - Independent Environmental Compliance Audit Consultation
Attachments: 190827_Teven IEA Consultation letter_Dol Land and Water_1a.pdf

CompleteRepository: 12514398
Description: Jandra and Teven IEAs
JobNo: 12514398
OperatingCentre: 22
RepoEmail: 12514398@ghd.com
RepoType: Project

Hi Ben

DPIE Crown Lands have no impacts / involvement in relation to Crown land.

Lands Stakeholder Relations

Team telephone numbers: Rebecca Johnson, Principal Project Officer, 4920 5040; Kirstyn Gouling, Administration Officer - Customer Liaison, 4920 5058; Kim Fitzpatrick, Senior Project Officer, 4920 5015

Crown Lands | Department of Planning, Industry and Environment
E lands.ministerials@industry.nsw.gov.au
Level 4, 437 Hunter Street Newcastle NSW 2295
www.dpie.nsw.gov.au



Planning,
Industry &
Environment

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

----- Forwarded message -----

From: Landuse Enquiries <landuse.enquiries@dpi.nsw.gov.au>
Date: Thu, Aug 29, 2019 at 11:24 AM
Subject: Fwd: Teven Quarry - Independent Environmental Compliance Audit Consultation
To: NRAR ServiceDesk <nrar.servicedesk@industry.nsw.gov.au>, DPI Cabinet
<dpi.cabinet@dpi.nsw.gov.au>, Lands Ministerials <lands.ministerials@industry.nsw.gov.au>

Hi all, please see below and attached for your direct response to Ben Bracken.

NRAR- if you have any comments please send them to me.

Regards,

Alistair

----- Forwarded message -----

From: **Ben Bracken** <Ben.Bracken@ghd.com>

Date: Tue, 27 Aug 2019 at 16:58

Subject: Teven Quarry - Independent Environmental Compliance Audit Consultation

To: Landuse.enquiries@dpi.nsw.gov.au <Landuse.enquiries@dpi.nsw.gov.au>, Ahp.central@dpi.nsw.gov.au <Ahp.central@dpi.nsw.gov.au>

To whom it may concern,

Holcim (Australia) Pty Ltd (Holcim) has engaged GHD Pty Ltd (GHD) to undertake an independent environmental audit of the Teven Quarry operations in accordance with Condition 9 of Schedule 5 of the Development Approval (SSD 6422).

Holcim has two auditable obligations within the Development Approval which require consultation with the Department of Industry – Lands and Water (DoI – Lands and Water). I am writing to you to invite comment from DoI – Lands and Water in regard to these obligations.

The site visit component of the audit is scheduled for the week commencing Monday, 16 September 2019. It would be appreciated if you could submit your written comments by Friday, 13 September 2019.

See attached letter for further details.

Kind regards,

Ben Bracken
Senior Environmental Scientist

GHD

T: 61 2 4222 2352 | F: 61 2 4222 2301 | V: 212 352 | M: 61 410 409 897 | E: ben.bracken@ghd.com
Suite 3 Level 11, 200 Crown St Wollongong 2500 NSW Australia | PO Box 5047 Wollongong 2500 | <http://www.ghd.com/>

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Assessments Team

Water | Department of Planning, Industry and Environment

P 0417 626 567 or | E landuse.enquiries@dpi.nsw.gov.au

Level 3 | 26 Honeysuckle Drive | Newcastle | NSW 2300
www.dpie.nsw.gov.au



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Ben Bracken

From: sophia.stanley@dpi.nsw.gov.au on behalf of DPI Cabinet
<dpi.cabinet@dpi.nsw.gov.au>
Sent: Thursday, 12 September 2019 12:40 PM
To: Ben Bracken
Cc: Brendan Stone; Jane Bak
Subject: Teven Quarry - Independent Environmental Compliance Audit Consultation
Attachments: 190827_Teven IEA Consultation letter_Dol Land and Water_1a.pdf

CompleteRepository: 12514398
Description: Jandra and Teven IEAs
JobNo: 12514398
OperatingCentre: 22
RepoEmail: 12514398@ghd.com
RepoType: Project

Dear Ben

Subject: Teven Quarry - Independent Environmental Compliance Audit Consultation

I refer to your email of 27 August 2019 to the Department of Primary Industries (DPI) regarding the above matter.

DPI has reviewed the project and has no comment.

Kind regards
Sophia

DPI Coordination Team:

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

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

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



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----- Forwarded message -----

From: **Ben Bracken** <Ben.Bracken@ghd.com>

Date: Tue, 27 Aug 2019 at 16:58

Subject: Teven Quarry - Independent Environmental Compliance Audit Consultation

To: Landuse.enquiries@dpi.nsw.gov.au <Landuse.enquiries@dpi.nsw.gov.au>, Ahp.central@dpi.nsw.gov.au <Ahp.central@dpi.nsw.gov.au>

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T: 61 2 4222 2352 | F: 61 2 4222 2301 | V: 212 352 | M: 61 410 409 897 | E: ben.bracken@ghd.com
Suite 3 Level 11, 200 Crown St Wollongong 2500 NSW Australia | PO Box 5047 Wollongong 2500 | <http://www.ghd.com/>

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Document Status

Revision	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
0	B Luffman	B Bracken		B Bracken		17/04/2020

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